

TOWN OF CHEEKTOWAGA
MEETING NO. 7
APRIL 7, 1997

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of April, 1997 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 Jeff Swiatek
Councilmember James J. Jankowiak

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirsits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; David Kulik, General Crew Chief-Recycling; Ronald Marten, Building and Plumbing Inspector; Kenneth Kopacz, Director of Youth and Recreational Services Department; Salvatore LaGreca, Planning Board Chairman; Bruce Chamberlin, Chief of Police; and Patricia Wojcik, Director of Senior Services.

I. RESOLUTIONS

Item No. 2 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

SPECIAL DISTRICTS

From:	0300-1910-5031	Transfers In	\$2,500.00
To:	0300-5140-4291	Shade Trees	\$2,500.00

PART TOWN FUND

From:	0800-1910-2799	Special Items	\$1,000.00
To:	0800-8010-4709	Zoning Board Management Studies	\$1,000.00

SPECIAL DISTRICT FUND

From:	2500-8125-4021	Maintenance Supplies	\$ 500.00
To:	2500-8125-4071	Clothing Replacement	\$ 500.00

Upon roll call. . . .

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 Jaworowicz

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to April 4, 1997 are hereby approved and made a part hereof:

Item No. 3 cont'd.

MEETING NO. 7
APRIL 7, 1997

GENERAL FUND	\$ 531,998.66
HIGHWAY FUND	219,282.02
TRUST & AGENCY	67,980.21
PART TOWN FUND	5,901.59
RISK RETENTION FUND	15,908.42
CDBG HUD FUND	21,128.89
HUD HOUSING REHABILITATION FUND	15,509.91
SPECIAL DISTRICTS FUND	882,466.67
CAPITAL FUND	<u>17,874.68</u>
	\$1,778,051.05

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

Item No. 4 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 9274 Group Incorporated to construct an 11,000 square foot retail building at the southwest corner of Harlem Road and Cleveland Drive, AND

WHEREAS, the site is presently occupies by buildings at 395-397 Cleveland Drive and 3690-3712 Harlem Road, AND

WHEREAS, these buildings, presently in a state of disrepair, will be demolished to provide the space for the new building, AND

WHEREAS, the project was referred to various Town committees and other agencies such as the New York State Department of Transportation and Erie County Department of Environmental and Planning, AND

WHEREAS, as a result of numerous meetings with these reviewing bodies, the site was modified to include additional landscaping, improved pedestrian access and improved driveway access from Cleveland Drive, AND

WHEREAS, the developer has committed to maintain the landscaping, sidewalks and other improvements to the property, AND

WHEREAS, the Advisory Committee, at its meeting held on February 26, 1997 rendered the determination shown on the attached memo dated February 27, 1997, AND

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

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

Item No. 4 cont'd.

Upon roll call. . . .

MEETING NO. 7
APRIL 7, 1997

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

"SEE NEXT PAGE FOR ATTACHMENT

Item No. 5a Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, this Town Board previously enacted a "Non-Residential Development Moratorium" for properties along Losson Road and William Street, AND

MEETING NO. 7
APRIL 7, 1997

WHEREAS, during the term of such moratorium, the Town retained a planning consultant to review the zoning district classification of properties along such roadways, AND

WHEREAS, the planning consultant's report is presently being processed and reviewed by the Town Environmental Advisory Committee ("EAC") and the Town Planning Board for recommendations, AND

WHEREAS, additional time is needed to complete review of this study by the EAC, Planning Board and this Town Board, AND

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing was held on the 7th day of April, 1997 at 6:30 p.m. at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which all parties in interest and citizens had an opportunity to be heard as to whether a "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 Non-Residential Development Moratorium Ordinance be and the same is hereby 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 180 to 270 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 held on the 7th day of April, 1997; 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 "Non-Residential Development Moratorium Ordinance" shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of its service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry in the minutes.

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Rite Aid of New York, Inc., has petitioned for the rezoning from NS-Neighborhood Service District and CM-General Commercial District to C-Retail Business District of property owned by Charles G. Youngers and William T. McMullen and located at 395-397 Cleveland

MEETING NO. 7
APRIL 7, 1997

Drive and 3690-3712 Harlem Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 17th day of March 1997 at 6:30 o'clock P.M., after publications 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 applicant, in its letter dated March 24, 1997, has made certain commitments with respect to this project, AND

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

1. Approval of necessary variances by Zoning Board of Appeals
2. Applicant execute a "Hold Harmless" statement covering the Town, acceptable to the Town Attorney

AND,

WHEREAS, this Town Board, based on a recommendation from the Environmental Advisory Committee, has rendered a Negative Declaration SEQRA for this project,

NOW, THEREFORE, BE IT RESOLVED, that the application of Rite Aid of New York, Inc. for the rezoning from NS-Neighborhood Service District and CM-General Commercial District to C-Retail Business District of the property specified in the attached legal description be and the same is hereby granted subject to the following:

1. Conditions recommended by Cheektowaga Planning Board
2. Commitments made by applicant by letter dated March 24, 1997

and, BE IT FURTHER

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

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

"SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, Lawrence R. LaPaglia Sr. has made application and requested the Rezoning from M1-Light Manufacturing District to M2-General Manufacturing District AND MS-Motor Services District for property located at 2977 Broadway, NOW, THEREFORE, BE IT

MEETING NO. 7
APRIL 7, 1997

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 21, 1997 at 6:30 P-M- at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call. . . .
AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 7a Motion By Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by this Town at a public bid opening for the purchase of new trees for the Town's Planting Season, Spring 1997, by the Cheektowaga Highway Department, as a result of advertisement, therefore, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

MEETING NO. 7
APRIL 7, 1997

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

RESOLVED, that the bid be awarded to Schichtel's Nursery, 7420 Peters Road, Springville, New York 14141, said bidder being the sole and lowest responsible bidder meeting specifications.

RESOLVED, that said monies be charged to line item #0300-5140-4291.

Upon roll call

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one van for the Cheektowaga Police Department Crime Prevention Unit, which bids were duly received and opened at a public bid opening called for that purpose,

WHEREAS, the sole bid was referred to the Cheektowaga Police Department for analysis, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of One (1) 1995 Astro Chevrolet Van be awarded to Keller Chevrolet, 3600 Genesee Street, Cheektowaga, New York 14225 for their bid amount of \$9,700.00, said bid being the only bid received meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that funds are available in the Trust and Agency Account #0600-0880.

Upon roll call

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

Item No. 7c 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 Clothing for Use in Various Youth and Recreation Programs, AND

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

RESOLVED, that the bid be awarded to the lowest responsible bidder meeting specifications:

Krazy Shirts
1946 Clinton Street
Buffalo, New York 14206

BE IT RESOLVED, that the costs resulting from the awarding of this bid be funded through various 7140., 7180., and 7310. accounts for cost centering purposes:

Item No. 7c cont'd.

Upon roll call

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

MEETING NO. 7
APRIL 7, 1997

Item No. 7d Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, bids were received and opened by the Town Clerk at a bid opening on April 2, 1997, for the Replacement of Existing Sidewalks in the Town, AND

WHEREAS, said bids were reviewed and tabulated and an award was made by this Town Board to C & C Concrete Inc., 971 Ransom Road, Lancaster, New York 14086, being the lowest responsible bidder, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the replacement of sidewalks for the year 1997, be awarded to C & C Concrete Inc., 971 Ransom Road, Lancaster, New York 14086, being the lowest responsible bidder at a total of \$138,000.00 with the award being made at the following unit prices:

Item 1	4" thick sidewalk	\$ 2.60
Item 2	6" thick sidewalk	\$ 2.50
Item 3	Excess fill or excavation	\$ 7.00
Item 4	4" diameter P.V.C. underdrain	\$ 2.00
Item 5	6" sidewalk reinforced 6x6x10	\$ 2.80
Item 6	Landscaping beyond Item 1	\$ 14.00
Item 7	Fine asphalt mix beyond Item 1	\$ 10.00
Item 8	6" reinforced driveway apron	\$ 2.80
Item 9	Root cutting	\$ 4.00
Item 10	Traffic control	\$500.00

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

RESOLVED, that the funding for this work is to be made under Bond Resolution of the Town of Cheektowaga, New York adapted August 6, 1990, authorizing the reconstruction of various sidewalks within said Town, line item 5708-5141-9703.

