# TOWN OF CHEEKTOWAGA MEETING NO. 20 OCTOBER 7, 1996

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of October, 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; Leonard Szymanski, Foreman in Facilities Department; Sal LaGreca, Planning Board Chairman; Robert Kaczmarek, Supervising Accountant; Bruce Chamberlin, Chief of Police; and Kenneth Kopacz, Director of Youth and Recreational Services.

# I. FROM THE TABLE

<u>Item No. 2</u> Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, John Mallory is a member of the Cheektowaga Conservation Advisory Council ("CCAC"), AND

WHEREAS, Mr. Mallory has informed the CCAC that, due to conflicts, he is unable to attend the CCAC meetings, AND

WHEREAS, Rachel Gorski, an attorney who graduated with a law degree with a concentration in environmental law, and also has a Master's degree in environmental science, has been attending CCAC meetings and has expressed an interest in being appointed to the CCAC, AND

WHEREAS, the CCAC has recommended that Rachel Gorski be appointed as a member of the CCAC, NOW, THEREFORE, BE IT

RESOLVED, that John Mallory be and hereby is terminated as a member of the CCAC, effective immediately and, BE IT FURTHER

RESOLVED, that Rachel Gorski, 90 Grand Prix Drive, Cheektowaga, New York 14227 be and hereby is appointed to the CCAC, effective immediately and terminating on October 15, 1996.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

# **II. RESOLUTIONS**

<u>Item No. 3</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

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

Item No. 3 cont'd

**GENERAL FUND** 

From:	0100-3120-1112 0100-1415-3500 0100-7110-4451 0100-7110-1491 0100-1910-4711 0100-1315-1982 0100-1220-1391 0100-3120-1541	Police Chief SARAH Grant Building & Grounds Maintenance Seasonal Labor Contingency Special Districts Allocation Part-Time Clerical Patrolman	\$ 3,107.16 5,151.00 4,000.00 3,000.00 10,000.00 106,281.00 4,575.00 77,844.89			
То:	0100-3120-4073 0100-1415-2000 0100-7110-4431 0100-1625-1491 0100-1220-1982 0100-1910-4709 0100-1315-1391 0100-3120-1551	Uniforms Equipment Equipment Repairs & Maintenance Part-Time Laborers Special Districts Allocation Management Studies Part-Time Clerical Sergeants	3,107.16 5,151.00 4,000.00 3,000.00 106,281.00 10,000.00 4,575.00 77,844.89			
SPECIAL DIST	TRICTS					
From:	2500-8125-4581 1500-8160-9131 1500-8160-9211	Consulting Engineers Bond Principal Bond Interest	\$ 1,230.50 20,000.00 20,000.00			
То:	2500-8125-4585 1500-8160-8141	SD #5 Water Medical Insurance	1,230.50 40,000.00			
COMMUNITY DEVELOPMENT						
From:	0700-1095-0704	Contingency	\$ 4,890.08			
To:	0700-1095-0679	Summer Day Camp	4,890.08			
Upon roll call . AYES: NAYES;		yszak, Councilmembers Jaworowicz, i, and Swiatek	Rogowski, Blachowski,			

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

BE IT RESOLVED that the following Vouchers & Warrants were submitted to the Town of Cheektowaga prior to October 4, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$	340,579.18
HIGHWAY FUND		98,529.15
TRUST & AGENCY		21,861.53
PART TOWN FUND		7,122.83
RISK RETENTION FUND		31,590.64
CDBG HUD FUND		27,961.93
HUD HOUSING REHABILITATION FUND		3,188.16
SPECIAL DISTRICTS FUND		311,370.34
CAPITAL FUND	. 9	402,038.12

\$1,244,241.88

# Item No. 4 cont'd.

ABSENT:

0

Upon roll call . . . .

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

NAYES; 0 ABSENT: 0

<u>Item No. 5a</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

RESOLVED, that this Town Board does hereby prepare and approve as the Preliminary Ad Valorem Budget of this Town for the Fiscal Year beginning on the 1st day of January, 1997, the itemized statement of estimated revenues and expenditures hereto attached and made a part of this resolution, and also an itemized statement of estimated revenues and expenditures of the Lighting Districts and Consolidated Garbage District hereto attached and made a part of this resolution, AND, BE IT FURTHER

RESOLVED, that such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours, effective October 10, 1996, AND, BE IT FURTHER

RESOLVED, that this Town Board shall meet at 6:00 P.M. on the 28th day of October, 1996, for the purpose of holding a Public Hearing upon such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District budgets, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give Notice of such Public Hearing in the manner provided in Section 108 of the Town Law and that such Notice be published in the CHEEKTOWAGA TIMES, the official Town newspaper on October 10, 1996, and post same on the signboard maintained by the Town Clerk.

LEGAL NOTICE
of
PUBLIC HEARING
on
PRELIMINARY BUDGET
and

LIGHTING DISTRICTS and CONSOLIDATED GARBAGE DISTRICT BUDGETS

NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 1997, has been completed and filed in the Office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it is available for inspection by any interested person at all reasonable hours, effective October 10, 1996.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 6:00 P.M. on the 28th day of October, 1996, and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item therein contained.

Pursuant to Section 108 of the Town Law, the proposed salaries of the Town Officers are hereby specified as follows:

Item No. 5a cont'd.

SUPERVISOR \$63,750

TOWN CLERK \$52,000

HIGHWAY SUPERINTENDENT \$60,000

COUNCILMEMBER \$19,500

> BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,

ERIE COUNTY, NEW YORK

Richard M. Moleski, Town Clerk

October 7, 1996 Dated:

Published: October 10, 1996

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, this Town Board has prepared detailed estimates of the anticipated 1997 revenues and expenditures for every district in which the expenses of the improvement is to be assessed on a benefit basis, AND

WHEREAS, this Town Board has assessed the Special District costs on a benefit basis against the lots or parcels of land against which the improvement was chargeable, AND

WHEREAS, this Town Board had prepared an assessment roll for each district describing each lot of land in the district, the owner thereof, and the assessment levied against it, AND

WHEREAS, this Town Board has filed such estimates and assessment rolls with the Town Clerk, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board shall meet at 6:00 P.M. on the 28th day of October, 1996 for the purpose of holding a Public Hearing upon such estimates and assessment rolls, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give notice of such Public Hearing in the manner provided in Section 239 of the Town Law, and that such notice be published in substantially the following form in the CHEEKTOWAGA TIMES, the official Town newspaper on October 10, 1996.



### PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, New York has completed it's Estimates and Assessment Rolls relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk.

NOTICE IS ALSO GIVEN that a public hearing on such Estimates and Assessment Rolls will be held on October 28, 1996 at 6:00 P.M. at the Town Hall, corner of Broadway and Union Roads, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.

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

Richard M. Moleski Town Clerk

Dated: October 7, 1996

Published: October 10, 1996

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Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 5c</u> 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 October 21, 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 10th day of October, 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 October 21, 1996 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic): said proposed amendments being as follows:

#### ARTICLE IV

#### Traffic Control Signs

76.40 Installation, Maintenance and Operation of Traffic Control Signals.

Section 76-40 shall be amended by deleting therefrom the following:

- A. Traffic control signals shall be installed, maintained and operated as follows:
  - (7) Delavan Avenue at Andrews Avenue.
    - (a) Automatic: 1 section, 3 lights, 4-way.
    - (b) Fully automatic traffic control signal.
  - (16) Pine Ridge Road at Sugar Road.
    - (a) Automatic: 1 section, 3 sides, 3 lights per side facing north, south and west.
    - (b) Sensor pads.
    - (c) Normal operation: fully automatic traffic control signal.
    - (d) Sensor-pad activation allows traffic on Sugar to enter Pine Ridge Road.
  - (20) Walden Avenue at Pine Ridge Road
    - (a) Automatic: 3 sections 1st section, 1 side, 3 lights facing east; 2nd section 1 side,
       3 lights facing west; 3rd section 1 side, 3 lights facing north.
    - (b) Normal operation: fully automatic traffic control signal.
  - (21) Walden Avenue at Gualbert Avenue.
    - (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights per side; 2nd section, 1 side, 3 lights facing west; 3rd section, 1 side, 3 lights facing east.
    - (b) Push buttons, sensor pad.
    - (c) Normal operation: fully automatic traffic control signal.
    - (d) Push-button or sensor-pad activation allows pedestrian and vehicle traffic from Gualbert Avenue to cross and enter Walden Avenue.
- (22) Walden Avenue at Reo Avenue.
  - (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights per side; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.
  - (b) Push buttons, sensor pads.
  - (c) Normal operation; regular full traffic control signal.
  - (d) Push button or sensor pad activation allows pedestrian and vehicle traffic from Reo Avenue to cross and enter Walden Avenue.

# Item No. 5c cont'd.

- (23) Walden Avenue at Dale Road Thruway Lanes entrance.
  - (a) Automatic and clock: 6 sections 1st section, 1 side, 3 lights facing east; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west; 4th section, 1 side, 3 lights facing west; 5th section, 1 side, 3 lights facing north, 6th section, 1 side, 3 lights facing south.
  - (b) Normal operation: flashing amber on Walden Avenue, flashing red on sides. Operates as full traffic control signal during hours that Thruway Plaza is open.
- (24) Walden Avenue at F.N. Burt factory entrance.

- (a) Automatic and clock: 4 sections 1st section, 1 side, 3 lights facing east; 2nd, section, 1 side, 3 lights facing east; 3rd section, 2 sides, 3 lights facing west-south; 4th section, 2 sides, 3 lights facing west-south.
- (b) Normal operation: flashing amber Walden Avenue, flashing red on factory entrance. Operates as full traffic control signal during changes of shifts at plant.
- (25) Walden Avenue (County Road No. 244) at Dick Road County Road No. 317). This signal shall:
  - (a) Display vehicular faces on each approach as follows:
    - [1] Faces 1, 2, 3, facing south on Dick Road
    - [2] Faces 4, 5, 6, facing north on Dick Road
    - [3] Faces 7, 8, 9, facing west on Walden Avenue
    - [4] Faces 10, 11, 12, facing east on Walden Avenue
  - (b) Operate as a fully traffic-actuated signal.
  - (c) Be equipped with the following detectors located as follows:
    - [1] Dick Road, south of intersection associated with phase A 1.
    - [2] Dick Road, north of intersection associated with phase A 2.
    - [3] Walden Avenue, west of intersection associated with phase A 3 and B 4.
    - [4] Walden Avenue, east of intersection associated with phase A 4 and B 1.
    - [5] On inside northbound approach lane of Dick Road, south of the intersection associated with phase B 2.
    - [6] On inside southbound approach lane of Dick Road, north of the intersection associated with phase B 1.
    - [7] On inside eastbound approach lane of Walden Avenue, west of the intersection associated with phase B 4.
    - [8] On inside westbound approach lane of Walden Avenue, east of the intersection associated with phase B 3.
  - (d) Vertical left and right green arrows, left and right yellow arrows and left and right red arrows facing north and south on Dick Road and east and west on Walden Avenue shall be displayed during appropriate interval of the signal cycle.
- (27) William Street William Street underpass at Richard Drive.
  - (a) Warning signal: 2 flashing amber 1 amber constant, bridge abutment.
  - (b) Normal operation: flashing amber 2 lights, 1 steady amber.
- (33) Walden Avenue No. 2001 ramp and access road to Two Guys.
  - (a) Semiactivated traffic signal: 1 section, 3 lights (12-inch) facing east; 1 section,4 lights (12-inch) facing east bottom light arrow right, 3 lights (8-inch) facing south;
  - 1 section, 3 lights (12-inch) facing east; 3 lights (8-inch) facing north; 3 lights (8-inch) facing south; 2 sections, 3 lights (12-inch) facing west, 3 lights (12-inch) facing west, 3 lights (8-inch) facing north; 1 section, 3 lights (12-inch) facing west.
  - (b) Vehicle detectors, wire induction loop; 1 ramp, 1 access road.
  - (c) Normal operation: 9:00 a.m. to 10-:30 p.m. green on Walden, red on ramp and access road; 10:30 p.m. to 9:00 a.m. flashing amber on Walden Avenue, flashing red on ramp and access road.
  - (d) Vehicle-detector activation transfers right-of-way from Walden Avenue to ramp and access road after minimum green on Walden Avenue during hours of 9:00 a.m. to 10:30 p.m.

#### Item No. 5c cont'd.

- (41) Aero Drive at Amherst Villa Roads.
  - (a) Automatic and clock.
    - [1] South of tunnel:
      - [a] 1 section 1 side, 3 lights facing south.
      - [b] 1 section 3 sides, 3 lights facing west, south and north.
      - [c] 1 section 2 sides, 3 lights facing west and north.
      - [d] 1 section 1 side, arrow right, facing north.
    - [2] North of tunnel:
      - [a] 1 section 1 side, 3 lights facing north.
      - [b] 1 section 3 sides, 3 lights facing north and south.
      - [c] 1 section 2 sides, 3 lights facing east and south.

- [d] 1 section 1 side, 1 light, arrow right, facing south.
- [e] 1 section 1 side, 1 light, arrow right, facing east.
- [3] Lane control signals in tunnel:
  - [a] Traffic assignment shall provide the capability for manual and automatic control of three (3) lanes of traffic with normal operation allowing traffic flow in one (1) direction only on each of two (2) lanes and reversible traffic flow on third lane as follows:

	<u> </u>	Traffic Assignment		22 St 10/20/00	lication t bound <u>T</u>	1781 1787 - 1787 (1787)	- NO.010	dication t hbound	
Traffic Direction	Lane 1	Lane 2	Lane 3	Lane 1	Lane 2	Lane 3	Lane 1	Lane 2	Lane 3
normal traffic	north- bound	closed	south- bound	green	red	red	red	red	green
inbound	north- bound	south- bound	south- bound	green	red	red	red	red	green
outbound	north- bound	north bound	south- bound	green	green	red	red	red	green

[b] Traffic assignment of Lane 2 shall be controlled by a time clock capable of initiating three-lane transfers during a twenty-four hour period as follows:

6:00 a.m. to 8:15 a.m. inbound 8:15 a.m. to 2:45 p.m. normal 2:45 p.m. to 3:30 p.m. inbound 3:30 p.m. to 5:15 p.m. outbound 5:15 p.m. to 12:00 p.m. midnight normal 12:00 midnight to 12:30 a.m. outbound

- (b) Sensor pads: Amherst Villa Road, south of tunnel; Amherst Villa Road, north of tunnel.
- (c) Sensor-pads activation allows traffic from Amherst Villa Roads to enter Aero Drive after short interval reverts to normal traffic pattern on inbound or outbound patterns as provided in above schedule.
- (42) Cleveland Drive at Foisset Avenue.
  - (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing east.
  - (b) Push buttons.
  - (c) Normal operation: flashing signal, flashing yellow indications facing east and west on Cleveland Drive, flashing red indications facing south on Foisset Avenue and to the north.
  - (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing south on Foisset Avenue and to the north, for vehicle clearance, followed by yellow and steady red indications facing east and west on Cleveland Drive and steady green indications facing south on Foisset Avenue and to the north. Short interval reverts to operation in (c).

# Item No. 5c cont'd.

- (44) Como Park Boulevard at Indian Road
  - (a) Flasher: 1 section, 1 light, 4-way.
  - (b) Normal operation: flashing red on Indian Road, flashing yellow on Como Park Boulevard.
- (47) Dingens Street at South Colby Street.
  - (a) 1 section, 3 lights, 4 sides; 1 section, 3 lights facing east; 1 section, 3 lights facing west.
  - (b) Pedestrian indications: "Walk" and "Don't Walk" facing north and south. Push buttons.
  - (c) Normal operations: flashing signal displaying yellow indications facing east and west on Dingens Street and red indications facing north on South Colby Street. "Don't Walk" indications facing north and south across Dingens Street.

(d) Upon activation, a pedestrian push button displays red indications facing east and west on Dingens Street and north on South Colby Street, and "Walk" indications north and south across Dingens Street. Vehicular and pedestrian clearances provided. Short interval reverts to operation in (c).

Section 76-40 shall be amended by adding thereto the following:

- A. Traffic control signals shall be installed, maintained and operated as follows:
- (7) Delavan Avenue at Andrews Avenue.
  - (a) Flasher: 1 section, 3 lights, 3 way.
  - (b) Push buttons.
  - (c) Normal operation; flashing amber on Delavan Avenue, flashing red on Andrews Avenue.
  - (d) Push button activation: Andrews Avenue to green. Delavan Avenue green to amber to red.
- (47) Dingens Street at Alaska Street.
  - (a) 1 section, 3 lights, 4 sides; 1 section. 3 lights facing east; 1 section, 3 lights facing west.
  - (b) Pedestrian indications: "Walk" and "Don't Walk" facing north and south. Push buttons.
  - (c) Normal operation: flashing signal displaying yellow indications facing east and west on Dingens Street and red indications facing north on Alaska Street. "Don't Walk" indications facing north and south across Dingens Street.
  - (d) Upon activation, a pedestrian push button displays red indications facing east and west on Dingens Street and north on South Colby Street, and "Walk" indications north and south across Dingens Street. Vehicular and pedestrian clearances provided. Short interval reverts to operation in (c).

#### ARTICLE VII

# **Turning Movements**

Section 76 shall be amended by adding thereto the following:

76-73. No U-Turns

U-Turns will be prohibited at the following locations:

(1) Galleria Drive eastbound at Thruway exit ramp.

76-74. No right on red.

Section 76-74 shall be amended by deleting therefrom the following:

B. Right turns by northbound traffic off Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

Item No. 5c cont'd

Section 76-74 shall be amended by adding thereto the following:

B. Right turns by traffic on red indications is prohibited from the Thruway ramp at Cleveland Drive, for eastbound traffic, during school days 7:00 a.m. to 3:00 p.m.

# **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.

Section 76-80 shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	Entrance <u>Street</u>	Traffic Stops	Sign <u>Location</u>
Warsaw Street	North-south	Center Street	Westbound	N.E. Corner
Warsaw Street	North-south	Center Street	Eastbound	S.W. Corner
Wabash Street	North-south	Center Street	Westbound	N.E. Corner
Wabash Street	North-south	Center Street	Eastbound	S.W. Corner
Iroquois Avenue	North-south	Center Street	Westbound	N.E. Corner
Iroquois Avenue	North-south	Center Street	Eastbound	S.W. Corner
Center Street	East-west	Mansion Street	Northbound	S.E. Corner
Center Street	East-west	Mansion Street	Southbound	N.W. Corner
Center Street	East-west	Linden Street	Northbound	S.E. Corner
Center Street	East-west	Linden Street	Southbound	N.W. Corner
Center Street	East-west	Peoria Avenue	Northbound	S.E. Corner
Center Street	East-west	Peoria Avenue	Southbound	N.W. Corner
Section 76-80 shall k	oe amended by addir	ng thereto the following:		
Candlelight Lane	East-west	Warsaw Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Warsaw Street	Southbound	N.W. Corner
Candlelight Lane	East-west	Wabash Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Wabash Street	Southbound	N.W. corner
Candlelight Lane	East-west	Iroquois Avenue	Northbound	S.E. Corner
Candlelight Lane	East-west	Iroquois Avenue	Northbound	N.W. corner
Candlelight Lane	East-west	Mansion Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Mansion Street	Southbound	N.W. Corner
Candlelight Lane Item No. 5c cont'd.	East-west	Linden Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Linden Street	Southbound	N.W. Corner
Candlelight Lane	East-west	Peoria Avenue	Northbound	S.E. Corner
Candlelight Lane	East-west	Peoria Avenue	Southbound	N.W. Corner
Evergreen Place	East-west	Clover Place	Westbound	N.E. Corner
Hillwood Drive	North-south	Autumnwood Drive	Westbound	N.E. Corner
Hillwood Drive	North-south	Autumnwood Drive	Eastbound	S.W. Corner
Mapleview Road	East-west	So. Huxley Road	Northbound	S.E. Corner
Mapleview Road	East-west	So. Huxley Road	Southbound	N.W. Corner
		ARTICLE X		

# Parking, Standing and Stopping

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

A. No parking this side or one side parking

Evergreen Place East side from the east curbline of Woodbine Place to the south

curbline of Clover Place.

Clover Place North side from the east curbline of Pinehurst Avenue to the west

property line of No. 234.

B. No parking anytime

North Seine Drive South side from Denise Drive to terminus.

Clover Place East side from north curbline of Clover Place to the west property

line of No. 250.

C. No parking here to corner

Rowan Road South side from Ivanhoe Road easterly for 50± feet.

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

A. No parking this side or one side parking

Losson Road North side from a point 390± feet east of the east curbline of

Wedgewood Drive extended to a point 545+ feet east of the east curbline of Wedgewood Drive extended, for a

distance of 155+ feet.

B. No parking anytime

Bellevue Avenue South side from the south curbline of Como Park Blvd. southeasterly

to its terminus.

Center Avenue East side from north curbline of Bennett Road north to its terminus.

Creekside Drive South side from east curbline of Harlem Avenue easterly to its terminus

Danforth Street West side from south curbline of Bellevue Avenue south to its

terminus

Item No. 5c cont'd.

Freemont Avenue West side from north curbline of Como Park Blvd. to south curbline of

Zurbrick Road

Hawthorne Avenue East side from north curbline of Bennett Road to south curbline of

Como Park Blvd.

Homewood Avenue West side from north curbline of Bennett Road north to its terminus

Park Avenue East side from north curbline of Como Park Blvd. to south curbline

of Zurbrick Road

Park Street West side from south curbline of Bellevue Avenue south to its

terminus

Redoak Drive North side from north curbline of Groell Avenue north and west to the

West side west curbline of Groell Avenue

Viola Drive North side from west curbline of Harlem Avenue westerly to its

terminus

Vita Road West side from north curbline of Bennett Road to south curbline of

Como Park Blvd.

Towers Blvd. East side from the south curbline of French Road, northerly to a point

225+ feet north of the south curbline of French Road, for a

distance of 225+

Clover Place South side from east curbline of Pinehurst Avenue to a point 260+ feet

northwest of the north curbline of Clover Place at its

intersection with Evergreen Place

Clover Place North side from the south curbline of Evergreen Place at its inter-

section with Clover Place to a point 260+ feet northwesterly

Evergreen Place North side from the east curbline of Woodbine Place to a point 190+

feet southwest of the south curbline of Clover Place

Evergreen Place South side from the south curbline of Clover Place to a point 250+

feet southwesterly

North Seine Drive South side from east curbline of Towers Blvd. easterly to terminus

C. No parking here to corner

Rowan Road South side from Ivanhoe Road, easterly curbline to a point 30± feet

east of the east curbline of Ivanhoe Road, for a distance of

30<u>+</u> feet

D. No standing here to corner

Peachtree Road North side from the east curbline of Winkler Road to a point 35± feet

east of the east curbline of Winkler Road, for a distance of

35<u>+</u> feet

Peachtree Road North side from the west curbline of Winkler Road, to a point 35± feet

west of the west curbline of Winkler Road, for a distance of

35<u>+</u> feet

Winkler Road East side from the north curbline of Peachtree Road to a point 35+

feet north of the north curbline of Peachtree Road, for a

distance of 35+ feet

Item No. 5c cont'd.

Winkler Road East side from the south curbline of Genesee Street to a point 35±

feet south of the south curbline of Genesee Street, for a

distance of 35+ feet

F. Miscellaneous parking signs.

(6) No standing anytime

Pine Ridge Road West side from the north curbline of Genesee Street to the south

curbline of East Delavan Avenue

Article X shall be amended by deleting therefrom the following

Section 76-107 Blocking of side roads prohibited

The stopping or standing of vehicles resulting in the blocking of access to the following side roads from the following main roads shall be prohibited:

Main Road Side Road

William Street Ceil Drive

William Street Laura Court

William Street Raymond Avenue

William Street Starlite Avenue

William Street Tamarack Court

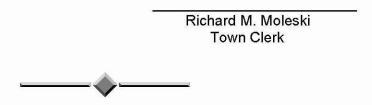
William Street Vern Lane

76-161 Handicap parking fines.

Any person who parks in spaces clearly marked for use by the handicapped in accordance with §1203-c of the Vehicle and Traffic Law of the State of New York without a special municipal parking permit or whose vehicle is not registered in accordance with §404-a of the Vehicle and Traffic Law and being used for the transportation of a handicapped person shall be subject to a fine of fifty dollars (\$50), and, if such fine is unpaid after fourteen (14) days, the fine shall increase to one hundred dollars (\$100).

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

Dated: October 7, 1996



Upon roll call . . . .

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson,

Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

## **AFFIDAVIT - NEXT PAGE**

<u>Item No. 6</u> Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

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 Assessors identify Ardy Acquisition Corporation, P.O. Box 902, Buffalo, New York 14225-0902 as the owner of a principal building and accessory structure located at 3150 Union Road, Cheektowaga, New York, AND

WHEREAS, an inspection of such premises was conducted on September 26, 1996 by the Office of the Building and Plumbing Inspections, AND

WHEREAS, such inspection found the principal building and accessory structure to be deteriorated, a hazard, a detriment to property values and a danger to the safety and well being of others, AND

WHEREAS, notice was sent to the owner that demolition and removal of the principal building and accessory 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 principal building and accessory 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

October 21, 1996 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.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 7</u> Motion By Councilmember Swiatek, Seconded by Councilmember Wielinski

BE IT RESOLVED, that the salaries of the following Town employees not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1996.

Disaster Coordinator	\$10,927.28
Bingo Inspectors (5) 6,780.80	
Chairman	7,100.08
Planning Board Member (5)	3,202.08
Chairman	4,730.88
Secretary	4,053.59
Zoning Board Member (4)	3,775.20
Chairman	5,113.44
School Crossing Guards	6.695/hour

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

WHEREAS, bids were duly received by this Town Board at a bid opening on October 1st, 1996, for the purchase of TIRES & TUBES by various departments as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

Item No. 8 cont'd

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

RESOLVED, that the bids be awarded to Division Tire, 2750 Kenmore Avenue, Tonawanda, New York 14150; Goodyear Wholesale Tire Center #1186, 730 Young Street, Tonawanda, New York 14150; and Main Tire Exchange Inc., N. Main Street, P.O. Box 340, Dansville, New York 14337 being the lowest responsible bidders in each category or size meeting specifications as set forth in tabulation attached and made a part hereof.

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. 9a 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 contracting of Snow Removal if a Snow Emergency should occur.

Information for bidders and specifications may be obtained from the Office of the Town Clerk located at the Town Hall, Broadway and Union Road, 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 items at 11:00 a.m. on October 23, 1996.



# NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires sealed bids for labor and equipment for the removal of snow from highways situated in the Town in the event of a snow emergency during the 1996-1997 winter season.

Specifications and information are available at the office of the Town Clerk at his office in the Cheektowaga Town Hall located at Broadway and Union Roads, Cheektowaga, New York 14227 between the hours of 9:00 a.m. and 4:30 p.m.

In order to be considered, all bids must be filed with the Town Clerk's Office, c/o Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227, prior to the time of the bid opening scheduled for Wednesday, October 23, 1996 at 11:00 a.m. in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder and with the words "BIDS FOR LABOR AND EQUIPMENT FOR SNOW REMOVAL IN AN EMERGENCY".

The Town of Cheektowaga reserves the right to reject any or all bids if it determines in its discretion that it is in the best interest of the Town of Cheektowaga to do so.

Non-collusion forms must be signed and submitted with bids.



Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

**AFFIDAVIT - NEXT PAGE** 

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

WHEREAS, the Sewer Maintenance Department is in need of a new pick-up truck, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of said vehicle for the Sewer Maintenance Department, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received by the Town of Cheektowaga on October 29, 1996 at 11:00 a.m., Eastern Daylight Savings Time, at the Town Hall, at which time they will be publicly opened and read.



# **NOTICE TO BIDDERS**

Sealed proposals will be received by the Town of Cheektowaga on October 29, 1996 at 11:00 a.m., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one 1997, 1/2 Ton Pick-Up Truck for the Sewer Maintenance Department.

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

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

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

Richard M. Moleski Town Clerk

Dated: October 7, 1996



Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 9c Motion By Councilmember Swiatek, Seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga Disaster Coordinator desires to lease, for a period of four (4) years, one (1) 1997 Model 4-Wheel Drive Suburban for use by the Disaster Coordinator, NOW, THEREFORE, BE IT

RESOLVED, that the request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said lease of one (1) 1997 Model 4-Wheel Drive Suburban, said notice to be published in the CHEEKTOWAGA TIMES, and, BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk on the 29th day of October, 1996 at 11:00 a.m., Daylight Savings Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



#### NOTICE TO BIDDER

Sealed proposals will be received by the Town of Cheektowaga on October 29, 1996 at 11:00 a.m., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the four (4) year lease of one (1) 1997 Model, 4-Wheel Drive Suburban for use by the Town of Cheektowaga Disaster Coordinator.

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

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

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

Richard M. Moleski Town Clerk

Dated: October 7, 1996

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Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

# <u>Item No. 10</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, by resolutions dated July 1, 1996, this Town Board issued a Negative Declaration for purposes of S.E.Q.R.A. for Losson Green Estates Subdivision, Phase VIII and approved such subdivision, subject to certain conditions, AND

WHEREAS, the developer of this subdivision has notified the Town that the correct phase for this subdivision should be Phase IX, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolutions dated July 1, 1996 be and hereby are amended to reflect that the Negative Declaration and subdivision approval apply to Losson Green Estates, Phase IX.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 11a Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, October 6-12, 1996 has been designated as National Fire Prevention

Week, AND

WHEREAS, it is the purpose of Fire Prevention Week to enhance the awareness of fire prevention techniques at home, in school, and in the workplace, and to improve the public's understanding of the fire prevention facilities in the Town of Cheektowaga through the Volunteer Fire Districts, AND

WHEREAS, programs are undertaken throughout the Town in schools and at fire companies to educate both students and property owners, AND

WHEREAS, it is the Town Board's intention to support such an educational process in every way possible and to focus the public's attention on the programs available during Fire Prevention Week, NOW, THEREFORE, BE IT

RESOLVED, that October 6-12, 1996 be and hereby is proclaimed as Fire Prevention Week in the Town of Cheektowaga .

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

WHEREAS, the children of our community are entitled to the fun and excitement associated with "Halloween Night", including going from door-to-door in their immediate neighborhoods with their happy challenges of trick-or-treat; AND

WHEREAS, it would appear that parents generally favor the early evening hours, since it tends to limit participation to the younger children, for whom the observance was originally intended and thereby discourages interference and disruption by the very small percentage of older children, who under cover of darkness and with their identities concealed and costumes, might otherwise spoil the fun for the smaller children, NOW, THEREFORE, BE IT

RESOLVED, that Thursday, October 31, 1996 shall be known as "Halloween Night" in the Town of Cheektowaga, and that the Town Board ask both children and their parents to cooperate in limiting the time of "trick-or-treating" activities to the period between 6:00 P.M. and 8:30 P.M. We further ask that, whenever possible, parents of the very young insure that they or other responsible adults accompany them, and to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

#### Item No. 11b cont'd.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 11c</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Rogowski

WHEREAS, the Safehomes Program is a drug prevention resource network for parents within our community, AND

WHEREAS, for the past four years the Cheektowaga Action Partnership has promoted the program to local high schools and middle schools, AND

WHEREAS, the Safehomes Program has been adopted by all of our Town School Districts, AND

WHEREAS, each fall school open houses and other events present opportunities to recruit additional parents to sign Safehome pledge cards, AND

WHEREAS, with statistics regarding teen drug and alcohol abuse on the rise, there is great need to get resources and information into the hands of our community parents, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga proclaim the month of October as "Safehomes Sign-Up Month" and encourage all families to take advantage of this valuable drug prevention awareness tool.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

## <u>Item No. 12</u> Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

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 Central High School Student Council has made application to hold its Homecoming Parade on October 18, 1996, said parade beginning on the north side of South Creek Drive; then proceeding south on Nantucket Drive, thence proceeding west on Zoerb Avenue to Union Road; then crossing Union Road to the south parking lot of Cheektowaga Central School, AND

WHEREAS, this Board has reviewed the application submitted by Cheektowaga Central High School Student Council, 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
- 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

# Item No. 12 cont'd.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Central High School Student Council for its parade to be held on October 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, Rogowski, Blachowski,

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

# Item No. 13 Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, Cleveland Drive is a County Highway owned and maintained by the County of Erie, AND

WHEREAS, previously, this Town Board requested permission to install a "No Right on Red" sign in the Cleveland Drive right-of-way at the exis ramp of the New York State Thruway to stop northbound traffic exiting the Thruway from turning right on red onto Cleveland Drive, AND

WHEREAS, this Town Board was concerned about the safety of pedestrians and children crossing Cleveland Drive at the traffic signal located by the New York State Thruway exit to go to and from Infant of Prague Church and Schools, AND

WHEREAS, the County of Erie previously would not permit the Town to post the requested "No Right on Red" sign at this location, AND

WHEREAS, recently, the Town removed a traffic signal located on Cleveland Drive at Foisset Avenue, just east of the New York State Thruway, resulting in increased pedestrian use of the signal at the exit ramp of the Thruway, AND

WHEREAS, residents of this area have signed petitions requesting a "No Right on Red" sign on Cleveland Drive at the Thruway, especially during school hours, AND

WHEREAS, the Town has been given reason to believe that the County of Erie, Department of Public Works, Division of Highways, will now approve a "No Right on Red on school days, 7:00 a.m. - 3:00 p.m." sign to be posted on Cleveland Drive at the Thruway, AND

WHEREAS, the Town Board has scheduled a public hearing for October 21, 1996 at 7:00 p.m. to amend the Town Vehicle and Traffic Ordinance to prohibit right turns on red during school hours, at the Cleveland Drive exit, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the County of Erie, DPW, Division of Highways to grant the Town permission to erect a "No Right on Red on School Days, 7:00 a.m. to 3:00 p.m." sign on Cleveland Drive at the New York State Thruway exit and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the County of Erie, DPW, Division of Highways (Att'n: Earl Dubin).

Upon roll call . . . .

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 Rogowski

WHEREAS, the drainage study for the southeast section of the Town, prepared in 1976 and updated in 1991 on behalf of the Town by the consulting engineering firm of Nussbaumer & Clarke, Inc., recommends the need to augment the capacity of the present Transit Road drainage system as part of a project which would widen and reconstruct Transit Road, and which drainage system would intercept existing flows at various locations from the Town of Lancaster, and direct said flows northerly within the highway right-of-way to Cayuga Creek, AND

WHEREAS, the New York State Department of Transportation (NYSDOT) in currently designing highway and drainage improvements as part of an upcoming project for the reconstruction of Transit Road between Broadway and French Road, identified as PIN 5111.62.121, AND

WHEREAS, the NYSDOT has notified the Town Engineer in a communication dated September 12, 1996 that the design of the aforementioned project will incorporate cross drainage from the Town of Lancaster into a storm sewer trunkline, directing said flows to Cayuga Creek as recommended in the drainage study, intercepting existing culvert crossings located along that portion of Transit Road between Losson Road and Como Park Boulevard. **AT NO COST TO THE TOWN**, AND

WHEREAS, said proposal combined with a strict stormwater management policy for developing properties along the Transit Road corridor in both the Town of Cheektowaga and the Town of Lancaster will benefit the Town in the operation and maintenance of its downstream drainage systems, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board concurs with and hereby supports the NYSDOT design proposal for the above described drainage improvements element of the Transit Road Reconstruction Project and, BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to transmit a certified copy of this resolution to:

NYSDOT Regional Design Engineer, George A. Greenslade, P.E. 125 Main Street, Buffalo, New York 14203

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 15</u> Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, as a result of residential and commercial development in the Town of Lancaster and other municipalities east and south of Cheektowaga, there has been a marked increase in traffic traveling through the Town of Cheektowaga, especially along the Losson Road/William Street corridor for ingress to and egress from the New York State Thruway, AND

WHEREAS, this increased traffic is placing a heavy burden on roadways within the Town of Cheektowaga and is causing concern and traffic problems to Cheektowaga residents, AND

WHEREAS, the Niagara Frontier Transportation Committee ("NFTC"), in its 2010 Transportation System Plan for Erie and Niagara Region, has analyzed traffic trends and projections, and has recognized the severity of conditions along Transit Road, Union Road, Losson Road, William Street and the I-90 section of the Thruway, AND

WHEREAS, to alleviate traffic congestion, the NFTC has proposed establishing a "transportation corridor" through central and southern Lancaster, running from a new interchange with the Thruway near Gunneville Road, south to Broadway and William Street, then south and west to Transit Road; from the Thruway, the corridor would also extend north to the vicinity of Main Street and Sheridan Drive in Clarence, AND

# Item No. 15 cont'd.

WHEREAS, this Town Board previously went on record in favor of such a transportation corridor, AND

WHEREAS, the NFTC has set aside \$25,000 in Federal Transportation Planning funds and the Town of Lancaster has been allocated \$25,000 through the County of Erie in Federal Community Development Block Grant funds to conduct a study as to the feasibility of the transportation corridor, AND

WHEREAS, this Town Board feels that the establishment of the transportation corridor, with the relocation of the Williamsville toll barrier to the east, would provide a viable transportation alternative to commuters and commercial development and alleviate traffic congestion in Cheektowaga by providing an alternative route to the Losson Road/William Street corridor, AND

WHEREAS, the Lancaster transportation corridor would also act to accommodate continued growth and development in Lancaster and other areas east of Transit Road, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby joins with the Town of Lancaster, Erie County and the NFTC in supporting the NFTC/Lancaster concept of the Lancaster transportation corridor feasibility study, and hereby strongly requests that such study be expedited and, BE IT FURTHER

RESOLVED, that this Town Board hereby also requests that funding for acquisition of lands and construction of such transportation corridor be expedited to the maximum extent possible; and that such study and work be listed as a high priority project for Western New York and, BE IT FURTHER

RESOLVED, that this Town Board hereby also expresses its opposition to any plans the NYS Department of Transportation may have to directly connect Losson Road to William Street as a design alternative to the DOT's Union Road project since this alternative would only encourage traffic along the Losson Road/William Street corridor and would require the removal of dwellings from the Town tax rolls and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Town of Lancaster, County of Erie, NFTC and the NYSDOT and, BE IT FURTHER

RESOLVED, that copies of this resolution also be forwarded to State Assemblyman Paul A. Tokasz and State Senator William Stachowski.

Upon roll call . . . .

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

NAYES; C

Item No. 16 Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, Cleveland Heights Christian Church ("Church"), located at 4774 Union Road, has proposed a westerly expansion of its asphalt parking area at the rear of its facility, AND

WHEREAS, drainage improvements associated with this project are tributary to an existing drainage system which traverses adjacent Town-owned land known as Yeager Park, AND

WHEREAS, as part of its project, the Church needs to re-grade 100  $\pm$  feet of the existing swale located on Town property to facilitate the installation of drainage improvements on Church property and to temporarily place its equipment on Town land during work on its project, AND

## Item No. 16 cont'd

WHEREAS, the Town Engineer has reviewed the proposed drainage work and has found same satisfactory, AND

WHEREAS, as part of its project, the Church will plant five (5) trees on the Townowned Yeager Park property, NOW, THEREFORE, BE IT

RESOLVED, that Cleveland Heights Christian Church be and hereby is granted a temporary license to enter and utilize Town-owned Yeager Park land to install its drainage improvements associated with its parking lot expansion, subject to the following conditions:

- 1. Church or its contractor maintain adequate liability insurance for the project and name the Town as an additional insured on such policy.
- 2. Church repair any damage done to the Town property.
- Church supply the Town with an easement in a form approved by the Town Attorney to permit the Town access across Church property to maintain Yeager Park property.

and, BE IT FURTHER

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



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

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0



# <u>AMENDED</u>

WHEREAS, Cleveland Heights Christian Church ("Church"), located at 4774 Union Road, has proposed a westerly expansion of its asphalt parking area at the rear of its facility, AND

WHEREAS, drainage improvements associated with this project are tributary to an existing drainage system which traverses adjacent Town-owned land known as Yeager Park, AND

WHEREAS, as part of its project, the Church needs to re-grade 100  $\pm$  feet across the existing swale located on Town property to facilitate the installation of drainage improvements

on Church property and to temporarily place its equipment on Town land during work on its project, AND

WHEREAS, the Town Engineer has reviewed the proposed drainage work and has found same satisfactory, AND

WHEREAS, as part of its project, the Church will plant five (5) trees on the Townowned Yeager Park property, NOW, THEREFORE, BE IT

RESOLVED, that Cleveland Heights Christian Church be and hereby is granted a temporary license to enter and utilize Town-owned Yeager Park land to install its drainage improvements associated with its parking lot expansion, subject to the following conditions:

#### Item No. 16 cont'd.

- 1. Church or its contractor maintain adequate liability insurance for the project and name the Town as an additional insured on such policy.
- 2. Church repair any damage done to the Town property.
- 3. Church supply the Town with an easement in a form approved by the Town Attorney to permit the Town access across Church property to maintain Yeager Park property.

# and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file the aforementioned access easement in the Erie County Clerk's Office and, BE IT FURTHER

RESOLVED, that, in exchange for the granting of this easement by the Church, the Town hereby agrees to maintain the drainage swales and now the green space at the rear of the Church land adjacent to the Yeager Park.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

# <u>Item No. 17</u> Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, as part of the site plan review for the construction of a new building at 3901 Union Road, the Town Engineering Department requested a ten foot wide drainage easement along the southerly property line of such property, AND

WHEREAS, the owner of such property, Pep Boys-Manny, Moe & Jack of Delaware, Inc., has submitted the requested easement to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned drainage easement and, BE IT FURTHER

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

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

# <u>Item No. 18</u> Motion By Councilmember Wielinski, Seconded by Councilmember Johnson

WHEREAS, a new health insurance plan known as Community Blue Advantage is being offered by Blue Cross and Blue Shield of Western New York as an option to its health maintenance organization, Community Blue, effective January 1, 1997, AND

WHEREAS, Community Blue Advantage excludes 600 doctors and six hospitals (including Erie County Medical Center, Roswell Park Cancer Institute and Buffalo Hospital), AND

WHEREAS, Erie County Medical Center ("ECMC") is the only major public hospital in the area and is financed by County taxpayers; the loss of revenue from Community Blue Advantage would force an increase in the taxpayers' subsidy to ECMC, AND

WHEREAS, Erie County Medical Center possesses a vital spinal cord trauma unit, Roswell Park Cancer Institute is one of the leading cancer institutes in the country; and Buffalo General Hospital is one of the top heart transplant hospitals, AND

#### Item No. 18 cont'd.

WHEREAS, by excluding these hospitals, subscribers are offered less choices, and the remaining hospitals may not offer the services needed by subscribers or the quality and care they deserve, AND

WHEREAS, this Town Board feels that Community Blue Advantage will financially hurt the excluded area hospitals, do a disservice to Erie County taxpayers and steer subscribers to lower cost hospitals, thereby resulting in a losing situation for subscribers, taxpayers and area hospitals, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby expresses its opposition to the Community Blue Advantage plan being offered by Blue Cross and Blue Shield of Western New York, and memorializes Blue Cross/Blue Shield to include the above named hospitals as Advantage providers and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Blue Cross/Blue Shield, Community Blue, County Executive Gorski, the Clerk of the Erie County Legislature and to other municipalities in Erie County.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 19a Motion By Councilmember Swiatek, Seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga and the Town of Cheektowaga Employees Association, Inc. have agreed to the terms and conditions for a successor 1996-1998 collective bargaining agreement between such parties, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, Inc.

Upon roll call . . . .

AYES: Councilmembers Rogowski, Blachowski, Johnson, Wielinski, and Swiatek

NAYES; Supervisor Gabryszak and Councilmember Jaworowicz

ABSENT: C

\*SEE NEXT PAGE FOR ATTACHMENT

<u>Item No. 19b</u> Motion By Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga and Town's Ambulance Service, Inc. had entered into a Pre-Hospital Emergency Services Agreement, dated October 1, 1993, AND

WHEREAS, the purpose of such agreement was to ensure that reliable professional emergency ambulance and advanced life supports services were available at a reasonable cost for sick or injured persons within the town upon the request for such services through the Dispatch Office in the Police Department, AND

WHEREAS, Rural Metro Ambulance Corp. acquired Town's Ambulance Service, Inc. and has been providing services to the Town under such agreement, AND

WHEREAS, the aforesaid agreement terminated on September 30, 1996, AND

WHEREAS, the aforesaid agreement has been revised in accordance with inputs from the Emergency Medical Services Board, the Fire Districts, and the Police Department, AND

WHEREAS, after a careful and considered review, the Emergency Medical Services Board has recommended that the Town enter into a renewed ambulance service agreement with Rural Metro Ambulance Corp. for a term beginning on October 1, 1996 and terminating on September 30, 2001.

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to sign the Agreement For Pre-Hospital Emergency Services with Rural Metro Ambulance Corp.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 19c</u> Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga receives Community Development Block Grant funds from the Department of Housing and Community Development, AND

WHEREAS, federal regulations require the Town to execute subrecipient agreements with those entities receiving Community Development Block Grant funds through the Town, AND

WHEREAS, activities utilizing Community Development funds have been programmed for the Villages of Depew and Sloan for the 1996 program year, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute Subrecipient Agreements for Community Development Block Grant funding with the Villages of Depew and Sloan for the 1996 Program Year.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0 **\_\_\_** 

MOTIONED BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER WIELINSKI TO DISPENSE WITH READING THE NAMES IN ITEMS 20A AND 20B AND THE VOTING WAS AS FOLLOWS:

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0



<u>Item No. 20a</u> 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**

# FACILITIES DEPARTMENT

Timothy Blakowski	Immediately
Kenneth Bollman	<u>u</u>
Ronald Banasiak	u
Steven Cody	; <b>W</b> :
David Szczepanek	u
Robert Stypa	u
Matthew Starr	a
Ronald Sobocinski	u
Kevin Rydzynski	a
Michael Papero	Œ
John Mazgaj	a
James Ludtka	: <b>W</b> :
Ronald Kaczmarek	u u
Christopher Hutt	Œ
Richard Gramza	tt
Walter Gardon	ш
Eugene Demler	u

# POLICE DEPARTMENT - Crossing Guard

Catherine Hellems 10/01/96

# RECYCLING DEPARTMENT

Martin Gabryszak Immediately

Anthony Mazza '

# SANITATION DEPARTMENT

Scott Havernick 9/20/96

## MAIN PUMP STATION

Jason Colburn Immediately

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

BE IT RESOLVED, that the following individuals be terminated from Youth and

Recreation (Part-Time):

Kimberly Arnold Darryl Lindell **David Backes** Jennifer Lizak Mike Barnhard Stacey Lubacz Jeffrey Bartel Erica Meyers Mary Bellante Rebecca Miller Craig Bova Michael Miszewski Cathleen Cramer Jullette Nowak Elizabeth Czajkowski Lori Ownes Tony Pawlowski Jennifer Dembinski Monica Elberson Linda Piesczynski Robert Proehl Kellie Gallagher Amy Garbacz Kristy Przepiora Mark Przybysz Sara Garcea Brian Gould Mary Beth Rokitka Anthony Grisanti April Rusch Aaron Grupka Miranda Serafini Joseph Hamme Jennifer Sielski Elizabeth Sinski Erik Hansen Kurt Hansen Amy Snyder Kristen Howlett Andrea Solecki

David Isch
Joshua Johnson Rachel Spradlin

Jeffrey Kandefer Kelly Stewart

Eric Kazukiewicz Jason Wheeler Stephanie Ketterl Jennifer Wierzbicki

Christina Klaffka Dorothy Wojcik

Tamara Krawczyk

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

BE IT RESOLVED, that the following individuals be transferred as indicated (Seasonal

Victoria Somogye

to Part-Time):

Peter Odrobina

**Gymnastics - 7140.1630** 

From Recreation Attendant to Recreation Attendant II - \$5.00

Cheryl Ostempowski Joelle Stapleon

From Soccer - 7140.1636 to Rink Personnel - 7140.1611

From Recreation Attendant to Recreation Attendant I - \$4.75

Mark Klaczyk Amy Rainville

<u>Swim</u>

<u>Lifeguards - 7140.1903</u> <u>Item No. 21 cont'd.</u>

From Lifeguard I to Lifeguard III - \$5.25

Julie Isch Jonathan Owens

From Lifeguard II to Lifeguard IV - \$5.50

Sarah Kazukiewicz Rachel Williams Timothy Skrzydlewski

From Lifeguard IV to Lifeguard VI - \$6.00

Heather DiSimone

From Lifeguard VI to Lifeguard VIII - (WSI) - \$6.50

Kimberly Kubiak

From Lifeguard V to Lifeguard IX - \$6.75

Margaret Brezowski

From Lifeguard VII to Head Lifeguard II - \$7.25

Greg Bean

From Head Lifeguard III - Head Lifeguard IV - \$7.75

Jacqueline Hauser

Pool Supervisors - 7180.1902

From Pool Supervisor IV - Pool Supervisor VII - \$8.50

Keith Stachura

BE IT FURTHER RESOLVED, that Joy Donnelly-Smith, presently employed as a Recreation Attendant I (7140.1664), also be paid as a Recreation Supervisor III - \$6.00 (Wee-Three - 7140.1664), effective September 30, 1996 (not to exceed a total of 19 hours per week).

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 22a 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** 

POLICE DEPARTMENT - \$5.00 per hour (Clerical)

Elizabeth Manos XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX 10/08/96

## Item No. 22a cont'd.

## SANITATION DEPARTMENT - \$5.00 per hour (Laborer)

Ara Rustowicz XXXXXXXXXX, Cheektowaga XXXXX 10/08/96

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 22b Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be hired as Part-Time employees in the Youth and Recreation Department:

Rink Personnel - 7140.1611 Recreation Attendant IV - \$5.50

Recreation Supervisors - 7140.1613

Recreation Instructor - \$5.50 - (effective 9/30/96)

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 23 Grant Leave of Absence

This item was withdrawn.

<u>Item No. 24a</u> Motion By Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the Saratoga Springs Police Department in conjunction with Law Enforcement Training Services & Techniques will be hosting an "Officer Survival Seminar" on October 15, 1996 in Saratoga Springs, New York.

WHEREAS, Chief Chamberlin is requesting authorization to send Det. Gary Edenhofer to this seminar. This seminar will examine both the legal and psychological aspects of the officer involved shooting, and will educate the officer on those awareness concepts so vitally important to surviving the armed confrontation. The Police Department will be responsible for registration, lodging, travel and meals amounting to approximately \$175.00. NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Det. Edenhofer to this seminar and that the time he spends be authorized as normal duty time. The expense will be charged to line 0100-3120-4093 and 0100-3120-4085.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 24b Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, the 1996 Institute of Traffic Engineers (ITE) Transportation Forum will be held on October 8th and 9th, 1996 at the Radisson Hotel in Cheektowaga, AND

WHEREAS, Sgt. David Przepiora of the Town's Police Department and David Metz of the Town's Traffic Safety Commission have requested to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED, that Sgt. David Przepiora and David Metz be and hereby are authorized to attend said seminar and, BE IT FURTHER

RESOLVED, that the \$90.00 per person registration fee be charged to line items:

0100-1910-4082 (David Metz) 0100-3120-4093 (David Przepiora)

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 24c</u> Motion By Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Animal Control Association is presenting Emergency First Aid and Handling for Wildlife/Domestic Animal Program on October 16-17, 1996 in Binghamton, New York.

WHEREAS, Chief Chamberlin is requesting to send Animal Control Officer, Bernadette Futch to this training. The training will cover topics such as animal trauma and shock prevention, protecting yourself from being bitten by an injured animal, and safe transportation of injured animals. The Police Department will be responsible for registration, lodging and transportation amounting to approximately \$220.00. NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Bernadette Futch to this training and that the time she spends there be authorized as normal duty time. This expense will be charged to 0100-3510-4093.