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

Item No. 7e Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for Traffic Signal Improvements at the intersections of Cleveland Drive @ Lamarck Drive/Oehman Boulevard and on Cleveland Drive @ Birkdale Road/Ravenswood Terrace, which bids were publicly opened on March 12, 1997, AND

WHEREAS, said bids were referred to the Town Engineer and to EMS Consulting, Project Consulting Engineer, for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a memorandum from the Town Engineer dated March 18, 1997, AND

WHEREAS, said report recommends that the contract for Traffic Signal Improvements on Cleveland Drive at the aforementioned intersections be awarded to Ferguson Electric Construction Co., for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

Item No. 7e cont'd.

RESOLVED, that the contract for Traffic Signal Improvements at the intersection of Cleveland Drive @ Lamarck Drive/Oehman Boulevard and on Cleveland Drive @ Birkdale Road/Ravenswood Terrace be and hereby is awarded to:

Ferguson Electric Construction Co.
333 Ellicott Street
Buffalo, New York 14203

MEETING NO. 7
APRIL 7, 1997

for the bid price of \$38,700.00, said bid being the lowest bid meeting the requirements of the specifications, and, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to sign said agreement with Ferguson Electric Construction Co., and, BE IT FURTHER

RESOLVED, that funding for said project shall be chargeable to the following accounts for the respective amounts:

5303-1440-9344	\$23,500.00
5704-1440-9606	\$15,200.00

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 8a Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

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

WHEREAS, there is now a need for the interior painting of the three (3) digesters,

WHEREAS, the Town Engineer advises that specifications have been completed and are ready for receipt of bids, NOW, THEREFORE, BE IT

MEETING NO. 7
APRIL 7, 1997

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the three (3) digesters interior painting at Plant No. 5, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on April 23, 1997 at 11:00 A.M., at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 23rd day of April, 1997 at 11:00 A.M., local time, in the Town Hall, Town of Cheektowaga, New York, for furnishing all labor, tools, equipment, materials, and incidentals required for the Three (3) Digesters Interior Painting Contract at Plant No. 5, complete, in place, and ready for use in accordance with the Contract Documents, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211 and at the Town Clerk's Office, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227.

Copies of the proposed Contract Specifications and Instructions to Bidders may be secured upon payment of \$50.00 per set of specifications. Two (2) checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227, and marked as "Proposal for the Three (3) Digesters Interior Painting Contract at Plant No. 5".

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

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids. The successful bidder will be required to furnish a Performance Bond and a Payment Bond acceptable to the Owner, in an amount equal to the contract award.

Item No. 8a cont'd.

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

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

MEETING NO. 7
APRIL 7, 1997

The work shall be completed within 60 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

TOWN OF CHEEKTOWAGA

Richard M. Moleski Town Clerk

Dated: April 7, 1997
Published: April 10, 1997



Upon roll call. . . .

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

AFFIDAVIT - NEXT PAGE

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Three (3) Sets of Completely Installed and Operational Front Snow Plows, Wing Plows, Plow Riggings, Hydraulics, and Dump Bodies. (Installed on Town-Owned Vehicles) for use by the Town of Cheektowaga Highway Department.

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 April 23, 1997.

MEETING NO. 7
APRIL 7, 1997



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of THREE (3) SETS OF COMPLETELY INSTALLED AND OPERATIONAL FRONT SNOW PLOWS, WING PLOWS, PLOW RIGGINGS, HYDRAULICS, AND DUMP BODIES. (INSTALLED ON TOWN OWNED VEHICLES) for use of the Highway Department at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on April 23rd, 1997 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk at his office located at Town Hall, Cheektowaga, New York. Bids must be enclosed in an opaque envelope plainly marked 'BIDS FOR THREE (3) SETS OF COMPLETELY INSTALLED AND OPERATIONAL FRONT SNOW PLOWS, WING PLOWS, PLOW RIGGINGS, HYDRAULICS, AND DUMP BODIES. (INSTALLED ON TOWN OWNED VEHICLES.)

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

Richard M. Moleski
Town Clerk

Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, in addition to the moneys appropriated in the 1997 Highway Department budget for the purchase of trees for normal maintenance planting, moneys have also been budgeted separately for the purchase and planting of trees, AND

WHEREAS, it is in order that bids be advertised for the Furnishing and Installation of Trees along various rights of way within the Town of Cheektowaga to compensate for accumulated wind damage and other causes for tree losses, and to meet resident requests for trees in front of their homes, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing and installation of trees, said notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

MEETING NO. 7
APRIL 7, 1997

RESOLVED, that sealed bids will be received on the 24th day of April, 1997 at 11:00 A.M. at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 24th day of April, 1997 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for Furnishing and Installation of Trees along Town highways within the Town of Cheektowaga.

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

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designated as "Bid for Furnishing and Installation of Trees (1997)".

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

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

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids. The successful bidder will be required to furnish a performance bond acceptable to the Owner, in the amount equal to the contract award.

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

Item No. 8c cont'd.

Richard M. Moleski
Town Clerk
Town of Cheektowaga

Upon roll call. . . .

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

AFFIDAVIT - NEXT PAGE

MEETING NO. 7
APRIL 7, 1997

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

WHEREAS, on January 1, 1997, new Erie County Smoking Regulations went into effect, AND

WHEREAS, such Regulations prohibit smoking in municipal buildings and vehicles generally, AND

WHEREAS, pursuant to such Regulations, all employers were required to adopt a smoking policy for places of employment by April 1, 1997 and to communicate such policy to its employees, AND

WHEREAS, the Town communicated the attached Smoking Policy notice to its employees on March 7, 1997, NOW, THEREFORE, BE IT

RESOLVED, that the attached Smoking Policy, effective April 1, 1997, be and hereby is adopted for all places of Town employment.

MEETING NO. 7
APRIL 7, 1997

Upon roll call

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

"SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, occasionally, there is a need for Town officials, department heads and employees, including full-time and part-time employees, (hereinafter referred to as "Town employees") to attend training seminars, workshops, conferences, lectures, etc. (hereinafter referred to as "seminars"), either as participants, lecturers or attendees, to learn more about their jobs and to obtain current updated information about any changes taking place in their fields and, in general, to provide better services to the Town and its residents, AND

WHEREAS, although it is important that Town employees obtain the most up-to-date information and enhanced job skills, there is also a cost to Town taxpayers involved in having Town employees attend these seminars (i.e. registration fees, travel expenses, overtime to have other employees handle the work), AND

WHEREAS, it is important that this Town Board monitor and weigh the need for and benefit of such seminars against the cost involved in order to make a learned judgment prior to having such seminar approved, AND

MEETING NO. 7
APRIL 7, 1997

WHEREAS, there is also a need to require Town employees who attend a seminar to provide written information and documentation relating to such seminar to the Town Board after completion of such seminar so that this Town Board can determine whether future seminars are justified, NOW, THEREFORE, BE IT

RESOLVED, that the following Town policy be and hereby is adopted, effective as stated below, to be applicable to all Town employees who wish to or who have attended any and all seminars, whether such seminars are conducted locally or out-of-town:

1. **[Effective immediately].** The Town employee or his/her department head shall, at a Town Board work session held prior to the Town Board meeting at which authorization for a seminar is to be given or at least three weeks prior to the date of the seminar, shall provide a written "Statement of Need" to the Town Board. Such Statement of Need shall include the following:
 - a. The number of Town employees who would be attending the seminar. If more than one Town employee is to attend the seminar, an explanation should be provided as to why more than one town employee needs to attend the seminar.
 - b. Explanation of benefits to the Town by allowing the Town employee(s) to attend the seminar.
 - c. Whether attendance at the seminar is mandatory or permissive.
 - d. An itemized estimate of all costs to the Town for such seminar.
 - e. Mode of transportation (i.e. driving Town vehicle, airplane, etc.) to be utilized to travel to and from such seminar.
 - f. Date(s) for such seminar and travel time involved.
 - g. Budget line item number(s) and description of account to be utilized to pay expenses.
 - h. What efforts have been made to obtain the information given at the seminar elsewhere i.e. books, periodicals, videos, Internet, local seminar) and why attempts to obtain such information elsewhere have been unsuccessful or are inadequate.
2. **[Effective immediately].** No seminar or travel even if earmarked in the Town budget, shall be permitted until and unless the above Statement of Need has been timely supplied to and approved by the Town Board.

Item No. 9b cont'd.

3. **[Effective retroactively to January 1, 1997].** Within two (2) weeks after the effective date of this resolution or within two (2) weeks after the completion of the seminar, the Town employee who attended such seminar shall complete and file a written report in the Town Clerk's Office, with copies to the Town Board members; such Report shall contain the following information:
 - a. An explanation of what was learned at such seminar, how it benefited the Town and what other Town employees might be able to utilize the information learned at such seminar.
 - b. Receipts showing all expenses incurred, with a separate itemization for each item i.e. travel, lodging, seminar, meals)
 - c. What efforts are being made to share the information gathered at such seminar with other Town employees.
4. **[Effective immediately].** The following maximum amounts shall be allowed for meal expenses (subject to proof of payments - i.e. receipts):

MEETING NO. 7
APRIL 7, 1997

Breakfast \$5.00 per person per diem
Lunch \$10.00 per person per diem
Dinner \$15.00 per person per diem
Maximum per diem for meals - \$30.00

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to all Town departments.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY SUPERVISOR GABRYSZAK TO AMEND THE ABOVE RESOLUTION, ITEM 9B, AND THE VOTING WAS AS FOLLOWS:

Upon roll call. . . .

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



AMENDED

WHEREAS, occasionally, there is a need for Town officials, department heads and employees, including full-time and part-time employees, (hereinafter referred to as "Town employees") to attend training seminars, workshops, conferences, lectures, etc. (hereinafter referred to as "seminars"), either as participants, lecturers or attendees, to learn more about their jobs and to obtain current updated information about any changes taking place in their fields and, in general, to provide better services to the Town and its residents, AND

WHEREAS, although it is important that Town employees obtain the most up-to-date information and enhanced job skills, there is also a cost to Town taxpayers involved in having Town employees attend these seminars (i.e. registration fees, travel expenses, overtime to have other employees handle the work), AND

WHEREAS, it is important that this Town Board monitor and weigh the need for and benefit of such seminars against the cost involved in order to make a learned judgment prior to having such seminar approved, AND
Item No. 9b cont'd.

WHEREAS, there is also a need to require Town employees who attend a seminar to provide written information and documentation relating to such seminar to the Town Board after completion of such seminar so that this Town Board can determine whether future seminars are justified, NOW, THEREFORE, BE IT

RESOLVED, that the following Town policy be and hereby is adopted, effective as stated below, to be applicable to all Town employees who wish to or who have attended any and all seminars, whether such seminars are conducted locally or out-of-town:

1. **[Effective immediately].** The Town employee or his/her department head shall, at a Town Board work session held prior to the Town Board meeting at which authorization for a seminar is to be given or at least three weeks prior to the date of the seminar, shall provide a written "Statement of Need" to the Town Board. Such Statement of Need shall include the following:
 - a. The number of Town employees who would be attending the seminar. If more than one Town employee is to attend the seminar, an explanation should be provided as to why more than one town employee needs to attend the seminar.

**MEETING NO. 7
APRIL 7, 1997**

- b. Explanation of benefits to the Town by allowing the Town employee(s) to attend the seminar.
 - c. Whether attendance at the seminar is mandatory or permissive.
 - d. An itemized estimate of all costs to the Town for such seminar.
 - e. Mode of transportation (i.e. driving Town vehicle, airplane, etc.) to be utilized to travel to and from such seminar.
 - f. Date(s) for such seminar and travel time involved.
 - g. Budget line item number(s) and description of account to be utilized to pay expenses.
 - h. What efforts have been made to obtain the information given at the seminar elsewhere i.e. books, periodicals, videos, Internet, through arranging and/or scheduling both local and in house seminars and why attempts to obtain such information elsewhere have been unsuccessful or are inadequate.
2. **[Effective immediately].** No seminar or travel even if earmarked in the Town budget, shall be permitted until and unless the above Statement of Need has been timely supplied to and approved by the Town Board.
3. **[Effective retroactively to January 1, 1997].** Within two (2) weeks after the effective date of this resolution or within two (2) weeks after the completion of the seminar, the Town employee who attended such seminar shall complete and file a written report in the Town Clerk's Office, with copies to the Town Board members; such Report shall contain the following information:
- a. An explanation of what was learned at such seminar, how it benefited the Town and what other Town employees might be able to utilize the information learned at such seminar.
 - b. Receipts showing all expenses incurred, with a separate itemization for each item i.e. travel, lodging, seminar, meals)
 - c. What efforts are being made to share the information gathered at such seminar with other Town employees.

Item No. 9b cont'd.

4. **[Effective immediately].** The following maximum amounts shall be allowed for meal expenses (subject to proof of payments i.e. receipts):

Breakfast \$5.00 per person per diem
Lunch \$10.00 per person per diem
Dinner \$15.00 per person per diem
Maximum per diem for meals - \$30.00

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to all Town departments.

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

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

MEETING NO. 7
APRIL 7, 1997

WHEREAS, Contract A, General Construction, for the Julia Boyer Reinstein Library was awarded by Town Board resolution dated October 25, 1994 to Nichter Construction Company, Inc. in the amount of \$1,663,000, AND

WHEREAS, Foit-Albert Associates, Project Architect, has prepared and submitted and has recommended approval of Change Order #A-05 for the Julia Boyer Reinstein Library Project which provides for the replacement of two (2) doors to Storage Room #113, which have previously been determined by the Town Building Inspector to require a "C" Label, 3/4 HR Fire Rating, and closures as further outlined in the change order document, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #A-05 in the amount of \$1,775.00, as an addition to the contract of Nichter Construction Company, Inc., 344 Vulcan Street, Buffalo, New York 14207, be and hereby is approved and, BE IT FURTHER

RESOLVED, that the Town will fund payment of \$684.20 as the cost difference between the originally specified doors, including closures, and the required fire rated doors, and that Foit-Albert Associates shall be responsible for the submission of \$1,090.80 to the Town and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order #A-05 on behalf of this Town Board and, BE IT FURTHER

RESOLVED, that funding for Change Order #A-05 shall be chargeable to Account #5403-1220-9409.

Upon roll call

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

Item No. 11 Motion By Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga maintains a police department composed of a number of police officers, sergeants, lieutenants, captains, an assistant chief of police and a chief of police, AND

WHEREAS, periodically, officers retire and the Town is tasked with the expense of hiring and training new police officers, AND

Item No. 11 cont'd.