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 25a</u> Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, concerns have been expressed by Town residents and officials as to whether the present zoning district classifications along William Street and Losson Road are proper, AND

WHEREAS, the Zoning and Petitions Committee has recommended that the Town take a hard look at the Zoning district classifications along these highways, AND

WHEREAS, this Town Board, in order to stay improper development along these highways, placed a temporary moratorium on non-resident development along such highways so that it properly study the situations, AND

WHEREAS, in order to assist the Town in reviewing what the proper zoning district classifications of properties fronting on William Street and Losson Road should be, it was deemed important that a consultant be retained, AND

## Item No. 25a cont'd.

WHEREAS, proposals were received from planning consultants and reviewed by the Supervising Building & Plumbing Inspector; and it has been recommended that URS Greiner,

Incorporated be retained by the Town to review the zoning classifications along William Street and Losson Road, NOW, THEREFORE, BE IT

RESOLVED, that URS Greiner, Incorporated be and hereby is retained as per the attached proposal to assist the Town with its review of and make recommendations for the zoning district classifications along William Street and Losson Road, and, BE IT FURTHER

RESOLVED, that moneys for such services, in an amount not to exceed \$9,974.00 shall be appropriated from budget line item number 0100-1910-4709.

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

\*SEE NEXT PAGE FOR ATTACHMENT

<u>Item No. 25b</u> Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, the Town of Cheektowaga is in need of a community-wide open space inventory to identify existing and potential recreation and greenspace areas and to provide a tool for planning and connection to adjacent municipalities' recreation, trailways and greenspace plans, AND

WHEREAS, Wendel Engineers has submitted a proposal to prepare this open space inventory for the Town, AND

WHEREAS, Wendel Engineers has extensive background in land planning, recreation planning, commercial development and community participation, NOW, THEREFORE, BE IT

RESOLVED, that Wendel Engineers be and hereby is retained to prepare an open space inventory for the Town, as per the attached proposal, at a cost not to exceed \$6,600.00 and, BE IT FURTHER

RESOLVED, that moneys for such services shall be appropriated from the Open Space Bond Account Number 5312-1440-9337.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

\*SEE NEXT PAGE FOR ATTACHMENT

#### III. DEPARTMENTAL COMMUNICATIONS

ltem No. 26 Building Permits Received and Filed.

Item No. 27a Minutes of Cheektowaga Planning Board - September 12, 1996

Received and Filed.

<u>Item No. 27b</u> Minutes of Cheektowaga Traffic Safety Commission - September 17, 1996 Received and Filed.

# **IV. GENERAL COMMUNICATIONS**

<u>Item No. 28a</u> Notice of Claim: Mr. and Mrs. Alfred Reiman vs Town of Cheektowaga

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

Attorney; Sanitation Department and Allied Claims Insurance Carrier.

Received and Filed.

<u>Item No. 28b</u> Notice of Claim: James R. Mazzariello Jr. vs Town of Cheektowaga

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

Attorney; Chief of Police and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 28c Notice of Claim: Gabriel and Gabriela Jerozolimski vs Town of Cheektowaga

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

Attorney; Chief of Police and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 28d Notice of Claim: Diana Raciach vs 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. 28e Notice of Claim: Metropolitan Property & Casualty Inc./Esther Stincelli vs Town of

Cheektowaga

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

Attorney; Chief of Police and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 28f Notice of Claim: Kristen Vivian and Daniel Vivian vs Town of Cheektowaga

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

Attorney; Facilities Department and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 28g Notice of Claim: Christopher T. Boehringer vs 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.

<u>Item No. 28h</u> Notice of Claim: American Manufacturers Mutual Ins. Co. as Subrogee of John M.

Lyons and John M. Lyons Ind. vs Town of Cheektowaga

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

Attorney; Central Garage and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 29 Letter of Concern: Pond Behind 95 Bory Drive

Received and Filed.

<u>Item No. 30</u> Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek to adjourn

this meeting in memory of William Scarfia, father of William E. Scarfia, Director of the Cheektowaga Chamber of Commerce and in memory of Dennis Max, brother of Frank Max, Employee in Sanitation Department. This meeting was adjourned at

8:30 p.m.

Richard M. Moleski Town Clerk

# TOWN OF CHEEKTOWAGA MEETING NO. 21 October 21, 1996

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of October, 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; Sal LaGreca, Planning Board Chairman; Len Szymanski, Foreman in Facilities Department; Robert Kaczmarek, Supervising Accountant; Bruce Chamberlin, Chief of Police.

## I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

# ARTICLE IV

# **Traffic Control Signs**

76.40 Installation, Maintenance and Operation of Traffic Control Signals.

Section 76-40 shall be amended by deleting therefrom the following:

- A. Traffic control signals shall be installed, maintained and operated as follows:
  - (7) Delavan Avenue at Andrews Avenue.
    - (a) Automatic: 1 section, 3 lights, 4-way.
    - (b) Fully automatic traffic control signal.
  - (16) Pine Ridge Road at Sugar Road.
    - (a) Automatic: 1 section, 3 sides, 3 lights per side facing north, south and west.
    - (b) Sensor pads
    - (c) Normal operation: fully automatic traffic control signal.
    - (d) Sensor-pad activation allows traffic on Sugar to enter Pine Ridge Road.
  - (20) Walden Avenue at Pine Ridge Road
    - (a) Automatic: 3 sections 1st section, 1 side, 3 lights facing east; 2nd section 1 side,
       3 lights facing west; 3rd section 1 side, 3 lights facing north.
    - (b) Normal operation: fully automatic traffic control signal.
  - (21) Walden Avenue at Gualbert Avenue.
    - (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights per side; 2nd section, 1 side, 3 lights facing west; 3rd section, 1 side, 3 lights facing east.
    - (b) Push buttons, sensor pad.
    - (c) Normal operation: fully automatic traffic control signal.
    - (d) Push-button or sensor-pad activation allows pedestrian and vehicle traffic from

Gualbert Avenue to cross and enter Walden Avenue.

## Item No. 2 cont'd

- (22) Walden Avenue at Reo Avenue.
  - (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights per side; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.
  - (b) Push buttons, sensor pads.
  - (c) Normal operation; regular full traffic control signal.
  - (d) Push button or sensor pad activation allows pedestrian and vehicle traffic from Reo Avenue to cross and enter Walden Avenue.
- (23) Walden Avenue at Dale Road Thruway Lanes entrance.
  - (a) Automatic and clock: 6 sections 1st section, 1 side, 3 lights facing east; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west; 4th section, 1 side, 3 lights facing west; 5th section, 1 side, 3 lights facing north, 6th section, 1 side, 3 lights facing south.
  - (b) Normal operation: flashing amber on Walden Avenue, flashing red on sides.

    Operates as full traffic control signal during hours that Thruway Plaza is open.
- (24) Walden Avenue at F.N. Burt factory entrance.
  - (a) Automatic and clock: 4 sections 1st section, 1 side, 3 lights facing east; 2nd, section, 1 side, 3 lights facing east; 3rd section, 2 sides, 3 lights facing west-south; 4th section, 2 sides, 3 lights facing west-south.
  - (b) Normal operation: flashing amber Walden Avenue, flashing red on factory entrance. Operates as full traffic control signal during changes of shifts at plant.
- (25) Walden Avenue (County Road No. 244) at Dick Road County Road No. 317). This signal shall:
  - (a) Display vehicular faces on each approach as follows:
    - [1] Faces 1, 2, 3, facing south on Dick Road
    - [2] Faces 4, 5, 6, facing north on Dick Road
    - [3] Faces 7, 8, 9, facing west on Walden Avenue
    - [4] Faces 10, 11, 12, facing east on Walden Avenue
  - (b) Operate as a fully traffic-actuated signal.
  - (c) Be equipped with the following detectors located as follows:
    - [1] Dick Road, south of intersection associated with phase A 1.
    - [2] Dick Road, north of intersection associated with phase A 2.
    - [3] Walden Avenue, west of intersection associated with phase A 3 and B 4.
    - [4] Walden Avenue, east of intersection associated with phase A 4 and B 1.
    - [5] On inside northbound approach lane of Dick Road, south of the intersection associated with phase B 2.
    - [6] On inside southbound approach lane of Dick Road, north of the intersection associated with phase B 1.
    - [7] On inside eastbound approach lane of Walden Avenue, west of the intersection associated with phase B 4.
    - [8] On inside westbound approach lane of Walden Avenue, east of the intersection associated with phase B 3.
  - (d) Vertical left and right green arrows, left and right yellow arrows and left and right red arrows facing north and south on Dick Road and east and west on Walden Avenue shall be displayed during appropriate interval of the signal cycle.
- (27) William Street William Street underpass at Richard Drive.
  - (a) Warning signal: 2 flashing amber 1 amber constant, bridge abutment.
  - (b) Normal operation: flashing amber 2 lights, 1 steady amber.
- (33) Walden Avenue No. 2001 ramp and access road to Two Guys.
  - (a) Semiactivated traffic signal: 1 section, 3 lights (12-inch) facing east; 1 section, 4 lights (12-inch) facing east bottom light arrow right, 3 lights (8-inch) facing south; 1 section, 3 lights (12-inch) facing east; 3 lights (8-inch) facing north; 3 lights (8-inch) facing south; 2 sections, 3 lights (12-inch) facing west, 3 lights (12-inch) facing west, 3 lights (8-inch) facing north; 1 section, 3 lights (12-inch) facing west.
  - (b) Vehicle detectors, wire induction loop; 1 ramp, 1 access road.
  - (c) Normal operation: 9:00 a.m. to 10-:30 p.m. green on Walden, red on ramp and access road; 10:30 p.m. to 9:00 a.m. flashing amber on Walden Avenue, flashing red on ramp and access road.

Item No. 2 cont'd

- (d) Vehicle-detector activation transfers right-of-way from Walden Avenue to ramp and access road after minimum green on Walden Avenue during hours of 9:00 a.m. to 10:30 p.m.
- (41) Aero Drive at Amherst Villa Roads.
  - (a) Automatic and clock.
    - [1] South of tunnel:
      - [a] 1 section 1 side, 3 lights facing south.
      - [b] 1 section 3 sides, 3 lights facing west, south and north.
      - [c] 1 section 2 sides, 3 lights facing west and north.
      - [d] 1 section 1 side, arrow right, facing north.
    - [2] North of tunnel:
      - [a] 1 section 1 side, 3 lights facing north.
      - [b] 1 section 3 sides, 3 lights facing north and south.
      - [c] 1 section 2 sides, 3 lights facing east and south.
      - [d] 1 section 1 side, 1 light, arrow right, facing south.
      - [e] 1 section 1 side, 1 light, arrow right, facing east.
    - [3] Lane control signals in tunnel:
      - [a] Traffic assignment shall provide the capability for manual and automatic control of three (3) lanes of traffic with normal operation allowing traffic flow in one (1) direction only on each of two (2) lanes and reversible traffic flow on third lane as follows:

	4	Traffic Assignment		1/5/5/15/5	lication t bound <u>T</u>			dication t	
Traffic Direction	Lane 1	Lane 2	Lane 3	Lane 1	Lane 2	Lane 3	Lane 1	Lane 2	Lane 3
normal traffic	north- bound	closed	south- bound	green	red	red	red	red	green
inbound	north- bound	south- bound	south- bound	green	red	red	red	red	green
outbound	north- bound	north bound	south- bound	green	green	red	red	red	green

[b] Traffic assignment of Lane 2 shall be controlled by a time clock capable of initiating three-lane transfers during a twenty-four hour period as follows:

6:00 a.m. to 8:15 a.m. inbound

8:15 a.m. to 2:45 p.m. normal

2:45 p.m. to 3:30 p.m. inbound

3:30 p.m. to 5:15 p.m. outbound

5:15 p.m. to 12:00 p.m. midnight normal

12:00 midnight to 12:30 a.m. outbound

- (b) Sensor pads: Amherst Villa Road, south of tunnel; Amherst Villa Road, north of tunnel.
- (c) Sensor-pads activation allows traffic from Amherst Villa Roads to enter Aero Drive after short interval reverts to normal traffic pattern on inbound or outbound patterns as provided in above schedule.
- (42) Cleveland Drive at Foisset Avenue.
  - (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing east.
  - (b) Push buttons.
  - (c) Normal operation: flashing signal, flashing yellow indications facing east and west on Cleveland Drive, flashing red indications facing south on Foisset Avenue and to the north.
  - (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing south on Foisset Avenue and to the north, for vehicle clearance, followed by yellow and steady red indications facing

## Item No. 2 cont'd

east and west on Cleveland Drive and steady green indications facing south on Foisset Avenue and to the north. Short interval reverts to operation in (c).

- (44) Como Park Boulevard at Indian Road
  - (a) Flasher: 1 section, 1 light, 4-way.
  - (b) Normal operation: flashing red on Indian Road, flashing yellow on Como Park Boulevard.
- (47) Dingens Street at South Colby Street.
  - (a) 1 section, 3 lights, 4 sides; 1 section, 3 lights facing east; 1 section, 3 lights facing west.
  - (b) Pedestrian indications: "Walk" and "Don't Walk" facing north and south. Push buttons.
  - (c) Normal operations: flashing signal displaying yellow indications facing east and west on Dingens Street and red indications facing north on South Colby Street. "Don't Walk" indications facing north and south across Dingens Street.
  - (d) Upon activation, a pedestrian push button displays red indications facing east and west on Dingens Street and north on South Colby Street, and "Walk" indications north and south across Dingens Street. Vehicular and pedestrian clearances provided. Short interval reverts to operation in (c).

Section 76-40 shall be amended by adding thereto the following:

- A. Traffic control signals shall be installed, maintained and operated as follows:
- (7) Delavan Avenue at Andrews Avenue.
  - (a) Flasher: 1 section, 3 lights, 3 way.
  - (b) Push buttons.
  - (c) Normal operation; flashing amber on Delavan Avenue, flashing red on Andrews Avenue.
  - (d) Push button activation: Andrews Avenue to green. Delavan Avenue green to amber to red.
- (47) Dingens Street at Alaska Street.
  - (a) 1 section, 3 lights, 4 sides; 1 section. 3 lights facing east; 1 section, 3 lights facing west.
  - (b) Pedestrian indications: "Walk" and "Don't Walk" facing north and south. Push buttons.
  - (c) Normal operation: flashing signal displaying yellow indications facing east and west on Dingens Street and red indications facing north on Alaska Street. "Don't Walk" indications facing north and south across Dingens Street.
  - (d) Upon activation, a pedestrian push button displays red indications facing east and west on Dingens Street and north on South Colby Street, and "Walk" indications north and south across Dingens Street. Vehicular and pedestrian clearances provided. Short interval reverts to operation in (c).

## ARTICLE VII

#### **Turning Movements**

Section 76 shall be amended by adding thereto the following:

76-73. No U-Turns

U-Turns will be prohibited at the following locations:

(1) Galleria Drive eastbound at Thruway exit ramp.

76-74. No right on red.

Section 76-74 shall be amended by deleting therefrom the following:

#### Item No. 2 cont'd

B. Right turns by northbound traffic off Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

Section 76-74 shall be amended by adding thereto the following:

B. Right turns by traffic on red indications is prohibited from the Thruway ramp at Cleveland Drive, for eastbound traffic, during school days 7:00 a.m. to 3:00 p.m.

## **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.

Section 76-80 shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	Entrance <u>Street</u>	Traffic Stops	Sign Location
Warsaw Street	North-south	Center Street	Westbound	N.E. Corner
Warsaw Street	North-south	Center Street	Eastbound	S.W. Corner
Wabash Street	North-south	Center Street	Westbound	N.E. Corner
Wabash Street	North-south	Center Street	Eastbound	S.W. Corner
Iroquois Avenue	North-south	Center Street	Westbound	N.E. Corner
Iroquois Avenue	North-south	Center Street	Eastbound	S.W. Corner
Center Street	East-west	Mansion Street	Northbound	S.E. Corner
Center Street	East-west	Mansion Street	Southbound	N.W. Corner
Center Street	East-west	Linden Street	Northbound	S.E. Corner
Center Street	East-west	Linden Street	Southbound	N.W. Corner
Center Street	East-west	Peoria Avenue	Northbound	S.E. Corner
Center Street	East-west	Peoria Avenue	Southbound	N.W. Corner
Section 76-80 shall b	oe amended by addir	ng thereto the following:		
Candlelight Lane	East-west	Warsaw Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Warsaw Street	Southbound	N.W. Corner
Candlelight Lane	East-west	Wabash Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Wabash Street	Southbound	N.W. corner
Candlelight Lane	East-west	Iroquois Avenue	Northbound	S.E. Corner
Candlelight Lane	East-west	Iroquois Avenue	Northbound	N.W. corner
Candlelight Lane	East-west	Mansion Street	Northbound	S.E. Corner
Candlelight Lane Item No. 2 cont'd.	East-west	Mansion Street	Southbound	N.W. Corner
Candlelight Lane	East-west	Linden Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Linden Street	Southbound	N.W. Corner
Candlelight Lane	East-west	Peoria Avenue	Northbound	S.E. Corner

East-west	Peoria Avenue	Southbound	N.W. Corner
East-west	Clover Place	Westbound	N.E. Corner
North-south	Autumnwood Drive	Westbound	N.E. Corner
North-south	Autumnwood Drive	Eastbound	S.W. Corner
East-west	So. Huxley Road	Northbound	S.E. Corner
East-west	So. Huxley Road	Southbound	N.W. Corner
	East-west North-south North-south East-west	East-west Clover Place  North-south Autumnwood Drive  North-south Autumnwood Drive  East-west So. Huxley Road	East-west Clover Place Westbound  North-south Autumnwood Drive Westbound  North-south Autumnwood Drive Eastbound  East-west So. Huxley Road Northbound

#### ARTICLE X

# Parking, Standing and Stopping

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

A. No parking this side or one side parking

Evergreen Place East side from the east curbline of Woodbine Place to the south

curbline of Clover Place.

Clover Place North side from the east curbline of Pinehurst Avenue to the west

property line of No. 234.

B. No parking anytime

North Seine Drive South side from Denise Drive to terminus.

Clover Place East side from north curbline of Clover Place to the west property

line of No. 250.

C. No parking here to corner

Rowan Road South side from Ivanhoe Road easterly for 50± feet.

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

A. No parking this side or one side parking

Losson Road North side from a point 390+ feet east of the east curbline of

Wedgewood Drive extended to a point 545+ feet east of the east curbline of Wedgewood Drive extended, for a

distance of 155+ feet.

B. No parking anytime

Bellevue Avenue South side from the south curbline of Como Park Blvd. southeasterly

to its terminus.

Center Avenue East side from north curbline of Bennett Road north to its terminus.

Creekside Drive South side from east curbline of Harlem Avenue easterly to its terminus

Danforth Street West side from south curbline of Bellevue Avenue south to its

terminus

Item No. 2 cont'd.

Freemont Avenue West side from north curbline of Como Park Blvd. to south curbline of

Zurbrick Road

Hawthorne Avenue East side from north curbline of Bennett Road to south curbline of

Como Park Blvd.

Homewood Avenue West side from north curbline of Bennett Road north to its terminus

Park Avenue	East side	from north curbline of Como Park Blvd. to south curbline of Zurbrick Road			
Park Street	West side	from south curbline of Bellevue Avenue south to its terminus			
Redoak Drive	North side West side	from north curbline of Groell Avenue north and west to the west curbline of Groell Avenue			
Viola Drive	North side	from west curbline of Harlem Avenue westerly to its terminus			
Vita Road	West side	from north curbline of Bennett Road to south curbline of Como Park Blvd.			
Towers Blvd.	East side	from the south curbline of French Road, northerly to a point 225 <u>+</u> feet north of the south curbline of French Road, for a distance of 225 <u>+</u>			
Clover Place	South side	from east curbline of Pinehurst Avenue to a point 260 <u>+</u> feet northwest of the north curbline of Clover Place at its intersection with Evergreen Place			
Clover Place	North side	from the south curbline of Evergreen Place at its intersection with Clover Place to a point 260± feet northwesterly			
Evergreen Place	North side	from the east curbline of Woodbine Place to a point 190 <u>+</u> feet southwest of the south curbline of Clover Place			
Evergreen Place	South side	from the south curbline of Clover Place to a point 250 <u>+</u> feet southwesterly			
North Seine Drive	South side	from east curbline of Towers Blvd. easterly to terminus			
C. No parking here t	to corner				
Rowan Road	South side	from Ivanhoe Road, easterly curbline to a point 30 <u>+</u> feet east of the east curbline of Ivanhoe Road, for a distance of 30 <u>+</u> feet			
D. No standing here	to corner				
Peachtree Road	North side	from the east curbline of Winkler Road to a point 35 <u>+</u> feet east of the east curbline of Winkler Road, for a distance of 35 <u>+</u> feet			
Peachtree Road	North side	from the west curbline of Winkler Road, to a point 35 <u>+</u> feet west of the west curbline of Winkler Road, for a distance of 35 <u>+</u> feet			
Winkler Road	East side	from the north curbline of Peachtree Road to a point 35 <u>+</u> feet north of the north curbline of Peachtree Road, for a distance of 35 <u>+</u> feet			
Item No. 2 cont'd.					
Winkler Road	East side	from the south curbline of Genesee Street to a point 35± feet south of the south curbline of Genesee Street, for a distance of 35± feet			
F. Miscellaneous parking signs.					
(6) No standi	ng anytime				
Pine Ridge Road	West side	from the north curbline of Genesee Street to the south curbline of East Delavan Avenue			

Article X shall be amended by deleting therefrom the following

Section 76-107 Blocking of side roads prohibited

The stopping or standing of vehicles resulting in the blocking of access to the following side roads from the following main roads shall be prohibited:

Main Road Side Road

William Street Ceil Drive

William Street Laura Court

William Street Raymond Avenue

William Street Starlite Avenue

William Street Tamarack Court

William Street Vern Lane

76-161 Handicap parking fines.

Any person who parks in spaces clearly marked for use by the handicapped in accordance with §1203-c of the Vehicle and Traffic Law of the State of New York without a special municipal parking permit or whose vehicle is not registered in accordance with §404-a of the Vehicle and Traffic Law and being used for the transportation of a handicapped person shall be subject to a fine of fifty dollars (\$50), and, if such fine is unpaid after fourteen (14) days, the fine shall increase to one hundred dollars (\$100).



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

<u>Item No. 3</u> 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:	0100-1910-4709	Management Studies	\$10,000.00
	0100-7140-1622	Recreation Attendants	5,000.00
	0100-7310-4677	Catholic Charities	4,210.00
Item No. 3 c	cont'd		
	0100-7310-4685	Youth Department - Y.E.S.	18,418.00
	0100-7310-4687	Child & Safety Services	10,543.00
	0100-7310-4691	Developmentally Disabled	6,574.00
	0100-7140-4611	Transportation	2,055.00
	0100-7310-4201	Telephone-Youth	7,200.00
	0100-9501-9131	Bond Principal	13,000.00
	0100-1450-1799	Election Inspectors	13,000.00
TO:	0100-1910-4711		\$10,000.00
	0100-7140-1623	Recreation Leader	5,000.00
	0100-7310-2501	Equipment	41,800.00
	0100-1625-4202	Townwide Telephones	7.200.00

0100-1220-4093 Town Training	13,000.00
0100-1410-2201 Office Equipment	13,000.00

#### PART TOWN FUND

FROM: 0800-1910-2799 Appropriated Fund Balance \$10,000.00

TO: 0800-8010-4709 Management Studies \$10,000.00

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

<u>Item No. 4</u> 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 October 18, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$2,103,080.33
HIGHWAY FUND	744.146.96
TRUST & AGENCY	32,291.58
PART TOWN FUND	45,297.98
RISK RETENTION FUND	155,802.35
CDBG HUD FUND	25,748.31
HUD HOUSING REHABILITATION FUND	36,747.48
SPECIAL DISTRICTS FUND	2,416,075.35
CAPITAL FUND	451,492.87
	\$6,010,683,21

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

<u>Item No. 5</u> Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town Board engaged the services of URS Greiner, Incorporated, at its October 7, 1996 Town Board Meeting to assist them in the review of zoning district classification, and

WHEREAS, funds provided for this undertaking were erroneously appropriated in the General Fund, and

WHEREAS, such zoning studies should be provided through the Town-Outside Villages Fund, NOW, THEREFORE, BE IT

#### Item No. 5 cont'd

RESOLVED that the moneys for such services in an amount not to exceed \$9,974.00 shall be appropriated from budget line item 0800-8010-4709.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 6a Bond - Replacement of Underground Storage Facility

Motion by Councilmember Wielinski, Seconded by Councilmember Johnson to table the above item and the voting was as follows:

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

<u>Item No. 6b</u> Bond - Traffic Signal System Upgrade

Motion by Councilmember Wielinski, Seconded by Councilmember Johnson

to table the above item and the voting was as follows:

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 6c Bond - Design Engineering, Plans & Specifications for Rails & Trails

Motion by Councilmember Wielinski, Seconded by Councilmember Johnson

to table the above item and the voting was as follows:

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

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

WHEREAS, this Town Board held a public hearing on October 21, 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 Signs**

76.40 Installation, Maintenance and Operation of Traffic Control Signals. Item No. 7 cont'd

Section 76-40 shall be amended by deleting therefrom the following:

- A. Traffic control signals shall be installed, maintained and operated as follows:
  - (7) Delavan Avenue at Andrews Avenue.
    - (a) Automatic: 1 section, 3 lights, 4-way.
    - (b) Fully automatic traffic control signal.
  - (16) Pine Ridge Road at Sugar Road.
    - (a) Automatic: 1 section, 3 sides, 3 lights per side facing north, south and west.
    - (b) Sensor pads.
    - (c) Normal operation: fully automatic traffic control signal.
    - (d) Sensor-pad activation allows traffic on Sugar to enter Pine Ridge Road.
  - (20) Walden Avenue at Pine Ridge Road
    - (a) Automatic: 3 sections 1st section, 1 side, 3 lights facing east; 2nd section 1 side,
       3 lights facing west; 3rd section 1 side, 3 lights facing north.

- (b) Normal operation: fully automatic traffic control signal.
- (21) Walden Avenue at Gualbert Avenue.
  - (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights per side; 2nd section, 1 side, 3 lights facing west; 3rd section, 1 side, 3 lights facing east.
  - (b) Push buttons, sensor pad.
  - (c) Normal operation: fully automatic traffic control signal.
  - (d) Push-button or sensor-pad activation allows pedestrian and vehicle traffic from Gualbert Avenue to cross and enter Walden Avenue.
- (22) Walden Avenue at Reo Avenue.
  - (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights per side; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west.
  - (b) Push buttons, sensor pads.
  - (c) Normal operation; regular full traffic control signal.
  - (d) Push button or sensor pad activation allows pedestrian and vehicle traffic from Reo Avenue to cross and enter Walden Avenue.
- (23) Walden Avenue at Dale Road Thruway Lanes entrance.
  - (a) Automatic and clock: 6 sections 1st section, 1 side, 3 lights facing east; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing west; 4th section, 1 side, 3 lights facing west; 5th section, 1 side, 3 lights facing north, 6th section, 1 side, 3 lights facing south.
  - (b) Normal operation: flashing amber on Walden Avenue, flashing red on sides. Operates as full traffic control signal during hours that Thruway Plaza is open.
- (24) Walden Avenue at F.N. Burt factory entrance.
  - (a) Automatic and clock: 4 sections 1st section, 1 side, 3 lights facing east; 2nd, section, 1 side, 3 lights facing east; 3rd section, 2 sides, 3 lights facing west-south; 4th section, 2 sides, 3 lights facing west-south.
  - (b) Normal operation: flashing amber Walden Avenue, flashing red on factory entrance. Operates as full traffic control signal during changes of shifts at plant.
- (25) Walden Avenue (County Road No. 244) at Dick Road County Road No. 317). This signal shall:
  - (a) Display vehicular faces on each approach as follows:
    - [1] Faces 1, 2, 3, facing south on Dick Road
    - [2] Faces 4, 5, 6, facing north on Dick Road
    - [3] Faces 7, 8, 9, facing west on Walden Avenue
    - [4] Faces 10, 11, 12, facing east on Walden Avenue
  - (b) Operate as a fully traffic-actuated signal.
  - (c) Be equipped with the following detectors located as follows:
    - [1] Dick Road, south of intersection associated with phase A 1.
    - [2] Dick Road, north of intersection associated with phase A 2.
    - [3] Walden Avenue, west of intersection associated with phase A 3 and B 4.
    - [4] Walden Avenue, east of intersection associated with phase A 4 and B 1.

#### Item No. 7 cont'd

- [5] On inside northbound approach lane of Dick Road, south of the intersection associated with phase B 2.
  - [6] On inside southbound approach lane of Dick Road, north of the intersection associated with phase B 1.
  - [7] On inside eastbound approach lane of Walden Avenue, west of the intersection associated with phase B 4.
  - [8] On inside westbound approach lane of Walden Avenue, east of the intersection associated with phase B 3.
- (d) Vertical left and right green arrows, left and right yellow arrows and left and right red arrows facing north and south on Dick Road and east and west on Walden Avenue shall be displayed during appropriate interval of the signal cycle.
- (27) William Street William Street underpass at Richard Drive.
  - (a) Warning signal: 2 flashing amber 1 amber constant, bridge abutment.
  - (b) Normal operation: flashing amber 2 lights, 1 steady amber.
- (33) Walden Avenue No. 2001 ramp and access road to Two Guys.

- (a) Semiactivated traffic signal: 1 section, 3 lights (12-inch) facing east; 1 section, 4 lights (12-inch) facing east bottom light arrow right, 3 lights (8-inch) facing south; 1 section, 3 lights (12-inch) facing east; 3 lights (8-inch) facing north; 3 lights (8-inch) facing south; 2 sections, 3 lights (12-inch) facing west, 3 lights (12-inch) facing west, 3 lights (8-inch) facing north; 1 section, 3 lights (12-inch) facing west.
- (b) Vehicle detectors, wire induction loop; 1 ramp, 1 access road.
- (c) Normal operation: 9:00 a.m. to 10-:30 p.m. green on Walden, red on ramp and access road; 10:30 p.m. to 9:00 a.m. flashing amber on Walden Avenue, flashing red on ramp and access road.
- (d) Vehicle-detector activation transfers right-of-way from Walden Avenue to ramp and access road after minimum green on Walden Avenue during hours of 9:00 a.m. to 10:30 p.m.
- (41) Aero Drive at Amherst Villa Roads.
  - (a) Automatic and clock.
    - [1] South of tunnel:
      - [a] 1 section 1 side, 3 lights facing south.
      - [b] 1 section 3 sides, 3 lights facing west, south and north.
      - [c] 1 section 2 sides, 3 lights facing west and north.
      - [d] 1 section 1 side, arrow right, facing north.
    - [2] North of tunnel:
      - [a] 1 section 1 side, 3 lights facing north.
      - [b] 1 section 3 sides, 3 lights facing north and south.
      - [c] 1 section 2 sides, 3 lights facing east and south.
      - [d] 1 section 1 side, 1 light, arrow right, facing south.
      - [e] 1 section 1 side, 1 light, arrow right, facing east.
    - [3] Lane control signals in tunnel:
      - [a] Traffic assignment shall provide the capability for manual and automatic control of three (3) lanes of traffic with normal operation allowing traffic flow in one (1) direction only on each of two (2) lanes and reversible traffic flow on third lane as follows:

	<u> </u>	Traffic \ssignment			lication t bound <u>T</u>			dication to hbound 1	
Traffic Direction	Lane 1	Lane 2	Lane 3	Lane 1	Lane 2	Lane 3	Lane 1	Lane 2	Lane 3
normal traffic	north- bound	closed	south- bound	green	red	red	red	red	green
inbound	north- bound	south- bound	south- bound	green	red	red	red	red	green
outbound	north- bound	north bound	south- bound	green	green	red	red	red	green

#### Item No. 7 cont'd

[b] Traffic assignment of Lane 2 shall be controlled by a time clock capable of initiating three-lane transfers during a twenty-four hour period as follows:

6:00 a.m. to 8:15 a.m. inbound 8:15 a.m. to 2:45 p.m. normal 2:45 p.m. to 3:30 p.m. inbound 3:30 p.m. to 5:15 p.m. outbound 5:15 p.m. to 12:00 p.m. midnight normal 12:00 midnight to 12:30 a.m. outbound

- (b) Sensor pads: Amherst Villa Road, south of tunnel; Amherst Villa Road, north of tunnel.
- (c) Sensor-pads activation allows traffic from Amherst Villa Roads to enter Aero Drive after short interval reverts to normal traffic pattern on inbound or outbound patterns as provided in above schedule.
- (42) Cleveland Drive at Foisset Avenue.

- (a) Variable automatic: 3 sections 1st section, 4 sides, 3 lights facing east, south, west and north; 2nd section, 1 side, 3 lights facing east; 3rd section, 1 side, 3 lights facing east.
- (b) Push buttons.
- (c) Normal operation: flashing signal, flashing yellow indications facing east and west on Cleveland Drive, flashing red indications facing south on Foisset Avenue and to the north.
- (d) Push-button activation displays steady green indications facing east and west on Cleveland Drive and steady red indications facing south on Foisset Avenue and to the north, for vehicle clearance, followed by yellow and steady red indications facing

east and west on Cleveland Drive and steady green indications facing south on Foisset Avenue and to the north. Short interval reverts to operation in (c).

- (44) Como Park Boulevard at Indian Road
  - (a) Flasher: 1 section, 1 light, 4-way.
  - (b) Normal operation: flashing red on Indian Road, flashing yellow on Como Park Boulevard.
- (47) Dingens Street at South Colby Street.
  - (a) 1 section, 3 lights, 4 sides; 1 section, 3 lights facing east; 1 section, 3 lights facing west.
  - (b) Pedestrian indications: "Walk" and "Don't Walk" facing north and south. Push buttons.
  - (c) Normal operations: flashing signal displaying yellow indications facing east and west on Dingens Street and red indications facing north on South Colby Street. "Don't Walk" indications facing north and south across Dingens Street.
  - (d) Upon activation, a pedestrian push button displays red indications facing east and west on Dingens Street and north on South Colby Street, and "Walk" indications north and south across Dingens Street. Vehicular and pedestrian clearances provided. Short interval reverts to operation in (c).

Section 76-40 shall be amended by adding thereto the following:

- A. Traffic control signals shall be installed, maintained and operated as follows:
- (7) Delavan Avenue at Andrews Avenue.
  - (a) Flasher: 1 section, 3 lights, 3 way.
  - (b) Push buttons.
  - (c) Normal operation; flashing amber on Delavan Avenue, flashing red on Andrews Avenue.
  - (d) Push button activation: Andrews Avenue to green. Delavan Avenue green to amber to red.

## Item No. 7 cont'd

- (47) Dingens Street at Alaska Street.
  - (a) 1 section, 3 lights, 4 sides; 1 section. 3 lights facing east; 1 section, 3 lights facing west.
  - (b) Pedestrian indications: "Walk" and "Don't Walk" facing north and south. Push buttons
  - (c) Normal operation: flashing signal displaying yellow indications facing east and west on Dingens Street and red indications facing north on Alaska Street. "Don't Walk" indications facing north and south across Dingens Street.
  - (d) Upon activation, a pedestrian push button displays red indications facing east and west on Dingens Street and north on South Colby Street, and "Walk" indications north and south across Dingens Street. Vehicular and pedestrian clearances provided. Short interval reverts to operation in (c).

#### **ARTICLE VII**

# **Turning Movements**

Section 76 shall be amended by adding thereto the following:

76-73. No U-Turns

U-Turns will be prohibited at the following locations:

Galleria Drive eastbound at Thruway exit ramp.

76-74. No right on red.

Section 76-74 shall be amended by deleting therefrom the following:

B. Right turns by northbound traffic off Thruway ramp at Cleveland Drive prohibited from turning right to Cleveland Drive eastbound.

Section 76-74 shall be amended by adding thereto the following:

B. Right turns by traffic on red indications is prohibited from the Thruway ramp at Cleveland Drive, for eastbound traffic, during school days 7:00 a.m. to 3:00 p.m.

#### **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.

Section 76-80 shall be amended by deleting therefrom the following:

Street	Direction	Entrance Street	Traffic Stops	Sign Location
 Warsaw Street	North-south	Center Street	Westbound	N.E. Corner
Warsaw Street	North-south	Center Street	Eastbound	S.W. Corner
Wabash Street	North-south	Center Street	Westbound	N.E. Corner
Wabash Street	North-south	Center Street	Eastbound	S.W. Corner
Iroquois Avenue	North-south	Center Street	Westbound	N.E. Corner
Iroquois Avenue <u>Item No. 7 cont'd</u>	North-south	Center Street	Eastbound	S.W. Corner
Center Street	East-west	Mansion Street	Northbound	S.E. Corner
Center Street	East-west	Mansion Street	Southbound	N.W. Corner
Center Street	East-west	Linden Street	Northbound	S.E. Corner
Center Street	East-west	Linden Street	Southbound	N.W. Corner
Center Street	East-west	Peoria Avenue	Northbound	S.E. Corner
Center Street	East-west	Peoria Avenue	Southbound	N.W. Corner
Section 76-80 shall b	oe amended by addir	ng thereto the following:		
Candlelight Lane	East-west	Warsaw Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Warsaw Street	Southbound	N.W. Corner
Candlelight Lane	East-west	Wabash Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Wabash Street	Southbound	N.W. corner

Candlelight Lane	East-west	Iroquois Avenue	Northbound	S.E. Corner
Candlelight Lane	East-west	Iroquois Avenue	Northbound	N.W. corner
Candlelight Lane	East-west	Mansion Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Mansion Street	Southbound	N.W. Corner
Candlelight Lane	East-west	Linden Street	Northbound	S.E. Corner
Candlelight Lane	East-west	Linden Street	Southbound	N.W. Corner
Candlelight Lane	East-west	Peoria Avenue	Northbound	S.E. Corner
Candlelight Lane	East-west	Peoria Avenue	Southbound	N.W. Corner
Evergreen Place	East-west	Clover Place	Westbound	N.E. Corner
Hillwood Drive	North-south	Autumnwood Drive	Westbound	N.E. Corner
Hillwood Drive	North-south	Autumnwood Drive	Eastbound	S.W. Corner
Mapleview Road	East-west	So. Huxley Road	Northbound	S.E. Corner
Mapleview Road	East-west	So. Huxley Road	Southbound	N.W. Corner

#### ARTICLE X

Parking, Standing and Stopping

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

A. No parking this side or one side parking

Evergreen Place East side from the east curbline of Woodbine Place to the south

curbline of Clover Place.

Clover Place North side from the east curbline of Pinehurst Avenue to the west

property line of No. 234.

B. No parking anytime Item No. 7 cont'd

North Seine Drive South side from Denise Drive to terminus.

Clover Place East side from north curbline of Clover Place to the west property

line of No. 250.

C. No parking here to corner

Rowan Road South side from Ivanhoe Road easterly for 50± feet.

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

A. No parking this side or one side parking

Losson Road North side from a point 390+ feet east of the east curbline of

Wedgewood Drive extended to a point 545± feet east of the east curbline of Wedgewood Drive extended, for a

distance of 155+ feet.

B. No parking anytime

Bellevue Avenue South side from the south curbline of Como Park Blvd. southeasterly

to its terminus.

Center Avenue	East side	from north curbline of Bennett Road north to its terminus.
Creekside Drive	South side	from east curbline of Harlem Avenue easterly to its terminus
Danforth Street	West side	from south curbline of Bellevue Avenue south to its terminus
Freemont Avenue	West side	from north curbline of Como Park Blvd. to south curbline of Zurbrick Road
Hawthorne Avenue	East side	from north curbline of Bennett Road to south curbline of Como Park Blvd.
Homewood Avenue	West side	from north curbline of Bennett Road north to its terminus
Park Avenue	East side	from north curbline of Como Park Blvd. to south curbline of Zurbrick Road
Park Street	West side	from south curbline of Bellevue Avenue south to its terminus
Redoak Drive	North side West side	from north curbline of Groell Avenue north and west to the west curbline of Groell Avenue
Viola Drive	North side	from west curbline of Harlem Avenue westerly to its terminus
Vita Road	West side	from north curbline of Bennett Road to south curbline of Como Park Blvd.
Towers Blvd.	East side	from the south curbline of French Road, northerly to a point 225± feet north of the south curbline of French Road, for a distance of 225±
Clover Place	South side	from east curbline of Pinehurst Avenue to a point 260± feet northwest of the north curbline of Clover Place at its intersection with Evergreen Place
Clover Place	North side	from the south curbline of Evergreen Place at its inter-
Item No. 7 cont'd		section with Clover Place to a point 260+ feet northwesterly
Evergreen Place	North side	from the east curbline of Woodbine Place to a point 190 <u>+</u> feet southwest of the south curbline of Clover Place
Evergreen Place	South side	from the south curbline of Clover Place to a point 250 <u>+</u> feet southwesterly
North Seine Drive	South side	from east curbline of Towers Blvd. easterly to terminus
C. No parking here t	o corner	
Rowan Road	South side	from Ivanhoe Road, easterly curbline to a point 30± feet east of the east curbline of Ivanhoe Road, for a distance of 30± feet
D. No standing here	to corner	
Peachtree Road	North side	from the east curbline of Winkler Road to a point 35± feet east of the east curbline of Winkler Road, for a distance of 35± feet
Peachtree Road	North side	from the west curbline of Winkler Road, to a point 35 <u>+</u> feet west of the west curbline of Winkler Road, for a distance of 35 <u>+</u> feet

Winkler Road East side from the north curbline of Peachtree Road to a point 35+

feet north of the north curbline of Peachtree Road, for a

distance of 35+ feet

Winkler Road East side from the south curbline of Genesee Street to a point 35±

feet south of the south curbline of Genesee Street, for a

distance of 35+ feet

F. Miscellaneous parking signs.

(6) No standing anytime

Pine Ridge Road West side from the north curbline of Genesee Street to the south

curbline of East Delavan Avenue

Article X shall be amended by deleting therefrom the following

Section 76-107 Blocking of side roads prohibited

The stopping or standing of vehicles resulting in the blocking of access to the following side roads from the following main roads shall be prohibited:

Main Road Side Road

William Street Ceil Drive

William Street Laura Court

William Street Raymond Avenue

William Street Starlite Avenue

William Street Tamarack Court

William Street Vern Lane

# Item No. 7 cont'd

76-161 Handicap parking fines.

Any person who parks in spaces clearly marked for use by the handicapped in accordance with §1203-c of the Vehicle and Traffic Law of the State of New York without a special municipal parking permit or whose vehicle is not registered in accordance with §404-a of the Vehicle and Traffic Law and being used for the transportation of a handicapped person shall be subject to a fine of fifty dollars (\$50), and, if such fine is unpaid after fourteen (14) days, the fine shall increase to one hundred dollars (\$100).

#### 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.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

#### Item No. 8 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 one to three 1997, 12-passenger vans for use by the Cheektowaga Youth and Recreational Services as a result of advertisement thereof, and

WHEREAS, such bids were duly referred to the Director of the Department of Youth and Recreational Services for analysis, tabulation and report, and

WHEREAS, such analysis, tabulation and report has been completed and referred to the Town Board, and

WHEREAS, a tabulation and analysis of bids received indicated that it is more advantageous to the Town to waive the requirement for a double side door in favor of a sliding door, NOW, THEREFORE, BE IT

RESOLVED that the bid for the furnishing of three 1997, 12-passenger vans be awarded to Northtown Dodge, 2020 Niagara Falls Boulevard, Tonawanda, New York 14151 for their bid in amount of \$61,900, said bid being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the costs resulting from the awarding of this bid be funded through line items:

--0100-7310-2501 --5310-7140-9317

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

Johnson, Wielinski and Swiatek

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga is eligible to receive funding from the Department of Housing and Urban Development under the Community Development Block Grant and HOME Investment Partnerships Programs for the 1997 Program Year, and

WHEREAS, the amount of Community Development Block Grant and HOME Program funding for which the Town will be eligible next year has not yet been made available by the Department of Housing and Urban Development, and

WHEREAS, the Town of Cheektowaga is required to prepare and submit to the Department of Housing and Urban Development an Annual Plan which identifies the activities that the Town will carry-out during the next program year, and

WHEREAS, the Town of Cheektowaga, as a member of the HOME Consortium with the Towns of Tonawanda and Amherst, will submit its Annual Plan in conjunction with the Towns of Tonawanda and Amherst, and

WHEREAS, the Town is required to hold public hearings to obtain the views of Town residents, public agencies and other interested parties on housing and community development needs and to review program performance during the previous program year, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on November 4, 1996 at 6:30 P.M., at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, New York 14227 for the above stated purpose, and BE IT FURTHER

RESOLVED that a public notice of such hearing be published in the Cheektowaga Times on Thursday, October 24, 1996.

Item No. 9 cont'd



#### LEGAL NOTICE NOTICE OF PUBLIC HEARING

The Town of Cheektowaga will hold a Public Hearing on Monday, November 4, 1996 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway Avenue, Cheektowaga, New York, regarding the Town's 1997 Annual Plan for the Community Development Block Grant and HOME Investment Partnership Programs.

In 1996, the Town of Cheektowaga received \$902,000 under Title I of the Housing and Community Development Act of 1977 as amended. The HOME Consortium, of which the Town of Cheektowaga is a member along with the Towns of Amherst and Tonawanda, received \$884,000 in Home Investment Partnership programs funds for the 1996 Program Year, of which Cheektowaga received \$288,457. The amount of Community Development Block Grant and HOME Program funding for which the Town will be eligible next year has not yet been made available by the Department of Housing and Urban Development. The purpose of this hearing is to provide the citizens of the Town of Cheektowaga, the Villages of Sloan, Depew and Williamsville and interested parties the opportunity to express their views and opinions on housing and community development needs in the Town and to review the Town's performance under the Community Development and HOME Programs. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

Residents of low and moderate income neighborhoods as well as all citizens of the Town and Villages are encouraged to participate in this process and express their views on the use of funds and activities that may be carried out with program funds. No CDBG or HOME activities are expected or likely to result in displacement. In the unanticipated event displacement due to CDBG

funded activities occurs, relocation assistance will be provided in conformity with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42, and regulations governing the CDBG program at 24 CFR 570.606.

Upon prior request, an interpreter will be made available at the hearing to sign for the hearing impaired. The hearing location is accessible to the physically handicapped. Written comments maybe submitted to Office of Community Development at the address given below. A full presentation of CDBG program goals and objectives can be obtained in the Office of Community Development, Alexander Community Center, 275 Alexander Avenue, Cheektowaga, New York 14211, by appointment between the hours of 9:00 A.M. and 4:30 P.M. on weekdays, or can be discussed with the Community Development Director by calling 897-7200 between 9:00 A.M. and 4:30 P.M., Monday through Friday.



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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

## Item No. 10a 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 Marini Industries to rezone 3700 Broadway from M1-Light Manufacturing to RA-Apartment District for the purpose of constructing eight (8) buildings with four (4) dwelling units each, and

WHEREAS, the Advisory Committee, at its meeting held on July 24, 1996 rendered the determination shown on the attached memo dated July 25, 1996, and

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations made by 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

<u>Item No. 10b</u> Motion by Councilmember Johnson, 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 Telfair Construction Corporation to erect a 6,000 square foot addition to an existing building at 5 Old Indian Road, and

WHEREAS, the Advisory Committee, at its meeting held on October 2, 1996 rendered the determination shown on the attached memo dated October 3, 1996, and

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations made by 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. 11 Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, as part of the development of Phase 2 of the Walden Consumer Square by the Benderson Development Corporation, storm drainage tributary to Scajaquada Creek Tributary T-1 was required to be diverted eastward at Walden Avenue and be connected with a pipe beneath Galleria Drive, which will discharge flows through the Walden Galleria Detention Basin No. 3 to Scajaquada Creek, and

WHEREAS, in order to proceed with this pipe installation, an easement was requested from The Pyramid Company of Buffalo along the east and west sides of Galleria Drive to allow the connection to these storm drainage facilities, and

WHEREAS, the Pyramid Company of Buffalo has granted the requested easement to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforementioned underground storm sewer pipeline easement from the Pyramid Company of Buffalo, and BE IT FURTHER

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

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

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

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, and the Town Engineer have advised that work under the aforesaid contract has been completed in accordance with the contract requirements, NOW, THEREFORE, BE IT

RESOLVED that the Town Board be and hereby accepts the completed project Contract "C" (Mechanical), and directs the Supervisor to sign the final contract acceptance documents with Frank C. Kellner Company, Inc., 7000 Seneca Street, Elma, New York 14059.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 12b Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, contract "D" (Electrical) for the Julia Boyer Reinstein Library was awarded by Town Board resolution dated October 25, 1994 to CIR Electrical Company, in the amount of \$256,300.00 and

WHEREAS, Foit-Albert Associates, Project Architect, and the Town Engineer have advised that work under the aforesaid contract has been completed in accordance with the contract requirements, NOW, THEREFORE, BE IT

RESOLVED that the Town Board be and hereby accepts the completed project Contract "D" (Electrical), and directs the Supervisor to sign the final contract acceptance documents with CIR Electrical Company, 1067 Harlem Road, Buffalo, New York 14227

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 12c Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, contract "E" (Sprinkler System) for the Julia Boyer Reinstein Library was awarded by Town Board resolution dated May 15, 1996 to Allied Fire Protection Systems Inc. in the amount of \$35,400.00, and

WHEREAS, Foit-Albert Associates, Project Architect, and the Town Engineer have advised that work under the aforesaid contract has been completed in accordance with the contract requirements, NOW, THEREFORE, BE IT

RESOLVED that the Town Board be and hereby accepts the completed project Contract "E" (Sprinkler System), and directs the Supervisor to sign the final contract acceptance documents with Allied Fire Protection Systems, Inc., 421 West Everett Street, Falconer, New York 14733.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 12d Motion by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

WHEREAS, the Town Justice Court is in need of a shredded for use by the Justice Court, and

WHEREAS, the County of Erie, through the efforts of County Legislator Raymond Dusza, has appropriated \$2,500.00 in 1996 Public Benefit Funding to the Town Justice Court for the purchase of a shredded, subject to completion of the necessary application therefor, and

WHEREAS, the Supervising Accountant, with the assistance of Town Justice Court personnel, has completed the necessary 1996 Public Benefit Funding Application, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes the Supervisor to execute the aforementioned application and any and all other documents necessary for the Town to acquire the aforementioned funding from the County of Erie, and BE IT FURTHER

RESOLVED that the revenue and expense account numbers for this funding acquisition and purchase shall be as follows:

#### Revenue

0100-1110-3789 (Other Economic Assistance)

Expense

0100-1110-2105 (Other Equipment)

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

## <u>Item No. 12e</u> Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the newly constructed Broadway Avenue storm sewer system, which collects stormwaters from the highway pavement and runoff from abutting acreage, conveys storm water flows to a Town drainage system via Ludwig Avenue and running westerly as shown on the Town Official Drainage System Maps F-2 and G-3, and

WHEREAS, said Town drainage ditch system is in need of clearing and improvement in order to permit the free passage of stormwaters for the proper drainage of the highway and tributary acreage, and

Item No. 12e cont'd

WHEREAS, it is also necessary to perform drainage system cleaning and maintenance on lands owned by the Niagara Mohawk Power Corporation subject to a License Agreement which must be executed by the Town Supervisor, and

WHEREAS, pursuant to Section 147 of the Highway Law of State of New York, the Town Superintendent of Highways may enter upon any lands adjacent to any of the highways in the Town for the purpose of opening an existing drainage ditch or drain for the free passage of water, NOW. THEREFORE, BE IT

RESOLVED that this Town Board agrees with the need to make the necessary drainage improvements under Section 147 of the Highway Law and as requested by the Highway Superintendent, and BE IT FURTHER

RESOLVED that this Town Board hereby directs the Highway Superintendent, or his designated representative, to enter upon the private properties as necessary in order to affect the necessary drainage improvements, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute said License Agreement with Niagara Mohawk on behalf of this Town Board.