WHEREAS, when new recruits are hired from a civil service list, the Town must incur the expense of sending them to the police academy for 6+ months of training and, while they are being trained, the Town must pay their police officers' salaries, AND

WHEREAS, Civil Service Law and regulations allow the Town only to accept some police officers who wish to transfer to the Town from certain limited jurisdictions within the State and does not allow us to accept trained, experienced police officers from outside of New York State at all, AND

WHEREAS, the cost to the Town to train new police officers is ever increasing and it would be beneficial to the Town and other municipalities across New York State to be able to accept police officers who wish to transfer from other jurisdictions within New York State or from outside New York State, AND

WHEREAS, if the law was changed to allow these transfers, the Town and other municipalities could benefit not only from cost savings but also by acquiring fully trained and experienced officers who are able to serve and protect the public immediately, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the New York State Legislature and the State Civil Service Commission to amend the Civil Service Law and regulations to permit municipalities throughout New York State to accept qualified police officers from all other jurisdictions in New York State and from outside New York State and, BE IT FURTHER

MEETING NO. 7
APRIL 7, 1997

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Governor Patacki, Assemblyman Tokasz, Senator Stachowski, Senator Volker and the New York State Public Service Commission Chairman.

Upon roll call. . . .

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

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

WHEREAS, as part of the review of the Phase I portion of the Walden Consumer Square, a drainage easement was requested from the developer, AND

WHEREAS, the developers of this property, Nathan Benderson, Ronald Benderson and David H. Bauldauf, as Trustees under the Randall Benderson 1993-1 Trust, have executed the requested easement, 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 directed to file this easement in the Erie County Clerk's Office.

Upon roll call. . . .

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

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

WHEREAS, during the review of a proposed addition to a building at 105 Benbro Drive, the Town Engineer determined that a new 25-foot-wide sanitary sewer easement was needed by the Town to enable the Town to properly service an existing 12 inch sanitary sewer pipe, AND

Item No. 12b cont'd.

WHEREAS, Benderson Development Company, Inc., the owner of 105 Benbro Drive, has executed the requested sanitary sewer easement, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned sanitary sewer 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, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0

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

WHEREAS, the owner of vacant property fronting on Harvest Lane in the Town is dividing such property to create three building lots, AND

WHEREAS, in order to provide for the uniform development of these lots, the Town Engineer has requested the owner of this property to supply the Town with a sidewalk easement and a drainage easement, AND

MEETING NO. 7
APRIL 7, 1997

WHEREAS, Gasper M. Kokeny, the owner of this property, has executed and delivered to the Town the requested sidewalk and drainage easements, NOW, THEREFORE, BE IT

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

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

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

Item No. 13 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga has supported the Meals on Wheels Program for over fifteen years, AND

WHEREAS, we are presently serving 272 elderly residents daily with two home delivered meals, NOW, THEREFORE, BE IT

BE IT RESOLVED, that the Town of Cheektowaga will present a grant of \$25,000.00 and an additional \$3,000.00 to expand Meals on Wheels into the Village of Sloan for the year 1997 to insure the continuity of this program in our Town.

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

Item No. 14 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, Swiatek, and Jankowiak

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 7
APRIL 7, 1997

Item No.15a Motion By Councilmember Jaworowicz, Seconded by Councilmember Jankowiak

WHEREAS, the Town, in its 1997 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

WHEREAS, agreements between the Town and these cultural and not-for-profit organizations have been prepared and forwarded to such groups, AND

WHEREAS, the organizations listed below have completed and returned signed agreements and their accounting report from the 1996 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves agreements in the forms attached to this resolution, with the cultural and not-for-profit organizations listed below for the amounts listed and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreements with the following referenced cultural and not-for-profit organizations for the following respective amounts:

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Art Guild	\$915.00

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization out of the respective cultural group budget line item in the 1997 Town budget, subject to audit and approval of a properly signed Town voucher.

MEETING NO. 7
APRIL 7, 1997

Upon roll call. . . Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Swiatek, and Jankowiak

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 15b Motion By Supervisor Gabryszak, Seconded by Councilmember Rogowski

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

WHEREAS, an agreement between the Town of Cheektowaga and the above facilities has been drafted relative to the operation of the said nutrition program for the year 1997, AND ,

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for the year 1997, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to sign all said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1997.

Upon roll call. . . .

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 Seasonal and/or Part-Time employees be and hereby are terminated as listed:

MEETING NO. 7
APRIL 7, 1997

EFFECTIVE

ACCOUNTING DEPARTMENT

Suzanne Ozolins

3/13/97

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

Item No. 17 Motion By Councilmember Swiatek, Seconded by Supervisor Gabryszak

WHEREAS, Cathleen Chojnacki is in the position of Clerk-Typist in the Cheektowaga Police Department, AND

WHEREAS, in order to address Ms. Chojnacki's concurrent employment with the Town and the Erie County Sheriff's Department, the Town Coordinator of Employee Relations, the President of the Town of Cheektowaga Employee's Association and Ms. Chojnacki entered into a Memorandum of Agreement on March 14, 1997, AND

WHEREAS, pursuant to such Memorandum of Agreement, if Ms. Chojnacki did not physically return to active duty in her position as Clerk-Typist in the Cheektowaga Police Department within ten days after the posting of her position as a permanent vacancy, she would be deemed to have formally resigned from her position with the Town, AND

WHEREAS, Ms. Chojnacki's Clerk-Typist position was duly posted for ten days and Ms. Chojnacki did not return to work with the Town, NOW, THEREFORE, BE IT

Item No. 17 cont'd.

RESOLVED, that this Town Board hereby ratifies and affirms the aforementioned Memorandum of Agreement between the Town of Cheektowaga and Cathleen Chojnacki and, BE IT FURTHER

RESOLVED, that, based on the terms of the aforementioned Memorandum of Agreement and further based on the fact that Ms. Chojnacki has not returned to work as Clerk-Typist for the Town, it is hereby deemed that Ms. Chojnacki has resigned from and is terminated from her position as Clerk-Typist in the Cheektowaga Police Department.

Upon roll call. . . .

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the term of Florian Saskowski as Chairman of the Cheektowaga Board of Ethics expired on August 15, 1996, AND

WHEREAS, Florian Saskowski has expressed a willingness to continue on such Board of Ethics for another term, AND

WHEREAS, this Board feels that Florian Saskowski has been as asset to the Board of Ethics and should be reappointed, NOW, THEREFORE, BE IT

RESOLVED, that Florian Saskowski be and hereby is reappointed to the Board for a term from August 15, 1996 to August 15, 2001.

MEETING NO. 7
APRIL 7, 1997

Upon roll call. . . .

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

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

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

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

WHEREAS, Bruce Kenner, currently employed as a Motor Equipment Operator (B) in the Highway Department bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Bruce Kenner of 267 Cass Avenue, Cheektowaga, New York 14206 be and hereby is appointed to the temporary position of Motor Equipment Operator (B) in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective April 8, 1997.

Upon roll call. . . .

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

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

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

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

WHEREAS, Casey Kliszak, currently employed as a Motor Equipment Operator (B), afternoon shift, in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Casey Kliszak of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the temporary position of Motor Equipment Operator (B), morning shift, in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 2, 1997 through August 29, 1997.

Upon roll call. . . .

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

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

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

MEETING NO. 7
APRIL 7, 1997

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 Sprada, currently employed as a Motor Equipment Operator (B), in the Highway Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Gerald Sprada of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of Motor Equipment Operator (B), morning shift, in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 2, 1997 through August 29, 1997.

Upon roll call. . . .
AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0

Item No. 20a Motion By Councilmember Swiatek, Seconded by Councilmember Jankowiak

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 Town of Cheektowaga Employees Association:

Item No. 20a cont'd.