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, 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

#### Item No. 14a 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 vacant property located at 3040 Genesee Street, Cheektowaga, New York, SBL # 91.18-3-36 and according to the Assessors' Office is owned by the Estate of Suzanne Ernest, William C. Snyder, Executor 12 South Huxley Drive, Buffalo, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and shrubbery 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 and shrubbery 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. 14b 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 vacant property located at 36E Glenwood Court, Cheektowaga, New York, SBL # 91.15-1-7.2 and according to the Assessors' Office is owned by Alice Yancey, 257 Berkshire Avenue, Buffalo, New York 14215

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and shrubbery 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 and shrubbery 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

<sup>\*\*</sup>See next page(s) for attachments

### Item No. 14c Motion by Councilmember Blachowski, Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 3150 Union Road, Cheektowaga, New York, SBL # 102.04-3-45 and according to the Assessors' Office is owned by Ardy Acquisition Corporation, P.O. Box 902, Buffalo, NY 14225-0902

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and shrubbery 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 and shrubbery 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

<u>Item No. 15</u> 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** 

**FACILITIES DEPARTMENT** 

Craig Owens Immediately

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 16a Motion by Councilmember Swiatek, Seconded by Councilmember Rogowski

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

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

WHEREAS, James McCloskey, currently employed as a Laborer's Aide, in the Recycling Department, bid on said vacancy and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that James McCloskey of XXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the permanent position of Light Motor Equipment Operator in the Recycling Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective October 22, 1996, at an hourly salary of \$11.612.

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

WHEREAS, a temporary vacancy exists in the position of Motor Equipment Operator "B" in the Recycling Department, and

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

WHEREAS, Gerald Daminski, currently employed as a Light Motor Equipment Operator, in the Recycling Department, bid on said vacancy and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that Gerald Daminski of XXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of Motor Equipment Operator "B" in the Recycling Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective October 22, 1996, at an hourly salary of \$15.521.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 16c Motion by Councilmember Swiatek, Seconded by Councilmember Rogowski

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

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

WHEREAS, Shawn Surdej, currently employed as a Laborer's Aide, in the Recycling Department, bid on said vacancy and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that Shawn Surdej of XXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of Light Motor Equipment Operator in the Recycling Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective October 22, 1996, at an hourly salary of \$10.967.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

<u>Item No. 16d</u> Motion by Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, by resolution dated July 2, 1990, the Cheektowaga Town Board adopted Local Law No. 2 of the Year 1990, entitled a "A Local law to create the Cheektowaga Conservation Council", and

WHEREAS, the powers and duties of the Cheektowaga Conservation Advisory Council ("CCAC:) include, but are not limited to, the following:

- 1. Advise the Town Board on matters affecting the preservation, development and use of the natural and man-made features of the Town;
- 2. Conduct and maintain an inventory of the natural resources within the Town;
- 3. Maintain liaison and communications with public and private agencies and organizations whose programs and activities have an impact on the quality of the environment;
- 4. Work in cooperation with the Planning Board and made recommendations to the Town Board with respect to the Master Plan and existing laws in the Town.
- Review projects for impacts upon environmental resources and make recommendations to the Environmental Advisory Committee, the Planning Board, etc. and to the Town Board;

6. Review submitted plans and make recommendations for tree preservation and enhancement.

and

WHEREAS, pursuant to such law, the Cheektowaga Town Board appointed voting members and ex-officio (non-voting) members to serve on such CCAC, and

WHEREAS, the terms of such members of the CCAC expired on October 15, 1996 and this Town Board feels it is imperative that the CCAC continue to operate within the Town, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are appointed as voting members of the CCAC, effective from October 15, 1996 to October 15, 1998:

- 1. John Marriott, Chairman
- 2. Daniel Pyanowski, Member
- 3. Edward Kosmoski, Member
- 4. Michael Hanchak, Member
- 5. Michael Dusing, Member
- 6. Michael Krasner, Member
- 7. Rachel Gorski, Member

Item No. 16d cont'd

and BE IT FURTHER

RESOLVED that the following individuals be and hereby are appointed as non-voting members of the CCAC, in addition to various contributing associates, effective from October 15, 1996 to October 15, 1998:

- 1. Earl Loder, Disaster Coordinator
- 2. Jane Wiercioch, Zoning Board Member
- 3. Alfred Wnek, Jr., Foreman, Highway Department
- 4. Michael Papero, Laborer (seasonal), Facilities Department
- 5. Raymond Pugh, Planning Board Member
- 6. Dominic Selvaggio, Member, Traffic Safety Commission
- 7. Daniel Ulatowski, Zoning Inspector

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

Johnson, Wielinski and Swiatek

NAYES: 0

ABSENT: 0

#### Item No. 17 Motion by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

WHEREAS, by Town Board resolution, school crossing guards in Tier I retirement system were allowed to retire on the stipulation that they be afforded the option to immediately be rehired, and

WHEREAS, under Section 212 of the New York State and Local Retirement, this action is allowed provided the rehired employee does not make over \$11,280.00 annually, NOW, THEREFORE, BE IT

RESOLVED that the following school crossing guard be and hereby is rehired, effective as follows:

Eleanor Stachewicz 10/28/96

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

#### Item No. 18 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

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

listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

#### **EFFECTIVE**

#### FACILITIES DEPARTMENT - \$5.00 Per Hour (0100-7110-1491)

Todd Stucke XXXXXXXXXXXXXXXXX, Cheek. XXXXX 10/21/96
Thomas Buil XXXXXXXXXXXXXXX, Depew XXXXX 10/21/96

## RECYCLING DEPARTMENT - \$5.00 Per Hour (Laborer)

Steven ZielinskiXXXXXXXXXXXXXX, Depew XXXXX10/21/96Michael HehXXXXXXXXXXXXXXXX10/21/96Troy GrantXXXXXXXXXXXXXXXXXXXXXXXX10/21/96Scott DwyerXXXXXXXXXXXXXXXXXXXXXXX10/21/96



Motion by Councilmember Swiatek, 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 Swiatek, Seconded by Councilmember Johnson

BE IT RESOLVED that the following individuals be and hereby are hired as SEASONAL EMPLOYEES, not to exceed 24 weeks in a calendar year, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

#### **EFFECTIVE**

#### FACILITIES DEPARTMENT - \$5.00 Per Hour (0100-7110-1491)

Todd Stucke XXXXXXXXXXXXXXXXX, Cheek. XXXXX 10/21/96
Thomas Buil XXXXXXXXXXXXXXX, Depew XXXXX 10/21/96

#### RECYCLING DEPARTMENT \$6.00 Per Hour (Laborer)

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 19 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be hired as part-time employees in the Youth and Recreation Department, effective immediately:

### Adapted Recreation Program - 7310.1803

Recreation Attendant VII (Senior Counselor III) - \$5.75

**Rink Personnel - 7140.1611** 

Recreation Attendant I - \$4.75

Recreation Attendants - 7140.1614

Recreation Attendant I - \$4.75 (TGIF)

Item No. 19 cont'd

and BE IT FURTHER

RESOLVED that the following be and hereby are hired as part-time employees in the various departments as listed, effective immediately:

Sanitation Department - \$5.00 per hour (Laborer)

Motion by Councilmember Rogowski, Seconded by Councilmember Swiatek 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 Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be hired as part-time employees in the Youth and Recreation Department, effective immediately:

#### Adapted Recreation Program - 7310.1803

Recreation Attendant VII (Senior Counselor III) - \$5.75

Rink Personnel - 7140.1611

Recreation Attendant I - \$4.75

Recreation Attendants - 7140.1614

Recreation Attendant I - \$4.75 (TGIF)

and BE IT FURTHER

RESOLVED that the following be and hereby are hired as part-time employees in the various departments as listed, effective immediately:

Sanitation Department - \$6.00 per hour (Laborer)

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

Johnson, Wielinski and Swiatek

NAYES: 0

Item No. 20 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

From Recreation Attendant to Recreation Attendant XII - \$7.25 \_7310.1804/7140.1633

Angela Krzemien

From Clerk to Recreation Attendant VI - \$5.50

7310.1804

Noreen Brezowski

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

<u>Item No. 21</u> Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the New York Legislature recently passed a law allowing the government board of any local government to approve the use of credit cards as a "means of payment of fines, civil penalties, rent, notes, taxes, fees, charges, revenues, financial obligations of other amounts, including penalties, special assessments and interest", and

WHEREAS, many questions have arisen in regards to this law as to benefit, the cost, and the requirements of the law, and

WHEREAS, the New York State Government Finance Officers' Association, Inc. is conducting a one-day two hour seminar on the credit card law on October 28, 1996, at the Buffalo Hilton, Buffalo, New York, and

WHEREAS, individuals attending the seminar will learn about the requirements of the law, the mechanics of credit cards and study the format on the cost/benefit analysis of the use of credit cards, and

WHEREAS, this seminar is open to all Elected, Appointed, Financial Officials who process cash payments, and

WHEREAS, Attendees to this seminar will be provided with a copy of the new legislation; a sample request for proposal (RFP); a checklist of NYS requirements on the authorization and use of credit cards; and a list of credit card companies and their local agents, and

WHEREAS, it is to the benefit of the Town that the Supervisor, the Supervising Accountant, the Town Clerk, the Town Attorney, and the Receiver of Taxes attend this seminar, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor, the Supervising Accountant, the Town Clerk, the Town Attorney and the Receiver of Taxes and/or their designate be authorized to attend this seminar, and BE IT FURTHER

RESOLVED that the cost of attending this seminar in the amount of \$160.00 be appropriated from budget line number 0100-1910-4081.



Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski 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 Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the New York Legislature recently passed a law allowing the government board of any local government to approve the use of credit cards as a "means of payment of fines, civil penalties, rent, notes, taxes, fees, charges, revenues, financial obligations of other amounts, including penalties, special assessments and interest", and

WHEREAS, many questions have arisen in regards to this law as to benefit, the cost, and the requirements of the law, and

WHEREAS, the New York State Government Finance Officers' Association, Inc. is conducting a one-day two hour seminar on the credit card law on October 28, 1996, at the Buffalo Hilton, Buffalo, New York, and

WHEREAS, individuals attending the seminar will learn about the requirements of the law, the mechanics of credit cards and study the format on the cost/benefit analysis of the use of credit cards, and

WHEREAS, this seminar is open to all Elected, Appointed, Financial Officials who process cash payments, and

WHEREAS, Attendees to this seminar will be provided with a copy of the new legislation; a sample request for proposal (RFP); a checklist of NYS requirements on the authorization and use of credit cards; and a list of credit card companies and their local agents, and

WHEREAS, it is to the benefit of the Town that the Supervisor, the Supervising Accountant, the Town Clerk, the Town Attorney, **Town Justice, Youth Director** and the Receiver of Taxes attend this seminar, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor, the Supervising Accountant, the Town Clerk, the Town Attorney, **Town Justice, Youth Director** and the Receiver of Taxes and/or their designate be authorized to attend this seminar, and BE IT FURTHER

RESOLVED that the cost of attending this seminar in the amount of \$200.00 be appropriated from budget line number 0100-1910-4081.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

#### III. DEPARTMENTAL COMMUNICATIONS

<u>Item No. 22</u> Supervisor's Statement of Funds

Received and Filed.

Item No. 23 Office of Disaster Preparedness - Quarterly report from July to September, 1996 Received and Filed.

### **IV. GENERAL COMMUNICATIONS**

Item No. 24 Summons & Complaint - John Bays and 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. 25a Notice of Claim - Morris Klatsky 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. 25b Notice of Claim - Robert Malicki vs Town of Cheektowaga

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

Attorney; Council Office; Allied Claims, Insurance Company, Sanitation Department;

Central Garage. Received and Filed.

Item No. 25c Notice of Claim - Henry Wanat as parent of Peter Wanat vs Town of Cheektowaga

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

Attorney; Council Office; Allied Claims, Insurance Company; Youth/Recreation

Department; Facilities Department-Al Blachowski, Director

Received and Filed.

Item No. 26 Letter from town residents regarding speeding on William Street

Received and Filed.

#### V. SUSPENSION OF RULES

Motion by Councilmember Wielinski, Seconded by Councilmember Swiatek 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. 27 Motion by Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, Marini Industries, Inc. has petitioned for the rezoning from M1-Light Manufacturing District to RA-Apartment District of property owned by it and located at 3700 Broadway, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 16th day of September, 1996 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

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

WHEREAS, the applicant has issued the attached Letter of Commitment with respect to the project,

NOW, THEREFORE, BE IT RESOLVED that the application of Marini Industries, Inc. for the rezoning from M1-Light Manufacturing District to RA-Apartment District of the property specified in the attached legal description be and the same is hereby granted, and BE IT FURTHER

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

<u>Item No. 27 cont'd</u>

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

\*\*See next page(s) for attachments

Motion by Supervisor Gabryszak, Seconded by Councilmember Wielinski to adjourn the meeting.
Time adjourned: 8:50 P.M. <u>Item No. 28</u>

RICHARD M. MOLESKI Town Clerk

<u>Item No. 1</u> 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 28st day of October, 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; William Pugh, Town Engineer; Sal LaGreca, Planning Board Chairman; Robert Kaczmarek, Supervising Accountant; Bruce Chamberlin, Chief of Police; Chris Kowal, Highway Superintendent; Ron Marten, Supervising Building & Plumbing Inspector; Al Blachowski, Facilities Director; James Burst, Foreman in Sewer Department; Dave Kulik, Working Foreman in Sanitation Department; Joan Dudek, Receiver of Taxes and Assessments; Ken Kopacz, Executive Director of Youth and Recreational Services; Larry Golas, Superintendent of Wastewater Treatment Plant.

#### I. PUBLIC HEARINGS

Item No. 2 The Supervisor advised the Town Board that this was the time and place advertised for a Public Hearing to consider the Preliminary Benefit Basis Budget of the Town of Cheektowaga. The Supervisor directed the Town Clerk to present proof of the publication and postingof the notice of hearing. The Town Clerk presented proof that such Notice has been duly published and posted and upon the order of the Supervisor, such proof was duly filed.

\*\*\*The 1997 Preliminary Benefit Basis Budget is on file in the Town Clerk's Office.

The Supervisor then asked if anyone wished to speak either in favor or against the proposed budget. Comments were heard, Decision was reserved. The hearing was closed.

Item No. 3 This being the time and place advertised for a Public Hearing on the estaimtes and revenues and expenditures for the year 1997 for the General Fund, Consolidated Garbage District and General Lighting Districts, the Town Clerk presented proof that the Notice of Hearing has been duly published and posted as required by law. The Clerk then proceeded to read aloud the estimates of revenues and expenditues for the year 1997 for the General Fund, Consolidated Garbage Disrict and General Lighting Districts.

\*\*\*The 1997 Ad Valorem Budget is on file in the Town Clerk's Office.

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.

#### TOWN OF CHEEKTOWAGA MEETING NO. 23 NOVEMBER 4, 1996

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of November, 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; Salvatore LaGreca, Planning Board Chairman; Robert Kaczmarek, Supervising Accountant; Kenneth Kopacz, Director of Youth and Recreational Services; and Jerome Gabryszak, Director of Community Development.

## I. FROM THE TABLE

<u>Item No. 2a</u>
Bond: (a) Disposal of Existing Fuel Oil Tanks (b) Acquisition and Installation of Fuel Oil Tanks

\*SEE NEXT PAGE FOR ATTACHMENT

**AFFIDAVIT - NEXT PAGE** 

<u>Item No. 2b</u> Bond: Replacement and Upgrading of Existing Fuel Facilities

# \*SEE NEXT PAGE FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

<u>Item No. 2c</u> Bond: Purchase and Installation of Traffic Signals and Other System Equipment \*SEE NEXT PAGE FOR ATTACHMENT

# **AFFIDAVIT - NEXT PAGE**

<u>Item No. 2d</u>
Bond: Preparation for Plans and Specifications for Construction of Recreational Facilities

\*SEE NEXT PAGE FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

# II. RESOLUTIONS



PLEASE NOTE: RESOLUTION ITEMS 11A, B AND C WERE ACTED UPON BEFORE ITEM 3.



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

WHEREAS, in 1981, the Federal Aviation Administration ("FAA"), installed a 40-foot high wind shear West Remote Site on a 10-foot by 10-foot plot of Town-owned land within the Greenwood Place right-of-way, AND

WHEREAS, the Cheektowaga Town Board, in 1981, approved a lease agreement with the FAA for the use of this Town-owned land, AND

WHEREAS, said lease agreement expired on September 30, 1996 and the FAA has requested a new lease agreement until September 30, 2011, AND

WHEREAS, the Town Engineer has reviewed this matter and has no objection to the proposed new lease agreement with the FAA, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Lease with The United States of America and, BE IT FURTHER

RESOLVED, that, pursuant to Section 64 of the Town Law, this resolution is subject to permissive referendum and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Adoption of Resolution Subject to Permissive Referendum in the <u>Cheektowaga Times</u>, the official newspaper of the Town.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

\*SEE NEXT PAGE FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

# Item No. 11b Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Sewer Maintenance Department has identified the need to repair a six inch (6") diameter public sanitary sewer beneath the highway pavement at the Union Road/George Urban Boulevard intersection, which sewer serves properties located at 3901 and 3959 Union Road, AND

WHEREAS, based on the substandard size of said sanitary sewer, the difficulties associated with performing such a repair while maintaining and protecting traffic, and the related costs,

the Town Engineer has recommended that the redirection of wastewater flows northward to Orchard Place, and the abandonment of the deficient pipeline be examined in detail, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of William Schutt & Associates, P.C. as submitted to the Town Engineer and dated October 17, 1996 to perform topographic survey and design for sewerline relocation including regulatory agency coordination associated with crossing Scajaquada Creek Tributary T-3B and preparation of a legal description and parcel map for a required easement is hereby approved and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign said consulting engineering agreement for said Union Road/George Urban Boulevard sanitary sewer remediation design on behalf of this Town Board and, BE IT FURTHER

RESOLVED, that the funding for professional services associated with the design of a remedial sanitary sewer design in an amount not to exceed \$5,500.00 shall be chargeable to Sewer District No. 5 Account No. 2500-8125-4581.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 11c</u> Motion By Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Police Department, in 1994 and 1995, purchased Haworth, Inc. modular office furniture through Macke Business Products ("Macke") based on the understanding that such furniture and vendor were on the County of Erie bid contract, AND

WHEREAS, a dispute arose between the Town and Macke as to whether the items purchased were in fact on the current County bid contract, AND

WHEREAS, discussions were had between Town and Macke representatives to resolve this dispute, AND

WHEREAS, Boise Cascade Office Products ("Boise Cascade") acquired Macke and has submitted a proposal to settle this disputed claim wherein the Town would receive a 25% discount on the amount Boise Cascade alleges is owed such company, AND

WHEREAS, the aforementioned modular office furniture was installed in the Police Department; the Police Department is satisfied with the quality of such furniture; and it would be disruptive and costly to remove and return such office furniture, AND

WHEREAS, this Town Board feels it is in the Town's best interests to accept the settlement offer made by Boise Cascade, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to settle the above referenced claim dispute by remitting the sum of \$43,748.62 to Boise Cascade in full settlement of the claim and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to settle this dispute in accordance with the terms of this resolution. <a href="Item No. 11c cont'd">Item No. 11c cont'd</a>.

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

WHEREAS, officers and employees in charge of the various administrative units of the government of the Town of Cheektowaga have submitted estimates of revenues and expenditures for the 1997 fiscal year, AND

WHEREAS, the Supervisor, as the Town's Budget Officer, has caused a tentative budget to be prepared, and the Town Clerk has presented such budget to this Town Board, AND

WHEREAS, this Town Board has met and considered the preliminary budget for the fiscal year beginning January 1, 1997, and a public hearing was conducted thereon October 28, 1996, as required by Section 108 of the Town Law.

NOW, THEREFORE, BE IT RESOLVED, that the preliminary budget as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual budget of the Town of Cheektowaga for the fiscal year beginning on January 1, 1997, and the same shall be entered in the minutes of the Town Board.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

\*SEE NEXT PAGE FOR ATTACHMENT

<u>Item No. 3b</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Wielinski

WHEREAS, Dennis H. Gabryszak, Supervisor of the Town of Cheektowaga, New York, presented a Budget and Assessment Roll showing the various sums of money that were and will be required to defray the expenses of the Special Districts respectively and does determine same to be necessary and required as aforesaid set forth, namely:

Town of Cheektowaga 1997 Final Benefit Basis Budget

AND,

WHEREAS, a Public Hearing was duly held on the 28th day of October, 1996 at 6:00 P.M., in relation to the Preliminary Benefit Basis Budget, as provided by law, with amendments made to same, NOW, THEREFORE, BE IT

RESOLVED, that the Budget and Assessment Roll for Special Districts in the Town of Cheektowaga, be and the same is hereby adopted and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to cause same to be spread on the Tax Rolls for the year 1997.

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 fund transfers are hereby approved and made a

part hereof:

# **GENERAL FUND**

From:	0100-1910-4711 0100-9501-9211	Contingency Bond Interest	\$ 6,000.00 50,000.00	
То:	0100-1110-4001 0100-1110-4592 0100-9902-9703	Office Supplies Contracted Clerical Risk Retention	2,500.00 3,500.00 50,000.00	
PART-TOWN F	UND			
From:	0800-3620-4411 0800-3620-4411 0800-3620-4088 0800-3620-4088	Permit Refunds Permit Refunds Travel & Conference Travel & Conference	\$ 400.00 400.00 90.00 90.00	
То:	0800-3620-4001 0800-3620-4191 0800-3620-4001 0800-3620-4191	Office Supplies Miscellaneous Office Supplies Miscellaneous	400.00 400.00 90.00 90.00	
RISK RETENTI	ON FUND			
From:	1000-1910-5031 1000-1936-4703 1000-1930-4703	Interfund Transfer Excess Liability Workmans Comp.	\$ 50,000.00 43,000.00 5,750.00	
То:	1000-1932-4703 1000-1932-4703 1000-1710-4523	Liability Judgment & Claims Liability Judgment & Claims Administration-Workman's Comp.	50,000.00 43,000.00 5,750.00	
Item No. 4 cont'd.				
SPECIAL DISTRICTS				
From:	1500-8160-4468 1500-8160-1391 1500-8160-1205 2500-8125-4163 2500-8125-4141	Compost Part-Time Clerical Assistant Foreman Gas, Oil & Grease Chemicals	\$ 5,000.00 12,500.00 20,253.00 4,400.00 5,690.00	
То:	1500-8160-4211 1500-8160-1492 2500-8125-4438	Electric Seasonal Laborers Sewer Repairs	5,000.00 33,023.00 4,400.00	

5,690.00

Sewer Repairs

2500-8125-4438

#### CAPITAL FUND

From: 5304-8160-9364 Administrative \$108,000.00

To: 5304-8160-9364 Packer Trucks \$108,000.00

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 5</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to November 1, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$ 169,295.17
HIGHWAY FUND	34,721.01
TRUST & AGENCY	16,244.18
PART TOWN FUND	3,450.20
RISK RETENTION FUND	4,906.12
CDBG HUD FUND	23,337.58
HUD HOUSING REHABILITATION FUND	5,255.00
SPECIAL DISTRICTS FUND	822,969.96
CAPITAL FUND	82,103.07

\$1,162,282.29

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 6</u> Motion By Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, by resolution dated August 19, 1996, this Town Board enacted a "Communications Tower Moratorium" ordinance, AND

WHEREAS, this moratorium was enacted for a period of 90 days to give the Town adequate time to adopt guidelines/regulations for the placement of communications towers in the Town, AND

WHEREAS, Town officials have been working to draft such regulations, but more time is needed to adequately address certain issues, NOW, THEREFORE, BE IT

### Item No. 6 cont'd.

RESOLVED, that, in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 18th day of November, 1996 at 6:30 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 it shall be determined by the Town Board whether the Communications Tower Moratorium should be amended to extend same an additional 30 days AND, BE IT FURTHER

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



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 18th day of November, 1996 at 6:30 o'clock P.M. of said day for the purpose of considering whether the COMMUNICATIONS TOWER MORATORIUM ORDINANCE should be amended and changed as follows:

1. RESOLVED, that Section 1 of such Ordinance, which pertains to the length of such moratorium and the type of moratorium shall be amended to change the length of such moratorium from 90 days to 120 days.

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

Richard M. Moleski Town Clerk

Dated: November 4, 1996

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 7a</u> Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated October 7, 1996, this Town Board directed that Notice to Bidders be published advertising for labor and equipment necessary to remove snow during a snow emergency, AND

WHEREAS, such bids were duly received and opened on October 23, 1996, AND

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

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

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

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

\*SEE NEXT PAGE FOR ATTACHMENT

<u>Item No. 7b</u> Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 1/2 ton pick-up truck for the Sewer Maintenance Department, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED, that the contract for the furnishing of one (1) 1/2 ton pick-up truck be awarded to Geneva Ford Sales Inc., 849 Canadaiqua Road, Geneva, New York 14456 for their bid in the amount of \$9,332.00 for one (1) 1997 pick-up truck, said bid being the lowest bid meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that funds are available in Account #2500-8125-2514 for this purpose.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

\*SEE NEXT PAGE FOR ATTACHMENT

# <u>Item No. 7c</u> Motion By Councilmember Swiatek, Seconded by Councilmember Blachowski

WHEREAS, by resolution dated October 7, 1996, this Town Board invited sealed bids for the lease of one (1) 1997 Model 4-Wheel Drive Suburban Vehicle for use by the Disaster Coordinator for a term of four (4) years, AND

WHEREAS, two (2) bids were received and opened at a public bid opening held on October 29, 1996 at 11:00 A.M. and said bid proposals were referred to the Town Engineer for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that after said analysis, tabulation and report, it has been recommended that the bid for the lease of a 4-Wheel Drive Suburban Vehicle be and hereby is awarded to Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 for a period of four (4) years at a fixed monthly rental of \$489.00 per month and, BE IT FURTHER

RESOLVED, that funds for such monthly payments are available in Account #0100-1220-4008 and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute a lease with Joe Basil Chevrolet on behalf of the Town of Cheektowaga and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute any and all other papers necessary to effectuate the lease of the above mentioned vehicle.