		EFFECTIVE
RECYCLING DEPARTMENT - \$6.00 Per hour (Laborer)		
Paul Niewiowski	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
John Balbuzoski	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
Patrick McCloskey	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
David Zablotny	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
TAX OFFICE - \$5.75 per hour (Day Shift)		
Krista Ciamaga	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
Suzanne Defields	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
FACILITIES DEPARTMENT - \$6.00 per hour (7110-1491)		
Mathew Starr	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
Eugene Demler	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
FACILITIES DEPARTMENT - \$7.00 Per hour (7110-1491)		
Gordon Hagmier	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
FACILITIES DEPARTMENT - \$6.00 per hour (7110-1496)		
Eugene Gawron	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
Richard Gramza	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97
Chris Hutt	XXXXXXXXXXXXXXXXXXXXXXX	4-14-97
Kevin Rydzynski	XXXXXXXXXXXXXXXXXXXXXXX	4-14-97
David Szczepanek	XXXXXXXXXXXXXXXXXXXXXXX	4-08-97

**MEETING NO. 7
APRIL 7, 1997**

Upon roll call. . . .

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

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

BE IT RESOLVED, that the following individuals be and hereby are hired as PART-TIME employees, in the various departments listed, not to exceed 19 hours on a weekly basis, in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

EFFECTIVE

TOWN CLERK'S OFFICE - \$6.00 per hour (Clerical)

Elaine Rudnicki	XXXXXXXXXXXXXXXXXXXXXXXXXX	4-08-97
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SANITATION DEPARTMENT - \$6.00 per hour (Laborer)

Patrick J. Santoro	XXXXXXXXXXXXXXXXXXXXXXXXXX	4-08-97
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Upon roll call. . . .

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

Item No. 21a Authorize K-9 Officer to Attend Seminar
This item was withdrawn.

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

WHEREAS, the Fifteenth Annual Greater Buffalo Environmental Conference, sponsored by the New York State Department of Environmental Conservation (NYSDEC), United States Environmental Protection Agency (USEPA), the New York Water Environment Association, Western Chapter, and various local agencies is being conducted at the Downtown Buffalo Hilton, Buffalo, New York on April 21 and 22, 1997, AND

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

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

RESOLVED, Lawrence Golas be and hereby is authorized to attend said two (2) day conference and to utilize a Town vehicle to travel to and from such conference and, BE IT FURTHER RESOLVED, that the registration fee of \$85.00 shall be paid for under Budget No. 2500-8135-4087.

Upon roll call. . . .

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

Item No. 22 Motion By Councilmember Johnson, Seconded by Councilmember Jaworowicz

**MEETING NO. 7
APRIL 7, 1997**

WHEREAS, URS Greiner, Incorporated was retained to assist the Town in a review of zoning district classifications along William Street and Losson Road and to make recommendations for zoning district classifications along William Street and Losson Road, AND

WHEREAS, URS Greiner, Incorporated as completed such review and has made recommendations for proposed zoning district classifications, AND

WHEREAS, the Planning Board, Environmental Advisory Committee, and Town Board will be conducting public meetings and/or hearings relative to such recommendations, AND

WHEREAS, it is important that a consultant be retained to assist the Town in conducting public meetings and/or hearings regarding the advisability of adopting the proposed zoning district classifications, NOW, THEREFORE, BE IT

RESOLVED, that URS Greiner, Incorporated be and is hereby retained to assist the Town in conducting such public meetings and/or hearings and, BE IT FURTHER

RESOLVED, that monies for such services in an amount not to exceed \$1,000.00 shall be appropriated from budget line item number 0800-8010-4709.

Upon roll call . . .

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Building Permits
Received and Filed.

Item No. 24a Minutes of Cheektowaga Planning Board - March 13, 1997
Received and Filed.

Item No. 24b Minutes of Cheektowaga Public Library - February 26, 1997
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 25a Notice of Claim: Suzanne O'Neill/Dunlap & Bajak, Inc. vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney;
Sanitation/Recycling and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25b Notice of Claim: Angela M. Wood/C.N. Maranto Agency, Inc.
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney;
Sanitation/Recycling and Allied Claims Insurance Carrier.
Received and Filed.



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

**MEETING NO. 7
APRIL 7, 1997**

Upon roll call. . . .

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

IV. SUSPENSION OF RULES

Item No. 26 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 AutoZone Incorporated to erect a 6,750 square foot retail store at 1200 French Road, presently occupied by a restaurant, AND

WHEREAS, the applicant has committed to installing sidewalks on French Road and Borden Road, additional landscaping and generally maintaining the property, AND

Item No. 26 cont'd.

WHEREAS, the Advisory Committee, at its meeting held on March 26, 1997 rendered the determination shown on the attached memo dated March 27, 1997, AND

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

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

Upon roll call. . . .

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

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 7
APRIL 7, 1997

Item No. 27 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz to adjourn this meeting in memory of Gerald F. Grant, Town of Cheektowaga Police Officer; Gabriel S. Babiarz, member of the Leonard Post; and Richard Kucharski, Democratic Committee Member. This meeting adjourned at 8:35 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of April, 1997 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; Ronald Marten, Supervising Building and Plumbing Inspector; Sal LaGreca, Planning Board Chairman; Pat Wojcik, Senior Citizens Director; Robert Kaczmarek, Supervising Accountant; William Conway, Assessor; John Schaller, Assistant Chief of Police, Dave Kulik, Working Foreman in Sanitation Department; Robert McCarthy, Director of Employee Relations.

I. RESOLUTIONS

Item No. 2 Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

SPECIAL DISTRICT FUND

FROM:	1500-8160-4468	Compost	\$2,500.00
TO:	1500-8160-4469	Landfill	\$2,500.00

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 Jaworowicz

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to April 18, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$ 415,634.77
HIGHWAY FUND	214,940.09
TRUST & AGENCY	62,403.68
PART TOWN FUND	1,909.29
RISK RETENTION FUND	83,493.22
CDBG HUD FUND	194,209.94
HUD HOUSING REHABILITATION FUND	3,345.00
SPECIAL DISTRICTS FUND	460,528.88
CAPITAL FUND	7,807.66
	<u>\$1,444,272.53</u>

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

Item No. 4 Motion by Councilmember Jaworowicz Seconded by Councilmember Rogowski
Councilmember Blachowski

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

WHEREAS, in 1996, the Town's Building Inspections Department and the Zoning and Petitions Committee identified a concern as to whether the zoning district classifications of properties along William Street and Losson Road in the Town were appropriate and were compatible with adjacent uses, and

WHEREAS, the Zoning and Petitions Committee recommended that the Town take a hard look at the zoning district classifications along these highways and to make any changes deemed necessary, and

WHEREAS, in order to have the time to take to perform the necessary comprehensive zoning review of these areas and to stay improper development along these highways, this Town Board, on September 16, 1996, enacted a "Non-Residential Development Moratorium" along William Street and Losson Road, and

WHEREAS, thereafter and on October 7, 1996, this Town Board retained the professional planning services of URS Greiner, Inc. to assist the Town in reviewing what the proper zoning district classifications of properties along William Street and Losson Road should be, and

WHEREAS, this Town Board has extended the Non-Residential Development Moratorium to enable URS Greiner, Inc. to complete its review, and

WHEREAS, URS Greiner, Inc. has completed its review of the zoning district classifications of properties along William Street and Losson Road, and has prepared a document entitled "William/Losson Corridor Study", which study includes, but is not limited to the following:

- Regional Context Analysis
- Transportation Analysis
- Land Use Plan
- Zoning Recommendations
- Other Recommendations

and

WHEREAS, the Cheektowaga Planning Board reviewed the William/Losson Corridor Study and has recommended approval of such Study without any additions or deletions, including the recommendations in such Study to rezone certain properties, and

WHEREAS, pursuant to Section 82-70 of the Town Code (Zoning Law), this Town Board may, from time to time, on a recommendation from the Planning Board, rezone properties within the Town, and

WHEREAS, this Town Board feels that it is in the interest of the health, safety and general welfare of the residents of this Town to proceed with the necessary steps to follow through with the findings made in the William/Losson Corridor Study, including the recommendations to rezone certain properties, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, based on the findings and recommendations made by URS Greiner, Inc. and the Cheektowaga Planning Board, hereby directs that all necessary steps be taken to proceed with the rezoning changes recommended in such study, as more particularly stated/described in the attached list and legal descriptions; such steps to include, but not be limited to, the following:

1. Completion of environmental review process.
2. Notification of property owners within 300 feet of the properties being considered for rezoning of the initiation of the rezoning process

and BE IT FURTHER

RESOLVED that compliance with the on-site notification policy for rezoning and special permits, as adopted by this Town Board on August 5, 1996, be and hereby is deemed unnecessary and is hereby waived for this rezoning matter.

Item No. 4 cont'd

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997**

NAYES: 0
ABSENT: 0

**See next page(s) for attachments

Item No. 5a 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, rezoning, special permits, etc. and renders its recommendation concerning the environmental significance of such application, and

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

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 Charles Gajewski to construct a 7,000± square foot addition to 2880 Genesee Street, Ray Gay Sales Incorporated, and

WHEREAS, the project will result in the removal of two (2) buildings on the site and the installation of additional landscaping, and

WHEREAS, the Advisory Committee, at its meeting held on March 26, 1997 rendered the determination shown on the attached memo dated March 27, 1997, 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. 5b 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, rezoning, special permits, etc. and renders its recommendation concerning the environmental significance of such application, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997**

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 Environmental Concepts to demolish the former Baracini's restaurant at 3816 Union Road and construct a 5,000± square foot building for retail purposes including a coffee shop or similar use, and

WHEREAS, the project would result in the closing of one curb cut and realignment of the driveway across George Urban Boulevard for safer vehicle movements, and

WHEREAS, additional landscaping would be installed on the site nearby improving the aesthetics, and

WHEREAS, the Town Board recognizes the fact that several variances are required from the Zoning Board of Appeals, and

WHEREAS, the Advisory Committee, at its meeting held on April 9, 1997 rendered the determination shown on the attached memo dated April 10, 1997, and

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. 5c 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, 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

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

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 Bob Heath to demolish the buildings at 3840-3850 Union Road for the purpose of constructing a 2,500± square foot restaurant with seating for 96 persons, and

WHEREAS, the site plan reflects extensive landscaping where none previously existed, and

WHEREAS, the multiple curb cuts that exist will be eliminated and replaced by one curb cut opposite the plaza curb cut for safe vehicle movements, and

WHEREAS, the Advisory Committee, at its meeting held on April 9, 1997 rendered the determination shown on the attached memo dated April 10, 1997, and

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. 6a Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, bids were duly received and opened at a public bid opening on April 21, 1997 for the purchase of one (1) new pan & tilt video camera unit for inspecting sanitary sewers, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated April 14, 1997, and

WHEREAS, funds have been budgeted in Account #5823-8125-1103 for this purpose,
NOW, THEREFORE, BE IT

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

RESOLVED that the contract for the purchase of one (1) new pan & tilt video camera unit , as recommended by the Town Engineer, be and the same is hereby awarded to Telespector Corporation, 1460 Opdyke Road, Auburn Hills, Michigan 48326 for their bid in the amount of \$15,000.00, said bid being the lowest meeting the requirements of the specifications.

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

**See next page(s) for attachments

Item No. 6b Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by this Town Board at a public bid opening held on April 2, 1997, for the purchase of one (1) New and Unused, 1997 Model, Skid Steer Loader with attachments, as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid for the purchase of one (1) New and Unused, 1997 Model, Skid Steer Loader be awarded to Buffalo Tractor & Implement Co., Inc., P.O. Box 318, Buffalo, New York 14224, at a total bid price, after trade-in, of \$49,013; said bidder being the lowest responsible

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997**

bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part here, and BE IT FURTHER

RESOLVED that monies be charged to line item 5712-1449-9709.

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

**See next page(s) for attachments

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

WHEREAS, the Sanitation Department is in need of two (2) Trucks with 32 Cubic Yard Refuse Packer Bodies and Rotary Cart Lifters, 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 vehicles for the Sanitation 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 May 13, 1997 at 11:00 A.M., Eastern Daylight Savings Time, at which time they will be publicly opened and read.

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on May 13, 1997 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of two (2) new 1997 Trucks with Thirty-two Cubic Yard Refuse Packer Bodies and Rotary Cart Lifters for the Sanitation 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 submitted in accordance with the provisions of the specifications and contract documents, and may waive any informalities, make an award to other than the low bidder, should it be in the best interest of the Town, or reject any or all bids.

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

RICHARD M. MOLESKI
Town Clerk

Dated: April 21, 1997



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

AFFIDAVIT - NEXT PAGE

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

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Topsoil for this 1997 season (regular, shredded and screened). Information for bidders and specifications may be obtained from the office of the Town Clerk in the Town Hall at Broadway and Union Roads, Cheektowaga, New York 14227 between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid item at 11:00 A.M. on April 30, 1997.



TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

Sealed proposals will be received and considered by the Cheektowaga Town Board on Wednesday, April 30, 1997, at a public bid opening at 11:00 A.M., at the Town Hall, located on Broadway, New York for the purpose of furnishing TOPSOIL for use by various departments in the Town of Cheektowaga.

Specifications may be picked up at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, 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 MOLESKI
Town Clerk
Town of Cheektowaga

Dated: April 21, 1997



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

AFFIDAVIT - NEXT PAGE

Item No. 7c Motion by Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, the Town Board authorized the receipt of bids for the purchase of an ice rink resurfacing machine for the Cheektowaga Recreation Center and said bids were duly received and opened on April 2, 1997, and

WHEREAS, there was a need to revise the bid requirements of the specifications which would allow manufacturers located outside the United States the ability to bid, as contained in a letter from the Town Attorney dated April 8, 1996, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of an ice rink resurfacing machine, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

RESOLVED that sealed bids will be received on May 7, 1996 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on May 7, 1997 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of an Ice Rink Resurfacing Machine for the Facilities Department in the Town of Cheektowaga, New York.

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

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

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: April 21, 1997



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

AFFIDAVIT - NEXT PAGE

Item No. 8 Motion by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, the Sewer Maintenance Department has requested authorization to purchase one (1) 1997 Ford Aeorstar Cargo Van as specified in State Contract No. PO51089 in the total amount of \$14,501.90, and

WHEREAS, funds for said purchase have been budgeted and are available from Account No. 2500-8125-2514, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby authorizes the Sewer Maintenance Department to purchase one (1) 1997 Ford Aerostar Cargo Van from:

Basil Ford, Inc.
1540 Walden Avenue
Cheektowaga, New York 14225

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

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

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

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

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

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

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

ORDERED that the owners of properties listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before May 25, 1997 in accordance with the Town's Streets and Sidewalks Ordinance, and BE IT FURTHER

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

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



NOTICE OF ADOPTION OF ORDER

OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE that, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on April 21, 1997, YOU ARE HEREBY ORDERED to repair/replace the sidewalks in need of repair or replacement abutting the front of your property.

Such work must be completed on or before May 25, 1997.

Item No. 9 cont'd

In the event you choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done, and will audit and pay the expense of doing such work and assess 50% of the expense thereof (including interest at the rate of 6.00%) against your property in two (2) annual installments; this amount will be added to your Town tax bills for the next (2) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so within 30 days after you are billed for the amount you owe for the sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$26.00 per 20-square foot block of sidewalk, which amount is one-half of the estimated total cost per block.