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. 8a Motion By Councilmember Rogowski, Motion By Supervisor Gabryszak

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

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

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

RESOLVED, that sealed bids will be received on the 20th day of November, 1996 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



# **NOTICE TO BIDDERS**

Sealed proposals will be received by the Town Clerk on November 20, 1996 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year, 1997.

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

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

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

Richard M. Moleski Town Clerk

Dated: November 4, 1996

<del>----</del>

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 8b</u> Motion By Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, annually requires Pool Maintenance Chemicals for 1997, NOW, THEREFORE, BE IT

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

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

RESOLVED, that sealed bids will be received on the 20th day of November, 1996 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



#### NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on November 20, 1996 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Pool Maintenance Chemicals for the year, 1997.

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

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

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

Richard M. Moleski Town Clerk

Dated: November 4, 1996



Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

**AFFIDAVIT - NEXT PAGE** 

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

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

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

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

RESOLVED, that sealed bids will be received on the 20th day of November, 1996 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



#### NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on November 20, 1996 at 11:00 A.M. Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for Leasing and Servicing of Portable Chemical Toilets for the year 1997.

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

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

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

Richard M. Moleski Town Clerk

Dated: November 4, 1996



Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 9 Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, the Unsafe Buildings and Collapsed Structures of the Town of Cheektowaga, New York, requires that unsafe structures be made safe and secured, repaired, demolished or removed, AND

WHEREAS, Ardy Acquisition Corporation, P.O. Box 902, Buffalo, New York 14225-0902 who according to the Assessor's Office, is the owner of the unsafe principal building and accessory structures located at 3150 Union Road, Cheektowaga, New York, SBL #102.04-3-45; and said Ardy Acquisition Corporation has failed and neglected to demolish and remove said unsafe structures, AND

WHEREAS, a hearing was held before the Town Board on October 21, 1996 at 7:00 o'clock P.M., at which time all persons having an interest in these structures were given the opportunity to be heard, NOW, THEREFORE, BE IT

RESOLVED, that these structures be demolished and removed and all costs in the demolition and removal be assessed against the land on which the principal building and accessory structure are located.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 10</u> 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 vacant property located at 229 Medina Street, Cheektowaga, New York, SBL #113.61-3-29 and according to the Assessor's Office is owned by James M. Ceranski, 229 Medina Street, Buffalo, New York 14206.

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Article 4, Section 64, Paragraph 5a of the Town Law of the State of New York, the high weeds be cut and removed and the debris be removed by the Town and all costs 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



NOTE: RESOLUTION ITEMS 11, B AND C WERE ACTED UPON BEFORE ITEM 3.



<u>Item No. 12a</u> Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Part-Time Youth and Recreation employees be terminated, effective immediately:

# Item No. 12a cont'd.

Craig Morris

**Kevin Gancarz** 

David Kurneta

Adam Kowalyk

Tamara Ozolins

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 12b Motion By Councilmember Swiatek, Seconded by Councilmember Rogowski

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

**EFFECTIVE** 

### **FACILITIES DEPARTMENT**

 Todd Iozzia
 10/24/96

 Jason Ozolins
 11/02/96

 Craig Owens
 09/29/96

#### RECYCLING DEPARTMENT

Edward Belcer 10/18/96 Shawn Grant 10/30/96

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 Rogowski

BE IT RESOLVED, that the salary for the following Seasonal and Part-Time Employees be and hereby is established at \$6.00 per hour, effective immediately:

### RECYCLING DEPARTMENT

Matthew Keefe David Zablotny Marvin Rowland

## SANITATION DEPARTMENT

Edward Pozdyn
Stanley Krzywowiaza
Ara Rustowicz
Dennis Szafranski
Kevin Wroblewski
Carol Raimondo
Amy McKenica
Jennifer Borkowski

## Item No. 13 cont'd.

### **FACILITIES DEPARTMENT**

Brooke Nagowski George Alder James Kazmierczak Todd Stucke Susan Brudz Jason Dauscher James Digiacomo Fran Strong

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 14</u> Motion By Councilmember Swiatek, Seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Recreation Leader in the Youth and Recreational Services Department, 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 Recreation Leader, AND

WHEREAS, Frank P. Piacente applied for said vacancy, was interviewed and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Frank P. Piacente of XXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Recreation Leader in the Youth and Recreational Services Department, on a provisional basis, pending the establishment of a valid Civil Service examination list for said position, and as setforth by the terms and conditions of the agreement between the Town and the Town of Cheektowaga Employees Association, effective November 12, 1996, at an annual salary of \$25,465.81.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 15</u> Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

### From Seasonal to Part-Time

Michelle Kunkel Chris Mahalic Scott Morris Cheryl Skowronski Colleen Tonsoline

Rink Personnel - 7140.1611 (Part-Time)

(Effective November 11, 1996)

#### Item No. 15 cont'd.

From Recreation Attendant I to Recreation Attendant II - \$5.00

James Brydalski Michelle Diehl

From Recreation Attendant I to Recreation Attendant II - \$5.25

Gregory Bean Trever Stowell

From Recreation Attendant II to Recreation Attendant III - \$5.25

Jacques Desjardins Wilmer Froman, Jr. Joseph Marchewka

From Recreation Attendant II to Recreation Attendant IV - \$5.50

Cher Stucke

From Recreation Leader VIII to Recreation Leader IX - \$7.25

Scott Fleetwood

<u>Hockey - 7140.1639</u> (Part-Time)

From Recreation Attendant II to Recreation Attendant III - \$5.25

Lynn Butts

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 16a</u> Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be hired as part-time employees in the Youth and Recreation Department, effective immediately:

Pre-K - 7140.1664

Recreation Attendant II - \$5.00

Rink Personnel - 7140.1611

Recreation Attendant I - \$4.75

Scott Callen XXXXXXXXXXXX XXXXX

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 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 o the Town's collective agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

**EFFECTIVE** 

SANITATION DEPARTMENT - \$6.00 per hour (Laborer)

James Janiszewski XXXXXXXXXXXXXXX, Cheek. XXXXX Immediately

POLICE DEPARTMENT - Traffic Maintenance - \$6.50 per hour

Henry Macadlo, Jr. XXXXXXXXXXXXXXXX, Sloan XXXXX Immediately

FACILITIES DEPARTMENT - \$6.00 per hour (Laborer)

Greg Nikiel XXXXXXXXXXXXXXX Immediately

Elizabeth Dickey XXXXXXXXXXXXXXXXX

POLICE DEPARTMENT - Crossing Guard - \$6.50 per hour (3120-1591)

Sandra Kennuth XXXXXXXXXXXXXXXXX Immediately

MOTION BY COUNCILMEMBER WIELINSKI, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 16B, AND THE VOTING WAS AS FOLLOWS:

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0



#### **AMENDED**

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 o the Town's collective agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

**EFFECTIVE** 

SANITATION DEPARTMENT - \$6.00 per hour (Laborer)

James Janiszewski XXXXXXXXXXXX, Cheek. XXXXX **Immediately** 

POLICE DEPARTMENT - Traffic Maintenance - \$6.50 per hour

Henry Macadlo, Jr. XXXXXXXXXXXXXXXX, Sloan XXXXX **Immediately** 

FACILITIES DEPARTMENT - \$6.00 per hour (Laborer)

**Immediately** Greg Nikiel XXXXXXXXXXXXXXXXXX

Elizabeth Dickey XXXXXXXXXXXXXX

POLICE DEPARTMENT - Crossing Guard - 3120-1591 - \$6.695 per hour

Sandra Kennuth XXXXXXXXXXXXXXXXXXX **Immediately** 

Item No. 16b cont'd.

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES: 0 ABSENT: 0

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

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 - \$6.00 per hour (Laborer)

Jason Sprada XXXXXXXXXXXX, Cheek. XXXXX **Immediately** James Rodland XXXXXXXXXXXX, Cheek. XXXXX Dennis Huber XXXXXXXXXXXX, Cheek. XXXXX XXXXXXXXXXXXXXXXX, Cheek. XXXXX Timothy Lindell XXXXXXXXXXXXX, Cheek. XXXXX Patrick Fix XXXXXXXXXXXXXXXX, Cheek. XXXXX Scott Schlager William Kotarski XXXXXXXXXXXXXXXXX, Cheek. XXXXX

Scott Burgard XXXXXXXXX, Cheek. XXXXX

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 0 ABSENT:

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

WHEREAS, the Newport Police Department is hosting a Crime Analysis Applications Training Seminar November 18-22, 1996 in Newport, Rhode Island,

WHEREAS, Chief Chamberlin is requesting authorization to send Capt. Thomas Rowan to this training. This course will focus on the many operational issues and statistical processes involved in designing and maintaining a dynamic crime analysis program that helps you help your officers catch criminals and do it more efficiently. The police department will be responsible for registration, travel, lodging and meals amounting to approximately \$850.00. A police vehicle will be used for transportation to and from this training. NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Capt. Rowan to this training and that the time he spends there be authorized as normal duty time. The expense will be charged to lines 0100-3120-4093 and 0100-3120-4085.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

# III. DEPARTMENTAL COMMUNICATIONS

Item No. 19 Building Permits

Received and Filed.

<u>Item No. 20</u> Supervisor's Statement of Funds - September 1996

Received and Filed.

Item No. 21a Minutes of Cheektowaga Public Library Board - September 25, 1996

Received and Filed.

Item No. 21b Minutes of Cheektowaga Public Library - October 23, 1996

Received and Filed.

### IV GENERAL COMMUNICATIONS

Item No. 22 Summons & Complaint: American Manufacturers Mutual Insurance Company as

Subrogee John M. Lyons vs Town of Cheektowaga and Richard R. Basher

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

Attorney; Central Garage and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 23 Small Claims Summons: Robert Malicki vs Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Central Garage, Sanitation Department and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 24a Notice of Claim: Nancy Albanesi vs Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Bruce Chamberlin, Chief of Police; Facilities Department and Allied Claims

Attorney; Bruce Chamberlin, Chief of Police; Facilities Department Insurance Carrier.

Received and Filed.

<u>Item No. 24b</u> Notice of Claim: Merchants Insurance Group for Rose Kowalski vs Town of

Cheektowaga

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

Attorney; Bruce Chamberline, Chief of Police and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 24c Notice of Claim: Deborah A. Jurek vs 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. 24d Notice of Claim: Marie Salonek vs 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.

<u>Item No. 24e</u> Notice of Claim: Beth E. Harzynski 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. 24f Notice of Claim: Jessica Full vs the Town of Cheektowaga

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

Attorney; Sanitation Department and Allied Claims Insurance Carrier.

Received and Filed.

<u>Item No. 25</u> Letter of Concern Regarding Granted Variance for Property Located at 50 Rosewood

Terrace

Received and Filed.

Item No. 26 Motion By Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn

this meeting in memory of Donna Kazmierczak, wife of James Kazmierczak, employee in the Sanitation Department and Mrs. Eleanor Marriott, mother of

Cheektowaga Conservation Advisory Council, John Marriott.

Richard M. Moleski Town Clerk

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of November, 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; Sal LaGreca, Planning Board Chairman; Len Szymanski, Foreman in Facilities Department; Robert Kaczmarek, Supervising Accountant; John Schaller, Assistant Chief of Police; Ron Marten, Supervising Building & Plumbing Inspector.

#### 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:	0100-7110-4491	Special Events	\$ 500.00
	0100-7110-4071	Uniforms	500.00
	0100-7110-4454	Portable Toilets	1,000.00
	0100-1450-1799	Election Inspectors	3,000.00
TO:	0100-7110-4431	Equipment Repairs & Maint.	\$ 500.00
	0100-7110-4431	Equipment Repairs & Maint.	500.00
	0100-7110-4431	Equipment Repairs & Maint.	1,000.00
	0100-1410-4001	Office Supplies	3,000.00

# COMMUNITY DEVELOPMENT

FROM:	0700-1093-0706 Supple 0700-1095-0706 Housin		\$ 855.00 2,070.00
TO:	0700-1093-0600 Housing	No No. of the Control of the Cont	\$ 855.00 2,070.00

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

<u>Item No. 3</u> 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 November 15, 1996 are hereby approved and made a part hereof:

GENERAL FUND \$ 600,144.25 HIGHWAY FUND 98,409.23

Item No. 3 cont'd

TRUST & AGENCY	\$	4,978.75
PART TOWN FUND		12,054.91
RISK RETENTION FUND		58,719.67
CDBG HUD FUND		41,717.24
HUD HOUSING REHABILITATION FUND		18,578.64
SPECIAL DISTRICTS FUND		465,297.74
CAPITAL FUND		116,627.86
	\$1	416 528 29

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

<u>Item No. 4</u> Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, by resolution dated August 19, 1996, this Town Board enacted a "Communications Tower Moratorium" Ordinance, and

WHEREAS, this moratorium was enacted for a period of 90 days to give the Town adequate time to adopt guidelines/regulations for the replacement of communications towers in the Town, and

WHEREAS, Town officials have been working to draft such regulations, but more time is needed to adequately address certain issues, and

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing was held on the l8th day of November, 1996 at 6:30 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 as to whether the Communications Tower Moratorium should be amended to extend same an additional 30 days, and

WHEREAS, it is in the public interest to extend the Communications Tower Moratorium an additional 30 days, NOW, THEREFORE, BE IT

RESOLVED that the Communications Tower Moratorium Ordinance be and hereby is amended as follows:

RESOLVED that Section 1 of such Ordinance, which pertains to the length of such moratorium and the type of moratorium shall be amended to change the length of such moratorium from 90 days to 120 days, 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 on the 18th day of November, 1996; and that a certified copy be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein.

The aforementioned amendment to the "COMMUNICATIONS TOWER MORATORIUM ORDINANCE" shall take effect ten (10) days after such publication, but such amendment 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 into the minutes.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

# AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town of Cheektowaga is the owner of the Cheektowaga Recreation Center, located at 2600 Harlem Road, Cheektowaga, New York, and

WHEREAS, the Western New York High School Hockey League is desirous of renting the ice skating rink located in the Cheektowaga Recreation Center, and

WHEREAS, the License Agreement states the terms and conditions of such ice skating rink rental, and is acceptable to the Town, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the License Agreement between the Town of Cheektowaga and the Western New York High School Hockey League, and BE IT FURTHER

RESOLVED that monies from such rental be deposited into the General Fund, Line Item 7140.2123.

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, 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

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

BE IT RESOLVED that Ted Rarog, Van Driver and Jean Wisniewski, Group Leader be terminated as employees of the Cheektowaga Department of Senior Services effective November 18, 1996, and BE IT FURTHER

<sup>\*\*</sup>See next page(s) for attachments

RESOLVED that Dorothy Mendel, XXXXXXXXXXXXXX, Cheektowaga, New York XXXXX and Daniel Jegierski, XXXXXXXXXXXXXXXXXX Street, Cheektowaga, New York XXXXX be hired as Van Drivers at \$6.50 per hour effective November 18, 1996

FUNDING ACCOUNT:

0100-7620-1636

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

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

BE IT RESOLVED that the following Youth and Recreation employees be terminated, effective immediately (part-time/seasonal):

Kris Kubiak Ginger Schwartz Hope Szarpa Valerie Wurst

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 8b 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 follows:

<u>EFFECTIVE</u>

MAIN PUMP STATION

Todd Kopcinski 11/9/96

RECYCLING DEPARTMENT

Scott Schlager 11/5/96 Dennis Huber 11/4/96

POLICE DEPARTMENT

Marguerite McMahon 10/28/96 Kristen M. Carlisle 9/19/96

**FACILITIES DEPARTMENT** 

Gordon Hagmier 10/11/96 Thomas Buil Immediately

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

Item No. 9 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**

#### RECYCLING DEPARTMENT - \$6.00 PER HOUR (LABORER)

XXXXXXXXXXXXXXXXXX, Cheek. XXXXX11/19/96 Steven Mejak

FACILITIES DEPARTMENT - \$6.00 PER HOUR (7110.1491)

Kenneth Wojtowicz XXXXXXXXXXXXXXX, Cheek. XXXXX 11/19/96

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

Johnson, Wielinski and Swiatek

NAYES: n ABSENT: 0

Motion by Councilmember Swiatek, Seconded by Councilmember Rogowski Item No. 10

WHEREAS, by resolution dated November 4, 1996, this Town Board appointed Frank Piacente to the position of Recreation Leader in the Youth and Recreational Services Department on a provisional basis, and

WHEREAS, the annual salary for said position was incorrect, NOW, THEREFORE,

BE IT

RESOLVED that the resolution of November 4, 1996 be and hereby is amended to read as follows:

"at an annual salary of \$26,494.63"

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

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

BE IT RESOLVED that as per Section 11.01 of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, Robert Sprada be and hereby is granted a one (1) year leave of absence from his position of Working Foreman in the Highway Department as to allow him to serve as Deputy Highway Superintendent.

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

Johnson, Wielinski and Swiatek

NAYES: ABSENT: 0

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

BE IT RESOLVED that the following Youth & Recreation employee be transferred as indicated (part-time):

Volleyball - 7140.1627

From Recreation Supervisor I to Recreation Supervisor III - \$6.00 (effective November 15, 1996)

Cindy Pietz

Item No. 12 cont'd

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

Johnson, Wielinski and Swiatek

NAYES: 0 0 ABSENT:

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

WHEREAS, the Western Regional Council of the New York State Government Finance Officers' Association (GFOA) will be holding its winter conference in Rochester, New York on December 4, 1996, and

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

WHEREAS, the Supervising Accountant, Accountant and Junior Accountant have requested permission to attend this meeting, NOW, THEREFORE, BE IT

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

RESOLVED that the Town shall pay all reasonable costs associated with this conference not to exceed \$165.00 out of budget line item #0100-1910-4082.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

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

WHEREAS, the County Legislators and Supervisors Association is coordinating a workshop on The Telecommunications Act of 1996, entitled "The 'Celling' of America - Local Telecommunications & the New Legislation - Turning a Problem into an Opportunity" on December 5, 1996 at the Ontario County Safety Training Facility in Canandaigua, New York, and

WHEREAS, the Telecommunications Act of 1996 has far-reaching repercussions on local governments, including the Town of Cheektowaga, in the areas of cable television, telecommunications towers, etc., and

WHEREAS, the Town of Cheektowaga is in the process of drafting legislation regulating the location, etc. of telecommunications towers in the Town, and

WHEREAS, the aforementioned workshop will assist the Town with the drafting of this legislation, as well as, providing the Town with information about developing a new source of potentially significant non-tax revenue, and

WHEREAS, Deputy Town Attorney, Kevin G. Schenk, has been working with the Town's Cell Tower Ordinance Review Committee to draft Town legislation on telecommunications towers and it would be beneficial to the Town to have him attend this workshop, NOW, THEREFORE, BE IT

RESOLVED that Kevin G. Schenk be and hereby is authorized to attend the aforementioned workshop and to utilize a Town vehicle to travel to and from such workshop, and BE IT FURTHER

RESOLVED that moneys for the registration fee for such workshop, \$175.00 shall be appropriated from budget line item number 1910 4082.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

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

WHEREAS, there is a need to modify existing utility owned lighting facilities which currently illuminate parking areas serving the Alexander Community Center, which will provide improved lighting for recently constructed parking areas in a more economical manner, as recommended by the Facilities Director and Town Engineer, NOW, THEREFORE, BE IT

RESOLVED that the Niagara Mohawk Power Corporation be and hereby is authorized to remove facilities located on Pole 177R and 136R, convert the luminaire on Pole 126R and Pole 198 from a 175 Watt Mercury Vapor to a 150 Watt High Pressure Sodium Luminaire and install two (2) wood poles and two 150 Watt High Pressure Luminaires at the west parking lot resulting in an annual

billing increase of \$239.49 in accordance with the attached Niagara Mohawk Power Corporation proposal dated November 13, 1996, and BE IT FURTHER

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

Mrs. Nancy A. Schott Consumer Representative Niagara Mohawk Power Corporation 535 Washington Street Buffalo, New York 14203

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

\*\*See next page(s) for attachments

# <u>Item No. 15</u> Motion by Councilmember Wielinski, Seconded by Councilmember Swiatek

BE IT RESOLVED that the New York State Electric & Gas Company be and hereby is authorized to remove five (5) 7000 lumen, 175 Watt Mercury Vapor Luminaires on Marrano Parkway replacing same with five (5) 8500 Lumen 100 Watt High Pressure Sodium Luminaires resulting in an annual decrease to the General Lighting District in the amount of \$54.11 in accordance with the attached NYSEG proposal dated November 8, 1996.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

\*\*See next page(s) for attachments

# II. DEPARTMENTAL COMMUNICATIONS

<u>Item No. 16a</u> Minutes of Planning Board - October 10, 1996 Received and Filed.

<u>Item No. 16b</u> Minutes of Traffic Safety Commission - October 15, 1996 Received and Filed.

# **III. GENERAL COMMUNICATIONS**

<u>Item No. 17</u> Summons & Complaint - Mary Miceli by Gaetano Miceli, Son vs Town of

Cheektowaga

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

Attorney; Council Office; Allied Claims, Insurance Company, Chief of Police.

Received and Filed.

Letter from Town Resident wishing to speak Item No. 18

Received and Filed.

#### IV. SUSPENSION OF RULES

Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson 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: ABSENT: 0

Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak Item No. 19

WHEREAS, in compliance with federal and state laws, the Town Board of the Town of Cheektowaga, acting as Commissioners for and on behalf of all sanitary sewer districts in the Town, entered into agreements with the Buffalo Sewer Authority (BSA) in 1976 and in 1984 on the receipt and treatment of sewage, including the pretreatment of sewage from industrial users, and

WHEREAS, the BSA notified the Town of the necessity of clarifying and updating the aforesaid agreements by certain accounting changes, as well as the method and calculation of service charges, and

WHEREAS, all proposed modifications to the existing service and treatment agreements with the BSA have not only been approved by the county of Erie but also they have been extensively reviewed by the Town Engineer, Town Attorney, Supervising Accountant, as well as by the retained professional accountants to the Town, NOW, THEREFORE, BE IT

RESOLVED that the members of the Town Board of the Town of Cheektowaga, as Sewer Commissioners for and on behalf of the Cheektowaga Sanitary Sewer Districts Nos. 2, 4, 5, 6, 8 and 7 and 7-Extension No. 1, 2 and Extension Village of Depew be and hereby are authorized and directed to execute the attached Agreement between the Town and the Authority and any and all other papers necessary to effectuate the attached Agreement.

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

Johnson, Wielinski and Swiatek

NAYES: 0 ABSENT: 0

\*\*See next page(s) for attachments

Item No. 20 Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

to adjourn the meeting.

Time Adjourned: 7:50 P.M.

Richard M. Moleski Town Clerk

### TOWN OF CHEEKTOWAGA MEETING NO. 25 DECEMBER 2, 1996

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of December, 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; Thomas Rowan, Police Captain; and Leonard Szymanski, Facilities Foreman.

## **I. RESOLUTIONS**

<u>Item No. 2</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

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

#### **GENERAL FUND**

part hereof:

From:	0100-1410-4051 0100-1410-4593 0100-1450-4551 0100-7510-4051 0100-1640-4021 0100-1440-2501 0100-7620-4680 0100-9010-8145 0100-9010-8111 0100-9501-9131	Records Management-Town Clerk Contracted Steno-Town Clerk Moving Machines-Elections Microfilming-Town Historian Maintenance Supplies-Central Garage Misc. Office-Engineering Van Transportation-Senior Center Medical Reimbursements Police Retirement Bond Principal	\$ \$1	960.00 590.00 2,000.00 68.00 200.00 1,500.00 3,500.00 45,000.00 1,800.00
TO:	0100-1410-4001 0100-7510-4043 0100-1640-4072 0100-1440-4191 0100-7620-2501 0100-9010-8151 0100-3120-2303 0100-6510-4311	Office Supplies-Town Clerk Maps, Records, Supplies-Town Historian Uniform Cleaning-Central Garage Misc. Expenses Equipment-Senior Center Group Life Insurance Police Vehicles Veterans Affairs Committee	\$	3,550.00 68.00 200.00 200.00 1,500.00 3,500.00 45,000.00 1,800.00
PART-TOWN I	<u>FUND</u>			
From:	0800-9010-8143	Retiree Medical	\$	100.00
То:	0800-9010-8181	Optical Insurance		100.00
RISK RETENTION FUND				
From:	1000-1930-4703	Workers Compensation	\$	329.00
To: <u>Item No. 2 con</u>	1000-1710-4523 <u>t'd.</u>	Workers Compensation Administration		329.00

### **SPECIAL DISTRICTS**

4000-8140-4476 Rodent Control 2,000.00 4000-8140-4432 Storm Sewer System-Maintenance 20,000.00

and Repairs

To: 1500-8160-8141 Medical Insurance-Sanitation \$ 9,000.00

4000-8140-4581 Consulting Services 22,000.00

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 3</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

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

GENERAL FUND	\$1,421,055.64
HIGHWAY FUND	224,091.64
TRUST & AGENCY	15,932.69
PART TOWN FUND	21,429.59
RISK RETENTION FUND	5,792.42
CDBG HUD FUND	18,438.06
HUD HOUSING REHABILITATION FUND	12,943.00
SPECIAL DISTRICTS FUND	500,904.64
CAPITAL FUND	<u>79,204.44</u>
	\$2,299,792.12

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 4a Motion By Councilmember Johnson, Seconded by Councilmember Blachowski

WHEREAS, Benderson Development Co., Inc. has made application and requested the Rezoning from M1-Light Manufacturing District to CM-General Commercial District for property located at 3160 Union Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on December 16, 1996 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 4b Motion By Councilmember Johnson, Seconded by Councilmember Blachowski

WHEREAS, by resolution dated August 19, 1996, this Town Board enacted a "Communications Tower Moratorium" ordinance for a period of 90 days to give the Town adequate time to adopt guidelines/regulations for the placement of communications towers in the Town, AND

WHEREAS, by resolution dated November 18, 1996, this moratorium was extended for an additional 30 days, AND

WHEREAS, Town officials have been working to draft such regulations, but more time is needed to adequately address certain issues and adopt new legislation, 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 16th day of December, 1996 at 6:30 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 it shall be determined by the Town Board whether the Communications Tower Moratorium should be amended to extend same an additional 45 days and, BE IT FURTHER

RESOLVED, that the Town Clerk publish the attached Notice of Hearing in the <u>Cheektowaga Times</u>, a newspaper published in the Town of Cheektowaga and having 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 16th day of December, 1996 at 6:30 o'clock P.M. of said day for the purpose of considering whether the COMMUNICATIONS TOWER MORATORIUM ORDINANCE should be amended and changed as follows:

1. RESOLVED, that Section 1 of such Ordinance, which pertains to the length of such moratorium and the type of moratorium shall be amended to change the length of such moratorium from 90 days to 165 days.