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997**

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

Dated: April 21, 1997

RICHARD M. MOLESKI
Town Clerk



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

**See next page(s) for attachments

Item No. 10 Motion by Councilmember 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

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

ABSENT: 0

**See next page(s) for attachments

Item No. 11 Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is the owner of a triangular-shaped parcel of land located on the south side of Como Park Boulevard at Bellevue Avenue in the Town, and

WHEREAS, the Cheektowaga Police Club has requested permission to place a plaque on a stone on this Town-owned property, which plaque would honor Town residents who died while in service in the law enforcement field, and

WHEREAS, the Cheektowaga Police Club would provide this plaque and stone at no cost to the Town, and

WHEREAS, this Board feels that those Town residents who gave their lives while serving in the Town, County and State Police agencies should be remembered and honored, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforementioned plaque and stone from the Cheektowaga Police Club and authorizes same to be placed on the aforementioned Town-owned property.

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

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

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

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

WHEREAS, the Cheektowaga South Side Little League has made application to hold its Opening Day Parade on June 7, 1997 beginning at 1:00 p.m., starting at Doyle 1 Fire Hall; then down William Street to Standard Parkway; then down Standard Parkway to ITT Park, and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Cheektowaga South Side Little League for its Opening Day Parade to be held on June 7, 1997, and BE IT FURTHER

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

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

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

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

WHEREAS, the Cleveland Hill Little League has made application to hold a mini parade celebrating its Opening Day on May 17, 1997 beginning at 10:00 a.m., starting at the Cleveland Hill School on Merrymont Drive to Cleveland Drive; then left on Cleveland Drive to Harlem Road; then left on Harlem Road to Huth Road; then left on Huth Road to Merrymont Drive; then back to Cleveland Hill School; and

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

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

1. Submittal of plan for sanitary facilities
2. Submittal of site plan

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

3. Requirement that application be made at least 60 days prior to the date of the special event
4. Submittal of Security Plan
5. Submittal of Fire Prevention/Emergency Services Plan

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Cleveland Hill Little League for its Opening Day Parade to be held on May 17, 1997, and BE IT FURTHER

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

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

Item No. 13a Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, this Town Board, acting as the Board of Managers of Sewer District No. 7 by resolution dated February 7, 1994, engaged the engineering consulting firm of Nussbaumer & Clarke, Inc. to prepare an engineering report and engineering design for the Homeworth Parkway Sanitary Sewer Relief Project which will divert upstream flows to the Northeast Interceptor, and

WHEREAS, the Town Engineer has advised that the design of the Homeworth Parkway Sanitary Sewer Relief Project is complete and said plans have been reviewed and received regulatory approval from the Erie County Department of Environment and Planning/Division of Environmental Compliance, and

WHEREAS, the Town Engineer has recommended that the aforesaid project be publicly bid which requires the preparation of Contract Documents, Technical Specifications and Construction Stakeout and General Services During Construction during the execution of the project, NOW, THEREFORE, BE IT

RESOLVED that the proposal, as submitted to the Town Engineer by Nussbaumer & Clarke, Inc. dated April 16, 1997 for the provision of the aforesaid professional services is accepted and approved, and BE IT FURTHER

Item No. 13a cont'd

RESOLVED that the cost of the professional consulting services as outlined in the April 16, 1997 proposal in the total amount of \$13,000.00 be charged to account #5711-1440-9708, and BE IT FURTHER

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

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

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

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997**

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

**See next page(s) for attachments

Item No. 14 Motion by Supervisor Gabryszak Seconded by Councilmember Jaworowicz

WHEREAS, Section 11-c of the Domestic Relations Law of the State of New York authorizes Town Boards to appoint marriage officers who shall have the authority to solemnize marriages, and

WHEREAS, this Town Board wishes to appoint Supervisor Dennis H. Gabryszak as a marriage officer for the benefit of Town taxpayers, NOW, THEREFORE, BE IT

RESOLVED that Dennis H. Gabryszak hereby be appointed as a marriage officer authorized to solemnize marriages within the territory of the Town of Cheektowaga.



Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski 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

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997



Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, Section 11-c of the Domestic Relations Law of the State of New York authorizes Town Boards to appoint marriage officers who shall have the authority to solemnize marriages, and

WHEREAS, this Town Board wishes to appoint Supervisor Dennis H. Gabryszak as a marriage officer for the benefit of Town taxpayers, NOW, THEREFORE, BE IT

RESOLVED that Dennis H. Gabryszak hereby be appointed as a marriage officer authorized to solemnize marriages within the territory of the Town of Cheektowaga for a period ending May 31, 1997.

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

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

BE IT RESOLVED that the Town Board hereby accepts the resignation of Clifford M. Platt, Jr. from his current position of Police Sergeant, effective immediately, and BE IT FURTHER

RESOLVED that Clifford M. Platt, Jr., be and hereby is returned to his position of Police Officer, effective immediately.

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

Item No. 16a Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, a vacancy exists in the position of Sergeant in the Police Department, and

WHEREAS, candidates from the existing Civil Service list were canvassed, interviewed and their resumes and work performance were studied, NOW, THEREFORE, BE IT

Item No. 16a cont'd

RESOLVED that Ronald Jakubowski of XXXXXXXXXXXXXXXX, Lancaster, New York XXXXX, be and hereby is promoted to the position of Sergeant in the Police Department, effective April 22, 1997.

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

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

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

WHEREAS, said position was posted in accordance with the agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association and no qualified full-time employee bid on said vacancy, and

WHEREAS, Amy Sieczkarek, currently a part-time employee in the Youth and Recreational Services Department, applied for said vacancy, was interviewed and meets all the necessary qualifications, NOW, THEREFORE, BE IT

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997**

RESOLVED that Amy Sieczkarek of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Recreation Instructor in the Youth and Recreational Service Department, in accordance with the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective April 22, 1997.

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

Item No. 17 Motion by Councilmember Swiatek, Seconded by Supervisor Gabryszak

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

EFFECTIVE

RECYCLING DEPARTMENT

Paul Niewiemski XXXXXXXXXXXXXXXXXXXX Immediately

FACILITIES

Greg Nikiel XXXXXXXXXXXXXXXX Immediately

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

Item No. 18a Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

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

Item No. 18a cont'd

EFFECTIVE

FACILITIES DEPARTMENT - \$6.00 per hour (7110-1491)

Brian Duke	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5/10/97
Adam Nagy	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5/10/97
John Mazgaj	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	4/28/97
James Robinson	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately

FACILITIES DEPARTMENT - \$6.00 per hour (7110.1496)

David Rozak XXXXXXXXXXXXXXXXXXXX 5/5/97

FACILITIES DEPARTMENT - \$7.00 per hour (7110.1623)

Walter Gardon XXXXXXXXXXXXXXXXXXXXXXXX 5/5/97

POLICE DEPARTMENT - Traffic Maintenance Division - \$6.50 per hour

Thomas Hudy	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
John Huntz		"
Chris Taber, Jr.	XXXXXXXXXXXXXXXXXXXX	"

MAIN PUMP STATION - \$5.50 per hour

Todd Kopcinski XXXXXXXXXXXXXXXXXXXXXXXX Immediately

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997**

RECYCLING DEPARTMENT - \$6.00 per hour

Keary Ciamaga XXXXXXXXXXXXXXXXXXXXXXXXXXXX 4/22/97

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

Item No. 18b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

 BE IT RESOLVED that the following individual be hired as a seasonal employee in the
Youth & Recreational Department, effective April 22, 1997:

Recreation Attendant III - \$5.25

Steve Ciemcioch XXXXXXXXXXXXXXXXXXXXXXXXXXXX

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

Item No. 19 Motion by Councilmember Swiatek, Seconded by Councilmember Blachowski

 BE IT RESOLVED that the following individuals be and hereby are hired as PART-
TIME employees, in the various departments listed, not to exceed 19 hours on a weekly basis, in
compliance with the provisions of the Town's collective bargaining agreement between the Town of
Cheektowaga and the Town of Cheektowaga Employees Association:

EFFECTIVE

POLICE DEPARTMENT - \$6.00 per hour (Dog Control Office)

Adel Keller XXXXXXXXXXXXXXXXXXXXXXXXXXXX 4/22/97

Item No. 19 cont'd

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

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

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

Recreation Supervisors - 7140.1613

From Recreation Leader II to Recreation Leader III - \$5.59 (part-time)

Jill Matuszewski

New Programs - 7140.1813 (Sports Camp)

From Recreation Supervisor III to Recreation Supervisor IV - \$6.25 - effective April 28
(seasonal)

Peter J. Odrobina, Jr.