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

Richard M. Moleski Town Clerk

Dated: December 2, 1996

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Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

**AFFIDAVIT - NEXT PAGE** 

<u>Item No. 4c</u> Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, by resolution dated September 16, 1996, this Town Board enacted a "Non-Residential Development Moratorium Ordinance" for properties along Losson Road and William Street in the Town, AND

WHEREAS, this moratorium was enacted for a period of 90 days in order to give the Town time to retain a consultant to review zoning classifications, etc. along these highways; to give the consultant time to make recommendations; and to give the Town time to take appropriate steps to address any problems/concerns uncovered, AND

WHEREAS, based on preliminary studies and an estimated time table, the Town will need to extend this moratorium for an additional 90 day period, 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 16th day of December, 1996 at 6:30 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 it shall be determined by the Town Board whether the Non-Residential Development Moratorium should be amended to extend same an additional 90 days and, BE IT FURTHER

RESOLVED, that the Town Clerk is directed to publish the attached Notice of Hearing in the <u>Cheektowaga Times</u>, a newspaper published in the Town of Cheektowaga and having 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 16th day of December, 1996 at 6:30 o'clock P.M. of said day for the purpose of considering whether the NON-RESIDENTIAL DEVELOPMENT MORATORIUM ORDINANCE should be amended and changed as follows:

1. RESOLVED, that Section 1 of such Ordinance, which pertains to the length of such moratorium and the type of moratorium shall be amended to change the length of such moratorium from 90 days to 180 days.

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

Richard M. Moleski Town Clerk

Dated: December 2, 1996

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Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

#### AFFIDAVIT - NEXT PAGE

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

WHEREAS, Bid Proposals were received for the furnishing of Athletic White Stripe for the Facilities Department on November 20, 1996, AND

WHEREAS, said Proposals have been reviewed for compliance under the terms of the specifications, NOW, THEREFORE, BE IT

#### MEETING NO. 25 December 2, 1996

RESOLVED, that the Cheektowaga Town Board hereby award said Bid for Athletic White Stripe to:

#### Scranton's Thruway Builders Supplies Corp. 3360 Walden Avenue Depew, New York 14043

for

Athletic White Stripe @ \$.06 per lb.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

WHEREAS, sealed bids were received for Pool Maintenance Chemicals on November 20, 1996 at a meeting held for said purpose, AND

WHEREAS, said bids have been reviewed for compliance under the terms of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards said Bid for Pool Maintenance Chemicals to:

Alden Pools, Inc. P.O. Box 298 Alden, New York 14004

for:

Category I - Bromine \$2.475 per lb.
Category II - Diatomaceous Earth \$ .33 per lb.
Category IV - Soda Ash \$ .27 per lb.

and

Leslie's Swimming Pool Supplies P.O. Box 2108 20222 Plummer Street Chatsworth, CA 91312-2108

for:

Category III - Sodium Bicarbonate \$ .35 per lb.

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 6a</u> Motion By Councilmember Wielinski, Seconded by Supervisor Gabryszak

WHEREAS, it is in order that bids be advertised to cover the purchase of Police Vehicles for the Police Department, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of Police Vehicles, said notice to be published in the Cheektowaga Times and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 11th day of December, 1996 at 10:00 A.M., Eastern Standard Time at a public bid opening to be held in the Cheektowaga Chambers at the Cheektowaga Town Hall.



Sealed proposals will be received by the Town of Cheektowaga on December 11th, 1996 at 10:00 A.M., Eastern Standard Time, at Town Hall, corner of Broadway and Union Roads, for the purchase of police vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said Town. One bid is to be submitted for all Seven (7) vehicles listed in the bid specifications.

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

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

Richard M. Moleski Town Clerk

Dated: December 2, 1996

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Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 6b</u> Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, it is in order that bids be advertised for the purchase of clothing for use in various programs in the Youth and Recreational Services Department for the 1997 and 1998 calendar years, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of said clothing. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk. Said notice to be published in the Cheektowaga Times and, BE IT FURTHER

RESOLVED, that sealed bids will be received on December 18, 1996 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.



#### NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 18, 1996 at 11:00 A.M., Eastern Standard Time at Town Hall, corner of Broadway and Union Road for the purchase of clothing for use in various Youth and Recreation programs.

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

Bid prices will be in effect for the calendar years 1997 and 1998.

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

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

Richard M. Moleski Town Clerk

Dated: December 2, 1996

Published: December 5, 1996

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Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

<u>Item No. 6c</u> Motion By Supervisor Gabryszak, Seconded by Councilmember Rogowski

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

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

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

RESOLVED, that sealed bids will be received on the 18th day of December, 1996 at 11:00 A.M. Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



#### NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on December 18, 1996 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for Softball and Hardball Diamond Supplies for a three (3) year contract: 1997, 1998, 1999.

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

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

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

Richard M. Moleski Town Clerk

Dated: December 2, 1996

<del>\_\_\_</del>\_\_

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 6d Motion By Supervisor Gabryszak, Seconded by Councilmember Rogowski

WHEREAS, the Town Clerk's Office has received a Local Government Records Management Improvement grant from New York State for the purpose of microfilming Town records, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached notice to bidders in the <u>Cheektowaga Times</u> 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 Wednesday, December 18, 1996 in the Council Chambers at the Cheektowaga Town Hall.



### **NOTICE TO BIDDERS**

#### TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Wednesday, December 18, 1996, at a public bid opening at 11:00 A.M. at the Town Hall located at 3301 Broadway, Town of Cheektowaga, New York, for the purpose of microfilming services for the Town of Cheektowaga Town Records.

Specifications for microfilm services may be picked up at the office of the Town Clerk located at 3301 Broadway, Town of Cheektowaga, New York, between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

Richard M. Moleski Town Clerk

Dated: December 2, 1996

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

#### <u>Item No. 7</u> 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 application for building permits, rezoning, special permits, etc. and renders its recommendation concerning the environmental significance of such application, AND

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

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

WHEREAS, an application was submitted by Rosanne Lettieri to construct a 4,000 square foot addition to an existing storage building in the Anchor Industrial Park at 100 Stradtman Street, AND

WHEREAS, the Advisory Committee, at its meeting held on November 20, 1996 rendered the determination shown on the attached memo dated November 21, 1996, AND

#### MEETING NO. 25 December 2, 1996

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations make 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, Rogowski, Blachowski,

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

\*SEE NEXT PAGE FOR ATTACHMENT

Item No. 8a Motion By Councilmember Johnson, Seconded by Councilmember Blachowski

WHEREAS, as part of the project for the construction of a new fire hall at Bellevue Volunteer Fire Company on Como Park Boulevard, it was necessary for the Town to acquire a storm sewer easement across property owned by Suit-Kote Corporation on Como Park Boulevard, AND

WHEREAS, Suit-Kote Corporation has signed the necessary easement form, AND

WHEREAS, the Town Engineer has reviewed and approved the legal description for said easement, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned storm sewer easement from Suit-Kote Corporation and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file such easement in the Erie County Clerk's Office and, BE IT FURTHER

RESOLVED, that the fee for filing said easement shall be paid out of the Town-wide Drainage District budget.

Upon roll call . . . .

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

#### MEETING NO. 25 December 2, 1996

NAYES; 0 ABSENT: 0

<u>Item No. 8b</u> Motion By Councilmember Johnson, Seconded by Councilmember Blachowski

WHEREAS, as part of the approval process for the construction of an addition to a building at 825 Rein Road, easements were requested from the owners of such property for drainage and creek maintenance purposes, AND

WHEREAS, the owners of 825 Rein Road have signed the necessary easement, AND

WHEREAS, the Town Engineer has reviewed the easement and has recommended that the Town Board accept same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned easement over 825 Rein Road and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file such easement in the Erie County Clerk's Office and, BE IT FURTHER

RESOLVED, that the fee for filing such easement shall be appropriated from the Town-Wide Drainage District budget.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 9</u> Motion By Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, developers are required to install water mains within the right-of-way of new subdivisions, AND

WHEREAS, two (2) hydrants must be installed in the Losson Green Estates Subdivision, Phase 9, prior to acceptance of the water main extension by the Erie County Water Authority as part of their water transmission system, NOW, THEREFORE, BE IT

#### Item No. 9 cont'd.

RESOLVED, that permission is hereby granted to the developer of the Losson Green Estates Subdivision, Phase 9, to install two (2) hydrants at the locations approved by Wallace Long, Commissioner of Bellevue Fire District #9, being situated on the north side of Elmleaf Lane between Sublots #44 and #43 and between Sublots #29 and #29 and, BE IT FURTHER

RESOLVED, that all costs associated with furnishing and installing said hydrants is to be borne by the subdivision developer and, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the subject hydrants, with such charges being recovered by Town billings to the respective fire company.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 10 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)/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, Rogowski, Blachowski,

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

\*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, the NYS Education Department Program for the Conservation and Preservation of Library Research Materials offers a grant program to encourage the proper care and accessibility of research materials, to promote the use and development of guidelines and standards for conservation/preservation work, and to support the growth of local and cooperative preservation programs; AND

WHEREAS, the Town of Cheektowaga wishes to implement a project for the preservation and conservation of its archival records, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Education Department, Division of Library Development; Conservation/Preservation Program for the purpose of securing an award in an amount not to exceed \$25,000 and, BE IT FURTHER

RESOLVED, that matching funds will be in the form of in-kind goods and services and, BE IT FURTHER

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

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0 Item No. 11b Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 33 Ellwood Place in the Town of Cheektowaga, New York, AND

WHEREAS, the owners of said property have applied for a mortgage loan through Charles F. Curry Company for the purpose of refinancing existing mortgage debt for a lower interest rate, AND

WHEREAS, Charles F. Curry Company has conditioned its approval of the owner's mortgage on the subordination of the Town's mortgage to that of Charles F. Curry Company, NOW, THEREFORE, BE IT

that the Supervisor be and hereby is authorized to execute a RESOLVED, Subordination Agreement with Charles F. Curry Company, 720 Main Street, Kansas City, Missouri 64105 in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 33 Ellwood Place, Cheektowaga, New York 14225.

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

BE IT RESOLVED, that the following individuals be terminated from the Youth and Recreational Services Department, effective immediately:

Maureen Collins Brian Miller Michelle Seifried Michelle DiGiacomo Richard Gorczynski, Jr. Greg Wazny Mindy Greenauer

Item No. 12a cont'd.

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 12b 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** 

#### **FACILITIES DEPARTMENT**

James Kazmierczak **Immediately** 

**Todd Stucke** 

### RECYCLING DEPARTMENT

Patrick Fix **Immediately** 

John Balbuzoski

**Edward Belcer** Patrick McCloskey **Dorothy Mendel** Lorin Gould Benjamin Harsch

#### SANITATION DEPARTMENT

#### MEETING NO. 25 December 2, 1996

Jerome Brzozowski Immediately Kevin Wroblewski "

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

BE IT RESOLVED, that Beverly Kelly, Ceramic Teacher be terminated as an employee of the Cheektowaga Department of Senior Services effective December 2, 1996

FUNDING ACCOUNT: 0100-7620-1639

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 14</u> Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Allan Blachowski has resigned from the position of General Crew Chief in the Facilities Department, AND

WHEREAS, pursuant to Rule 17, Paragraph 1, of the Rules for Classified Civil Service of the County of Erie, a permanent employee who has resigned from his/her position may be reinstated without examination within one (1) year, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board accepts Allan Blachowski's resignation from his position of General Crew chief, effective immediately and, BE IT FURTHER

RESOLVED, that Allan Blachowski be and hereby is reinstated to the position of Principal Engineer Assistant in the Engineering Department, effective immediately.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 15 Appointment to Position of General Crew Chief in Facilities Department

This item was withdrawn.

Item No. 16 Motion By Councilmember Swiatek, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated November 4, 1996, this Town Board increased the hourly salary for part-time and seasonal employees in various departments to \$6.00 per hour, AND

WHEREAS, Frank Swiatek, a part-time employee in the Sanitation Department, was mistakenly left off said resolution, NOW, THEREFORE, BE IT

#### MEETING NO. 25 December 2, 1996

RESOLVED, that the hourly salary for Frank Swiatek be and hereby is increased to \$6.00 per hour, retro-active to November 5, 1996.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

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

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**

Sandra Vallon XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX Immediately

Jennifer Reid XXXXXXXXXXXXXXXX, Depew XXXXX

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

Item No. 17b Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the below listed individual be hired, effective December 4, 1996 as a Recreation Attendant (Part-Time) in the Youth and Recreation Department at the training rate of \$4.25 per hour (as permitted under the Fair Labor Standards Act), AND

BE IT FURTHER RESOLVED, that she be upgraded to the position of Recreation Attendant I at the rate of \$4.75 per hour, effective March 4, 1997:

### Volleyball - 7140.1627

Upon roll call . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 18</u> Motion By Councilmember Swiatek, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the following individuals be and hereby are hired as Seasonal Employees, not to exceed 24 weeks in a calendar year, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

#### **EFFECTIVE**

### RECYCLING DEPARTMENT - \$6.00 per hour (Laborer)

Salvatore lanello XXXXXXXXXXXXXXXXX, Depew XXXXX Immediately

#### FACILITIES DEPARTMENT - \$6.00 per hour ((7110-1491)

Michael DeCecco XXXXXXXXXXXXXXXX, Cheektowaga XXXXX Immediately

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

#### **II. DEPARTMENTAL COMMUNICATIONS**

<u>Item No. 19</u> Building Permits

Received and Filed.

Item No. 20 Supervisor's Statement of Funds - October 1996

Received and Filed.

#### **III. GENERAL COMMUNICATIONS**

<u>Item No. 21</u> Second Notice of Claim: Jean A .Metzger vs Town of Cheektowaga

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

Attorney; Sanitation Department and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 22a Notice of Claim: Paul Riffel, Individually and as Parent and Natural Guardian of

Joshua Riffel, an Infant vs the Town of Cheektowaga

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

Attorney; Facilities Department and Allied Claims Insurance Carrier.

Received and Filed.

<u>Item No. 22b</u> Notice of Claim: Janice Kirscher vs 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.

<u>Item No. 22c</u> Notice of Claim: Barbara Parker 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. 22d Notice of Claim: Brian Webber vs Town of Cheektowaga

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

Attorney; Sanitation Department and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 22e Notice of Claim: Frank Wojciechowski vs Town of Cheektowaga; Zoning Board of

Appeals; Jane Wiercioch, Member of Zoning Board; Andrew Kulyk, Chairman of Zoning Board; Town of Cheektowaga Office of Building and Plumbing Inspections;

and Donald C. Wartinger, Housing Inspector.

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

Attorney; Individuals as listed above and Allied Claims Insurance Carrier.

Received and Filed.

Item No. 23a Notice of Petition: Consolidated Rail Corporation vs New York State Office of Real

Property Services and Assessing Units

Copies were sent to Assessor's Office.

Received and Filed.

#### MEETING NO. 25 December 2, 1996

<u>Item No. 23b</u> Notice of Petition: Michael Huber, Jacob Huber and Joan Huber vs the Cheektowaga

Zoning Board of Appeals

Copies were sent to: Building Department and Town Attorney

Received and Filed.



MOTION BY COUNCILMEMBER ROGOWSKI, 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, Blachowski,

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0



## **IV. SUSPENSION OF RULES**

<u>Item No. 24</u> Motion By Supervisor Gabryszak, Supervisor Gabryszak Councilmember Wielinski

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

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on December 16, 1996 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

**AFFIDAVIT - NEXT PAGE** 

#### <u>Item No. 25</u> Motion By Councilmember Johnson, Seconded by Councilmember Wielinski

WHEREAS, this Town Board, by resolution dated August 19, 1996, issued a Negative Declaration under the State Environmental Quality Review Act with respect to an application submitted by Ciminelli Development Co., Inc. ("Ciminelli") to construct a 32,000 square foot, two-story office building at 2605 Harlem Road (St. Joseph Hospital), AND

WHEREAS, pursuant to the terms of such resolution, Ciminelli is to construct/ reconstruct, at its expense, a system to direct the existing stormwaters along both the north and south sides to the east to Scajaquada Creek, AND

WHEREAS, in order to construct such stormwater system, the applicant needs to cross Town-owned property, AND

WHEREAS, the Town Engineer has reviewed the plans for this proposed stormwater system and has approved same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby grants Ciminelli and/or its contractor a license to cross Town-owned property to the east of St. Joseph Hospital property with its stormwater system subject to the following, which must be acceptable to the Town Attorney.

- 1. Proof of adequate liability insurance covering the Town.
- 2. Indemnification from Ciminelli and/or its contractor to the Town.
- 3. Applicant must repair any damage done to Town property.

Upon roll call . . . .

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

Johnson, Wielinski, and Swiatek

NAYES; 0 ABSENT: 0

<u>Item No. 26</u> Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski to adjourn this meeting. This meeting was adjourned at 7:20 P.M.

Richard M. Moleski Town Clerk

<u>Item No. 1</u> At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 16th day of December, 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; Dave Kulik, Working Foreman, Sanitation Department; William Conway, Sole Assessor; Donald Wegner, Building & Plumbing Department; Andrew Kulyk, Chairman of Zoning Board of Appeals; Robert Brandon, Member of Zoning Board of Appeals; Sal LaGreca, Planning Board Chairman; Leonard Szymanski, Foreman in the Facilities Department; James Burst, Foreman, Sewer Department; Pat Wojcik, Senior Citizens Director; Bruce Chamberlin, Chief of Police.

#### I. RESOLUTIONS

Item No. 2 Motion by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

WHEREAS, William Wielinski has submitted notification of his intent to resign from his position as Councilmember effective immediately, NOW, THEREFORE, BE IT

RESOLVED that said resignation be and hereby is accepted by this Town Board effective immediately.

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

Johnson and Swiatek

NAYES: 0 ABSENT: 0

ABSTAINED: Councilmember Wielinski

\*See next page for Letter of Resignation

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

WHEREAS, a vacancy exists in the office of Councilmember in the Town of Cheektowaga, County of Erie, New York, as a result of the resignation of William L. Wielinski, the duly elected Councilmember, effective immediately, and

WHEREAS, this Board wishes to fill such vacancy to ensure there is a full Town Board to take action on various matters, and

WHEREAS, James Jankowiak, a past Town employee has experience with the Town government, and has expressed a desire to serve as Councilmember, NOW, THEREFORE, BE IT

RESOLVED, that in pursuance of the power vested in us by Section 64(5) of the Town law, we the members of the Town Board, do hereby appoint James Jankowiak, 398 Cayuga Creek Road, Cheektowaga, NY 14227, to fill the vacancy existing in such office of Councilmember, said appointment to be effective immediately; said James Jankowiak shall hold such office until December 31, 1997.

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

Johnson and Swiatek

NAYES: 0 ABSENT: 0



At this time. James Jankowiak took the Oath of Office from Richard M. Moleski, Town Clerk.



<u>Item No. 4</u> 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:	0100-7110-1201 0100-7110-1623 0100-3610-4261 0100-3610-4086 0100-1320-4506 0100-7310-1161 0100-7140-1622 0100-7140-1622 0100-7140-4524 0100-7140-4533 0100-7140-4539 0100-7140-4539 0100-1450-4342 0100-9010-8157	General Crew Chief Pool Mechanic Postage Membership Accounting & Auditing Program Coordinator Recreation Attendant Recreation Attendant Field Trips Theater Basketball Softball Polling Place Health & Welfare - TCEA	\$ 750.00 400.00 4.90 48.00 2,500.00 1,225.00 3,100.00 1,800.00 3,199.00 5,000.00 3,759.00 372.00 5,400.00 200.00
TO:		Senior Clerk Typist Part-time Clerical Office Supplies Office Supplies Office Supplies Executive Director Recreation Supervisor Rink Personnel	\$ 400.00 52.90 1,000.00 1,500.00 1,225.00 3,100.00 1,800.00
	0100-7310-2501 0100-7310-2501	Equipment Equipment	\$ 3,199.00 5,000.00

	0100-7310-2501 0100-7310-2501 0100-1355-4561 0100-9010-8151	Equipment Equipment Contracted Legal Group Life Insurance	3,759.00 372.00 5,400.00 200.00
<u>HIGHW</u>	AY FUND		
FROM:	0300-9501-9211	Bond Interest	\$ 500.00
TO:	0300-9010-8143 0300-9010-8151	Retirees Medical Group Life Insurance	\$ 200.00 300.00
PART-T	OWN FUND		
FROM:	0800-8020-4192 0800-9501-9211	Other Expenses Bond Interest	\$ 1,000.00 400.00
TO:	0800-9010-8151 0800-9010-8141	Group Life Insurance Medical Insurance	\$ 200.00 1,200.00
SPECIA	AL DISTRICTS		
FROM::	1500-8173-1205 1500-8173-1492 1500-8160-8143 1500-8160-9211 1500-1910-2799 1500-8160-4468 1500-8160-4161 1500-8160-4161 1500-8160-4470 4000-8140-4430 4000-8140-4588 2300-8123-4163 2500-8125-1492	Assistant Foreman Seasonal Labor Retiree Medical Bond Interest Appropriated Fund Balance Compost Equipment Repairs Gas Tipping Solid Waste Management Detention Basin Maint. Ditch, Creek, Tributary Maint. Ditch, Creek, Tributary Fertilization Gas, Oil, Grease Seasonal	\$ 20,523.00 21,400.00 3,900.00 3,500.00 30,578.50 147,000.00 3,000.00 1,176.00 3,500.00 2,176.00 1,962.00 9,525.23 6,640.00 4,000.00 12,000.00
TO:	1500-8173-1409 1500-8160-1205 1500-8173-8121 1500-8173-8171 1500-8160-8141 1500-8160-4352 1500-8160-4469 1500-8160-4160 1500-8160-4186 4000-8140-4432 2300-8123-4432 2500-8125-1201 2500-8125-1374 2500-8125-1420 2500-8125-1424	Recycling Laborer Working Foreman Fica Expense Dental Insurance Medical Insurance Erie County Chargeback Landfill Diesel Tolls Storm Sewer Maint & Repairs Sewer Maint & Repairs General Crew Chief Clerk Typist Sewer Maintenance Man Sewer Maintenance Man	\$ 15,000.00 20,523.00 6,000.00 400.00 7,400.00 30,578.50 150,000.00 4,676.00 2,176.00 18,127.23 4,000.00 3,000.00 2,000.00 2,000.00 5,000.00

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

Johnson, Swiatek and Jankowiak

NAYES: ABSENT: 0

Item No. 5 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 December 13, 1996 are hereby approved and made a part hereof:

**GENERAL FUND** \$148,677.63

HIGHWAY FUND	21,039.05
TRUST & AGENCY	8,453.63
PART TOWN FUND	16,249.22
RISK RETENTION FUND	18,384.63
HUD HOUSING REHABILITATION FUND	25,826.00
SPECIAL DISTRICTS FUND	462,112.03
CAPITAL FUND	<u>115,340.00</u>
	\$817,082.19

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 6 Motion by Councilmember Swiatek, Seconded by Councilmember Rogowski

WHEREAS, a permanent vacancy exists in the position of General Crew Chief in the Facilities Department, and

WHEREAS, William Wielinski applied for said vacancy, was interviewed and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that William Wielinski of 34 S. Roycroft Boulevard, Cheektowaga, New York 14225 be and hereby is appointed to the position of General Crew Chief in the Facilities Department, in accordance with the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit at an hourly salary of \$22.566, effective December 17, 1996.

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

Swiatek and Jankowiak

NAYES: Councilman Johnson

ABSENT: 0

<u>Item No. 7</u> Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, by resolution dated January 3, 1996, this Town Board established Town Board meeting dates for 1996, and

WHEREAS, this Town Board wishes to establish another Town Board meeting date for 1996 and the first Town Board meeting date for 1997, NOW, THEREFORE, BE IT

RESOLVED that Town Board meetings shall be held on the following referenced dates at the following times in the Town Hall Council Chambers, 3301 Broadway, Cheektowaga, New York:

December 30, 1996 5:30 P.M.

January 6, 1997 7:00 P.M. (Public Comment 6:45)

and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to give public notice of the times and place of such meetings to the news media at least one week prior to such meetings and to conspicuously post notice at least 72 hours before such meetings.

## Item No. 7 cont'd

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

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

WHEREAS, by resolution dated August 19, 1996, this Town Board enacted a "Communications Tower Moratorium" ordinance for a period of 90 days to give the Town adequate time to adopt guidelines/regulations for the placement of communications towers in the Town, and

WHEREAS, by resolution dated November 18, 1996, this moratorium was extended for an additional 30 days, and

WHEREAS, Town officials have been working to draft such regulations, but more time is needed to adequately address certain issues and adopt new legislation, and

WHEREAS, in accordance with the provisions of the Town Law of the state of New York, a public hearing was held on the l6th day of December, 1996 at 6:30 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 as to whether the Communications Tower Moratorium should be amended to extend same an additional 45 days, and

WHEREAS, it is in the public interest to extend the Communications Tower Moratorium an additional 45 days, NOW, THEREFORE, BE IT

RESOLVED that the Communications Tower Moratorium Ordinance be and hereby is amended as follows:

RESOLVED that Section 1 of such ordinance, which pertains to the length of such moratorium and the type of moratorium shall be amended to change the length of such moratorium from 120 days to 165 days, 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 on the 16th day of December, 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.

The aforementioned amendment to the "COMMUNICATIONS TOWER MORATORIUM ORDINANCE" shall take effect ten (10) days after such publication, but such amendment 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 into the minutes.

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

**AFFIDAVIT - NEXT PAGE** 

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

WHEREAS, by resolution dated September 16, 1996 this Town Board enacted a "Non-Residential Development Moratorium Ordinance" for properties along Losson Road and William Street in the Town, and

WHEREAS, this moratorium was enacted for a period of 90 days in order to give the Town time to retain a consultant to review zoning classifications, etc. along these highways; to give the consultant time to make recommendations; and to give the Town time to give appropriate steps to address any problems/concerns uncovered, and

WHEREAS, based on preliminary studies and an estimated time table, the Town will need to extend this moratorium for an additional 90 day period, and

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing was held on the l6th day of December, 1996 at 6:30 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 as to whether the "Non-Residential Development Moratorium" should be amended to extend same an additional 90 days, and

WHEREAS, it is in the public interest to extend the Non-Residential Development Moratorium an additional 90 days, NOW, THEREFORE, BE IT

RESOLVED that the Communications Tower Moratorium Ordinance be and hereby is amended as follows:

RESOLVED that Section 1 of such ordinance, which pertains to the length of such moratorium and the type of moratorium shall be amended to change the length of such moratorium from 120 days to 165 days, 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 on the 16th day of December, 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.

The aforementioned amendment to the "COMMUNICATIONS TOWER MORATORIUM ORDINANCE" shall take effect ten (10) days after such publication, but such amendment 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 into the minutes.

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on January 6, 1997 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 19th day of December, 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 January 6, 1997 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic): said proposed amendments being as follows:

### **ARTICLE VIII**

#### Stop and Yield Intersections

76-80. Stop intersections designated.

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

Section 76-80 shall be amended by deleting therefrom the following:

Street	<u>Direction</u>	Entrance Street	<u>Traffic</u> <u>Stops</u>	Sign Location
Mapleview Circle	North-South	Rost Place	Eastbound	S.W. Corner
Mapleview Circle	North-South	Gilmore Road	Northbound	S.E. Corner
Section 76-80 shall be	amended by adding	thereto the following:		
Redoak Drive	North-South	Groell Avenue	Eastbound	S.W. Corner
Redoak Drive	North-South	Groell Avenue	Westbound	N.W. Corner

76-81 Yield Intersections designated.

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

Section 76-81 shall be amended by adding thereto the following:

Mapleview Circle	North-South	Rost Place	Eastbound	S.W. Corner
Mapleview Circle	North-South	Gilmore Road	Northbound	S.E. Corner
Mapleview Circle	North-South	Merrymont Drive	Southbound	N.W. Corner
Mapleview Circle	North-South	Mapleview Road	Northbound	S.E. Corner
Mapleview Circle	North-South	Mapleview Road	Westbound	N.E. Corner

#### ARTICLE X

# Parking, Standing, Stopping

A. No parking this side or one side parking

Herbert Avenue	South side	from west curb of Pine Ridge Road westerly to east line of
		Olcott Place.
Item No. 9 cont'd		

B. No parking anytime

Homewood Avenue West side from north curbline of Bennett Road north to its terminus

Section F. Miscellaneous signs

(15) No Stopping anytime

(15) 140 Stopp	ing anytime	
Galleria Drive	North side	from north curbline of Walden Avenue to the west curbline of Union Road
Galleria Drive	South side	from north curbline of Walden Avenue to west curbline of Union Road

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

B. No Parking Anytime

Herbert Avenue North side from west curbline of Pine Ridge Road to east curbline of

Olcott Place

Herbert Avenue South side from west curbline of Pine Ridge Road to a point one

hundred fifty (150) feet + westerly

Homewood Avenue West side from north curbline of Bennett Road north to its terminus

F. Miscellaneous parking signs

(6) No standing anytime

Galleria Drive North side from north curbline of Walden Avenue to west curbline of

Union Road

Galleria Drive South side from north curbline of Walden Avenue to west curbline of

Union Road

ARTICLE XII

#### Removal and Storage of Vehicles

Article XII shall be amended by deleting the following sections:

76-120 - Authority to impound vehicles

76-121 - Storage and charges

76-122 - Notice of removal

76-123 - Administration, enforcement and delegation of duties

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

Dated: December 16, 1996

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of seven (7) 1996 police vehicles for the Police Department, which bids were duly received and opened at a public bid opening called for that purpose, and

WHEREAS, said bid was referred to the Police Department for analysis, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of seven (7) 1996 police vehicles be awarded to Warnock Motor Sales, 175 Route 10, East Hanover NJ 07936; said vendor being sole bidder meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that funds are available in Account #0100-3120-2303 for this purpose.

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 11a 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 is 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 Cooper TurboCompressor to erect a 25,900 square foot addition to a building at 3101 Broadway, and

WHEREAS, the applicant will meet with the Cheektowaga Traffic Safety Commission to finalize the driveway design recommended by the Commission, and

WHEREAS, the Advisory Committee, at its meeting held on December 11, 1996 rendered the determination shown on the attached memo dated December 12, 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, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

# <u>Item No. 11b</u> 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 is 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 Upstate Steel to erect a 9,000 square foot addition to a building at 1800 Dale Road, and

WHEREAS, the Advisory Committee, at its meeting held on December 11, 1996 rendered the determination shown on the attached memo dated December 12, 1996, and

<sup>\*\*</sup>See next page(s) for attachments

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, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

\*\*See next page(s) for attachments

Item No. 11c S.E.Q.R. Decision - 75 Innsbruck Drive This item was withdrawn.

Item No. 11d 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 is 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 Benderson Development Company to rezone from M1-Light Manufacturing to CM-General Commercial property at 3160 Union Road, and

WHEREAS, the rezoning was requested to establish a "Mini Storage" facility which included 80,000 + square feet of additional buildings, and

WHEREAS, the applicant has provided for snow storage, sidewalks along Union Road, landscaping and architectural accents, and

WHEREAS, the Advisory Committee, at its meeting held on December 11, 1996 rendered the determination shown on the attached memo dated December 12, 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, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

\*\*See next page(s) for attachments

# Item No. 12a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of continuing the operation of a joint program with Catholic Charities Metropolitan Services Department of 525 Washington Street, Buffalo, New York, 14203, whereby school drop-outs, potential drop-outs, and high risk youth within the Town will receive vocational, educational, and personal adjustment counseling through the School Intervention Service, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Catholic Charities Metropolitan Services Department, to continue said program for a twelve month period, January 1, 1997 through December 31, 1997 with a total cost not to exceed the sum of \$124,800.00 and BE IT FURTHER

RESOLVED that Catholic Charities Metropolitan Services will reimburse the Town for up to \$31,200.00 (25%) of the actual costs of operating said program and the New York State Division for Youth will reimburse the Town for up to \$37,800.00 (30%) leaving the actual cost to the Town at \$55,800.00 (45%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-4677

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 12b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of continuing the operation of a joint program with Child and Family Services of Erie County, 330 Delaware Avenue, Buffalo, New York, 14202, for the purpose of providing group, individual and family counseling to police and court referred juveniles, youthful offenders, and runaway and homeless youth, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Child and Family Services, to continue said program for a twelve (12) month period, January 1, 1997 through December 31, 1997 with a total cost not to exceed the sum of \$94,691.00 and BE IT FURTHER

RESOLVED that Child and Family Services will reimburse the Town for up to \$14,204.00 (15%) of the actual costs of operating said program and the New York State Division for Youth will reimburse the Town for up to \$28,607.00 (30%) leaving the actual cost to the Town at \$51,880.00 (55%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-4687

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

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

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of continuing the operation of a joint program with the Cheektowaga Public Library System at each of Cheektowaga's four branch libraries, which provide special activities that encourage children to read and become more familiar with the library, and <a href="Item No. 12c cont'd">Item No. 12c cont'd</a>

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga continue said program for a twelve (12) month period, January 1, 1997 through December 31, 1997 with a total cost not to exceed the sum of \$2,000.00 and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute said agreement between the Town of Cheektowaga and the Cheektowaga Public Library System.

CONTRACT # (BUDGET LINE ITEM) 01-7310-4675

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

<u>Item No. 12d</u> Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of continuing the operation of the Youth Engaged in Service program with the Youth Department - Diocese of Buffalo of 795 Main Street, Buffalo, New York, which prepares teenage volunteers to assist their community in various projects that require a need for volunteers, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and the Youth Department - Diocese of Buffalo to continue said program for a twelve (12) month period, January 1, 1997 through December 31, 1997 with a total cost not to exceed the sum of \$44,771.00 and BE IT FURTHER

RESOLVED that the Youth Department - Diocese of Buffalo will reimburse the Town for up to \$8,506.49 (19%) of the actual costs of operating said program leaving the actual cost to the Town at \$36,264.51 (81%).

#### CONTRACT # (BUDGET LINE ITEM) 01-7310-4685

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

# Item No. 12e Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the Town Engineering Department has previously prepared a recommendation for storm sewer improvements projects for numerous Town highways, to be constructed in conjunction with, and in advance of, paving, and pavement rehabilitation operations scheduled by the Town Highway Department,

WHEREAS, the Town Engineer and the Town Superintendent of Highways have recommended that the necessary topographic survey, storm drainage analysis and design, utility company coordination and related elements for final plan preparation for storm drainage improvements on various Town highways be prepared for 1997 construction, NOW, THEREFORE, BE IT

RESOLVED that the proposal of:

Donald Gallo, Consulting Engineer, P.C. 589 Delaware Avenue, Buffalo, New York 14202

### Item No. 12e cont'd

as submitted to the Town Engineer and Superintendent of Highways dated November 22, 1996 to perform topographic survey, drainage analysis and design for storm sewer improvements on Raymond St., Princeton Ct., Greenway Blvd., Harvard Ct., Yorktown Rd., Burdette Dr., Edge Park Dr., and Princess Dr. be and hereby is approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute said consulting engineering services agreement for the aforementioned highway storm drainage improvements design on behalf of this Town Board, and BE IT FURTHER

RESOLVED that the funding for professional engineering services associated with the highway drainage improvements design in an amount not to exceed \$19,900.00 shall be chargeable to the Town-wide Drainage District Account No. 4000-8140.4581.

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

#### Item No. 12f Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, New York State Senator William Stachowski has appropriated funds to the Cheektowaga Police Department for the purpose of financing the Cheektowaga Police Mobile Data Project, and

WHEREAS, the Town of Cheektowaga and the Town Police Department are interested in availing themselves of this funding, and

WHEREAS, the Town of Cheektowaga Police Department made application for funding through this program and the Town has been notified that it will be granted such funding the amount of \$150,000 for the program period 7/1/97 thru 12/31/97, the Town will not match any funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the above referenced Grant Award Agreement and any and all other documentation necessary to receive funding to Senator Stachowski's Office.

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

<u>Item No. 13</u> 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, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

\*\*See next page(s) for attachments

Item No. 14 Create position of Computer Support Specialist in Accounting/Payroll

This item was withdrawn.

Item No. 15 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 effective December 31, 1996:

### **FACILITIES DEPARTMENT**

Michael DeCecco Kenneth Wojtowicz

#### SEWER MAINTENANCE DEPARTMENT

Mark Burkard Alan Ross
Tim Danner Aaron Vanderlip
Joseph Gruber Daniel Wierzbowski
D. Scott Klosko Timothy Witt

Lou Mueller

### RECYCLING DEPARTMENT

Scott Burgard Patrick McCloskey
John Balbuzoski David Zablotny
Patrick Fix Eric Ziarnowski

Benjamin Haarsch Salvatore lanello Matthew Keefe Timothy Lindell

SANITATION DEPARTMENT

Jerome Brzozowski Kevin Wroblewski

Raymond Jochum

POLICE DEPARTMENT - TRAFFIC MAINTENANCE DIVISION

Thomas Hudy Christopher Taber, Jr.

John Huntz, Jr.

POLICE DEPARTMENT - POLICE MATRON

Jennifer Reid Christine Churchill

Barbara Russell

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

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

BE IT RESOLVED that the following individual be and hereby is 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:

Eva Sinnott XXXXXXXXXXXXXXXXXXXXXXXXX Immediately

and BE IT FURTHER

RESOLVED that Stephanie Giuga, of XXXXXXXXXXXXXX, Cheektowaga, NY XXXXX and Kelly Mallwitz of XXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX be and hereby are appointed to the position of Part-Time Police Matron on a per diem, hourly basis, effective immediately <a href="Item No. 16 cont'd">Item No. 16 cont'd</a>

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 17a 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 - \$6.00 PER HOUR

Sean Ptak XXXXXXXXXXXXXXXX, Depew, NY XXXXX Immediately

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 17b Motion by Councilmember Swiatek, Councilmember Rogowski

BE IT RESOLVED that the following individuals be and hereby are hired as SEASONAL EMPLOYEES, not to exceed 24 weeks in a calendar year, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektoaga Employees Association, effective January 1, 1997.

#### RECYCLING DEPARTMENT - \$6.00 PER HOUR

Scott Burgard Steven Mejak
Scott Dwyer James Rodland
Troy Grant Marvin Rowland
Michael Heh Jason Sprada

William Kotarski

#### FACILITIES DEPARTMENT - \$6.00 PER HOUR

#### SEWER MAINTENANCE DEPARTMENT - \$5.50 PER HOUR

Mark Burkard XXXXXXXXXXXXXXX Tim Danner XXXXXXXXX

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

<u>Item No. 18</u> Leave of Absence - Maintenance Man in Facilities Department

This item was withdrawn.

Item No. 19 Motion by Councilmember Rogowski, seconded by Supervisor Gabryszak

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

From Seasonal to Part-time

Heather DiSimone Christopher Mahalic

Jack Hornung Scott Morris
Cheryl Skowronski Roger Newhouse

Robin Thompson

and BE IT FURTHER

RESOLVED that the following individual be hired as a part-time employee, effective

immediately:

SOCCER - 7140.1636

Recreation Leader IX - \$7.75

Item No. 20 Motion by Councilmember Rogowski, seconded by Supervisor Gabryszak

WHEREAS, the Youth and Recreational Services Department's Youth Engaged in Service (Y.E.S.) program has requested permission to conduct an overnight camp-out on January 4th and 5th, 1997 in 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 Y.E.S. program for the use of the Alexander Community Center on January 4th and 5th, 1997, and BE IT FURTHER

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

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 21 Motion by Councilmember Jaworowicz, seconded by Councilmember Swiatek

WHEREAS, developers of residential subdivisions are required to install street lighting along public highways as a component of the subdivision improvements, and subject to the Public Improvement Permit Ordinance, and

WHEREAS, a limited number of homes have been constructed within Phase I of the Emerald Gardens Subdivision and the Town Engineer has recommended that six (6) of the street light standards, out of the total of thirteen (13) to be installed within Phase I, be installed to illuminate the highway intersections and highway segments fronting developed lots, NOW, THEREFORE, BE IT

RESOLVED that the developer of the Emerald Gardens Subdivision is hereby authorized to install six (6) of the proposed thirteen (13) 5200 lumen H.P.S. post top luminaries,

#### Item No. 21 cont'd

fiberglass standards and related conduit and conductors as required in conjunction with the development of the subject subdivision, and BE IT FURTHER

RESOLVED that following final inspection by the Engineering Department, that the New York State Electric & Gas Corporation be and hereby is authorized to connect a total of six (6) 5200 lumen H.P.S. post top luminaries within said subdivision in the Town of Cheektowaga at an annual increase to the Town's General Lighting District of \$320.70 in accordance with the attached New York State Electric & Gas Corporation proposal dated December 9, 1996 which is hereby made a part of this resolution.

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

\*See next page(s) for attachment

#### **II. DEPARTMENTAL COMMUNICATIONS**

Item No. 22a	Minutes of Cheektowaga Planning Board - November 14, 1996
	Received and Filed

- <u>Item No. 22b</u> Minutes of Cheektowaga Traffic Safety Commission November 19, 1996 Received and Filed.
- <u>Item No. 22c</u> Minutes of Cheektowaga Library Board November 20, 1996 Received and Filed.

### **III. GENERAL COMMUNICATION**

Summons & Complaint - NationsBanc Mortgage Corp. vs Town of Cheektowaga Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Community Development Office.
Received and Filed.

Item No. 23b Summons & Complaint - Robert & Dolores Fiels, Irene Marino et al vs Town of Cheektowaga Copies were sent to: Dennis H. Gabryszak , Supervisor; James Kirisits, Town

Attorney; Council Office; Allied Claims, Insurance Company;

Received and Filed.

Item No. 24a Notice of Claim - John Kirisits vs Town of Cheektowaga Copies were sent to: Dennis H. Gabryszak, Supervis

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department Received and Filed.

<u>Item No. 24b</u> Notice of Claim - Deborah Jean Borowski as parent of Rachel Ann Borowski vs Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Youth and Recreational Services.

Received and Filed.

Item No. 24c Notice of Claim - Paul Batt Buick 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. 24d Notice of Claim - Linda Karaszewski 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. 24e Notice of Claim - Monte Ziegner 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. 24f Notice of Claim - Jill Sears vs Town of Cheektowaga

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police. Received and Filed.

Item No. 24g Ruth Dumulak 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. 24h Notice of Claim - Christopher McNell 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.

<u>Item No. 24i</u> Notice of Claim - Robert Krull 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.

<u>Item No. 25</u> Motion by Councilmember Johnson, Seconded by Councilmember Rogowski to adjourn the meeting.

Time Meeting Adjourned 7:40 P.M.

RICHARD M. MOLESKI Town Clerk

<u>Item No. 1</u> 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 30th day of December, 1996 at 5:30 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; Ronald Marten, Supervising Building and Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; Ken Kopacz, Executive Director of Youth and Recreational Services.

#### 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:	0100-1410-4001 0100-1450-1799 0100-3120-2205 0100-9501-9211	Office Supplies Election Inspectors Crime Forfeiture Expense Bond Interest	\$ 30.00 18,000.00 42,600.00 250.00
TO:	0100-7510-4043 0100-1410-2201 0100-3120-1531 0100-1355-4411	Town Historian Equipment Detective Salaries Petition Filing Refunds	\$ 30.00 18,000.00 42,600.00 250.00
PART-T	OWN FUND		
FROM:	0800-8020-4001 0800-8020-4195 0800-8010-1052 0800-3620-1165 0800-8020-4001 0800-8010-4511	Office Supplies Other Expenses Zoning Board Fire Inspector Office Supplies-Planning Board Transcript Services	\$ 500.00 350.00 2,000.00 1,010.00 800.00 100.00
TO:	0800-3620-4192 0800-9010-8121 0800-3620-1100 0800-3620-4411 0800-3620-4088	Miscellaneous Expenses FICA Expense Inspector Refunds of Permits Travel & Conferences	\$ 850.00 2,000.00 1,010.00 800.00 100.00

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

Johnson, Swiatek and Jankowiak

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 December 27, 1996 are hereby approved and made a part hereof:

GENERAL FUND	\$ 92,171.38
HIGHWAY FUND	41,380.89
TRUST & AGENCY	3,941.11
PART TOWN FUND	7,693.68
RISK RETENTION FUND	5,550.28
CDBG HUD FUND	103.47
HUD HOUSING REHABILITATION FUND	2,247.00
DEBT SERVICE FUND	152,000.00
SPECIAL DISTRICTS FUND	72,046.70
CAPITAL FUND	<u>119,993.60</u>
	\$497,128.11

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

## <u>Item No. 4</u> 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 Volland Electric to erect a 7,000 square foot addition to a building at 75 Innsbruck Drive, and

WHEREAS, the Advisory Committee, at its meeting, held on December 11, 1996 rendered the determination shown on the attached memo dated December 12, 1996, and

WHEREAS, the applicant has agreed to meet with the Town at a later date on the obtaining of an easement for access to the Rails-To-Trails system, 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.



Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski to amend the above resolution, and the voting was as follows:

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0



#### Item No. 4 cont'd

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 Volland Electric to erect a 7,000 square foot addition to a building at 75 Innsbruck Drive, and

WHEREAS, the Advisory Committee, at its meeting, held on December 11, 1996 rendered the determination shown on the attached memo dated December 12, 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, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

# <u>Item No. 5a</u> Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth & Recreational Services Department is desirous of renting campground facilities known as Camp Turner from April 18, 1997 through April 20, 1997, and

WHEREAS, said facilities are operated by the Diocese of Buffalo and is located in Alleghany State Park, and

<sup>\*\*</sup>See next page(s) for attachments

WHEREAS, the Diocese of Buffalo is willing to rent such facilities to the Town provided that the Town execute an appropriate agreement for such rental of said property at a cost of \$450.00 (Line Item No. 7310-4698), and

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

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement with the Diocese of Buffalo for the renting of the aforementioned campground facilities, and BE IT FURTHER

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

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

<u>Item No. 5b</u> Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the New York State Department of Transportation proposed the June 1997 letting for the reconstruction of Transit Road, N.Y., Route 78, U.S. Route 20 from French Road northward to Broadway identified as P.I.N. 5111.62.121, and

WHEREAS, as part of said highway reconstruction project, there is a need to perform modifications and adjustments to Town Water District No. 9 waterline facilities including hydrants, and appurtenances located within the State highway right-of-way, and

WHEREAS, the Town Board is supportive of said highway reconstruction project and in agreement that modifications to Town Water District No. 9 facilities are a necessary part of the road reconstruction work, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, in its capacity as the Board of Managers for Water District No. 9, hereby grants permission to the NYSDOT to perform the necessary modifications to Water District No. 9 facilities providing that such modifications, as designed and constructed, meet the approval of the Town Engineer so as to insure continued proper and uninterrupted functioning of said system, and BE IT FURTHER

RESOLVED that all costs associated with the relocation and modification to Water District No. 9 facilities are to be borne by the NYSDOT as an integral part of the highway reconstruction project, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is directed, on behalf of this Town Board, to sign the Public Utility Work Agreement HC-140, submitted by the New York State Department of Transportation for the aforesaid project.

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 5c Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that, subject to approval by the Town Attorney, Supervisor Dennis H. Gabryszak be authorized to sign contracts between the Town of Cheektowaga and the performers at the Cultural Center summer concerts and special events to be held in June, July and August.

FUNDING SOURCE 01-7140.4503 01-7140.4491

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

<u>Item No. 6</u> 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, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

\*\*See next page(s) for attachments

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

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

Jonathan Bialek
Eric Burns
Nicole D'Amico
Glen Getz

Michael Mekarski
Paul Rokitka
Jennifer Stewart
Claudia Zavatti

Costanzo Longo

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

<u>Item No. 8</u> Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

Seconded by Councilmember Jankowiak

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** 

SEWER MAINTENANCE DEPARTMENT - \$5.50 per hour

Joseph Abraham XXXXXXXXXXXXXX Depew, XXXXX 1/1/97

SANITATION DEPARTMENT - \$6.00 per hour

Michael Zachowicz XXXXXXXXXXXXXXXXXXXXXXXXXX Chktg, XXXXX 1/1/97

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 9 Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek

BE IT RESOLVED that the salaries of the following Town employees not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1996.

Traci Cone \$8.611/hr.
Joan Meyers \$8.611/yr.
Suzanne Ozolins \$6.438/hr.

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

<u>Item No. 10a</u> Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

BE IT RESOLVED that Timothy Danner, a seasonal employee in the Sewer Maintenance Department, be and hereby is transferred to a part-time employee in the Sewer Maintenance Department effective January 1, 1997, and BE IT FURTHER

RESOLVED that Michael DeCecco, a seasonal employee in the Facilities Department be and hereby is transferred to a part-time employee in the Facilities Department, effective January 1, 1997.

Item No. 10a cont'd

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

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

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

#### **EFFECTIVE - JANUARY 6, 1997**

# Recreation Attendants - 7140.1612

From Recreation Leader X to Recreation Leader XII - \$8.00

Pre-K - 7140.1664

From Recreation Leader IX to Recreation Leader XI - \$7.75

Laila Desjardins

From Recreation Leader IX to Recreation Leader XI - \$7.75

Coleen Tonsoline

From Recreation Leader X to Recreation Leader XII - \$8.00

Mary Seivert

Recreation Attendants - 7140.1612

From Recreation Instructor VII to Recreation Instructor IX - \$6.50

Sally Ann Gill Leslie Reeb

and BE IT FURTHER

RESOLVED that the following individual be elevated as indicated (part-time):

<u>Recreation Leader XII - 7140.1664 - \$8.00</u> <u>Recreation Instructor - 7140.1615 - \$9.75</u>

Michelle Kunkel

and BE IT FURTHER

RESOLVED that the following employees be transferred from seasonal to part-time, effective immediately:

> Cathy Giles Brian Hansen

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

Johnson, Swiatek and Jankowiak

NAYES: 0 ABSENT: 0

Item No. 11

Motion by Supervisor Gabryszak, Seconded by Unanimous to adjourn the meeting in memory of Stanley Sliwinski, Former Bingo Inspector

Time Meeting Adjourned 6:05 P.M.

RICHARD M. MOLESKI Town Clerk