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

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

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

BE IT RESOLVED that Gabriel Babiarz, Van Driver be terminated as an employee of the Cheektowaga Department of Senior Services who passed away April 2, 1997. This will be effective immediately, and BE IT FURTHER

RESOLVED that Thomas C. Sicignano, XXXXXXXXXXXXXXXXXXXX, Sloan, New York and Paul J. Radomski, XXXXXXXXXXXXXXXXXXXX, Sloan, New York be hired as van drivers at \$6.50 per hour, effective April 21, 1997.

Funding Account: 0100-7620-1636

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

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

WHEREAS, the Town Board has adopted various bond resolutions in anticipation of a Town Bond Underwriting in early May, 1997, and

WHEREAS, the Town Financial Advisor, Munistat Services, Inc., feels it is important to the Town that certain designated Town Officials be present for a meeting with Mood's Investor Service for a credit rating review, and

WHEREAS, Moody's Credit Review team has undertaken a change and new personnel are in place with limited knowledge of the Town, and

WHEREAS, the Town has not had such a credit review since May, 1994 and the Town's fiscal and economic conditions have changed, and

WHEREAS, the Financial Advisor is recommending that the Supervisor, the Supervising Accountant and a member of the Council be present to address all the issues and inquiries relating to the Town's activities, and

Item No. 22a cont'd

WHEREAS, the Town Board is in agreement with this recommendation, and is desirous in making this presentation, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor and the Supervising Accountant and a member of the Council be and hereby are authorized to travel to Moody's in New York City, and BE IT FURTHER

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



Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson
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

The above resolution was amended, and is as follows:



Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

WHEREAS, the Town Board has adopted various bond resolutions in anticipation of a Town Bond Underwriting in early May, 1997, and

WHEREAS, the Town Financial Advisor, Munistat Services, Inc., feels it is important to the Town that certain designated Town Officials be present for a meeting with Mood's Investor Service for a credit rating review, and

WHEREAS, Moody's Credit Review team has undertaken a change and new personnel are in place with limited knowledge of the Town, and

WHEREAS, the Town has not had such a credit review since May, 1994 and the Town's fiscal and economic conditions have changed, and

WHEREAS, the Financial Advisor is recommending that the Supervisor, the Supervising Accountant and a member of the Council be present to address all the issues and inquiries relating to the Town's activities, and

WHEREAS, the Town Board is in agreement with this recommendation, and is desirous in making this presentation, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor and the Supervising Accountant be and hereby are authorized to travel to Moody's in New York City, on April 27 & 28, 1997, and BE IT FURTHER

RESOLVED that the Town shall reimburse the above named individuals for their reasonable and necessary expenses incurred in attending such meeting out of budget line number 0100-1910-4082 at a total cost of \$900.00.

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

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

WHEREAS, the Network in Aging of Western New York, is sponsoring a seminar entitled "How to Access Resources from Private Foundations" at the Hospice Mitchell Campus Education Center on 225 Como Park Blvd., and

WHEREAS, Patricia L. Wojcik, Director of Senior Services requests permission to attend to be better prepared to seek funding from private foundations and other non-governmental sources, and

WHEREAS, the only associated cost is \$20 to line item 0100-7620-4681, NOW, THEREFORE, BE IT

RESOLVED permission is granted to Patricia L. Wojcik to attend this conference.

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

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

WHEREAS, the Cheektowaga Police Department in partnership with Haven House and the National Conference will present a seminar to assist in becoming more responsive to domestic violence, and

WHEREAS, the Cheektowaga Department of Senior Services as a referral source for elder victims of abuse, and

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997

WHEREAS, Patricia L. Wojcik, Director of Senior Services and Darlene Senft, Outreach Worker, request permission to attend this seminar at the Renaissance Business Center on 4243 Genesee Street, and

WHEREAS, this seminar on April 22, 1997 is being offered as a courtesy of the Cheektowaga Police Department and there are no costs associated with this seminar, NOW, THEREFORE, BE IT

RESOLVED that permission is granted to attend.

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

Item No. 22d Authorize Chief of Police to attend meeting.
This resolution failed due to lack of second.

II. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Supervisor's Statement of Funds - February, 1997
Received and Filed.

Item No. 24 Office of Disaster Preparedness - Quarterly report from January - March, 1997
Received and Filed.

Item No. 25 Minutes of Cheektowaga Traffic Safety Committee - March 18, 1997
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 26 NYS Dept. of Trans. - Notice of Order - Walden Ave. at Walden Consumer Square &
Upstate Milk Driveway
Received and Filed.

Item No. 27 Summons & Complaint - Patricia & James Brydalski
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Council Office; Allied Claims, Insurance Company; N. Rutkowski, Parks
Dept., W. Wielinski, Facilities Director.
Received and Filed.

Item No. 28a Notice of Claim - Nicholas Derion vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Highway Dept.
Received and Filed.

Item No. 28b Notice of Claim - Mary Kajdasz vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Sewer Dept.
Received and Filed.

Item No. 28c Notice of Claim - Helen Hara vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Highway Dept.
Received and Filed.

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 21, 1997**

- Item No. 28d** Notice of Claim - Diane Gooch vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Dept.
Received and Filed.
- Item No. 28e** Notice of Claim - Bruce Hora vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Dept.
Received and Filed.
- Item No. 29** Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn the meeting.
Time meeting was adjourned: 8:15 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 9
MAY 5, 1997

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of May, 1997 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember Jacqueline A. Blachowski

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Planning Board Chairman; Bruce Chamberlin, Chief of Police; Patricia Wojcik, Director of Senior Services; Robert Kaczmarek, Supervising Accountant; William Pugh, Town Engineer; and Leonard Szymanski, Facilities Foreman.

I. RESOLUTIONS

Item No. 2 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

GENERAL FUND

From:	0100-7320-4000	Contractual Expenses	\$2,100.00
	0100-1910-5031	Transfers-In	\$8,500.00
To:	0100-7320-1100	Project Director	\$2,100.00
	0100-9010-8157	TCEA Health & Welfare	\$8,500.00

SPECIAL DISTRICT FUND

From:	1510-8160-9211	Bond Interest	\$8,500.00
To:	1500-9950-9901	Transfers-Out	\$8,500.00

Upon roll call

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to May 2, 1997 are hereby approved and made a part hereof:

Item No. 3 cont'd.

MEETING NO. 9
MAY 5, 1997

GENERAL FUND	\$ 309,033.73
HIGHWAY FUND	84,859.10
TRUST & AGENCY	32,182.76
PART TOWN FUND	5,544.51
RISK RETENTION FUND	51,097.82
CDBG HUD FUND	4,500.00
HUD HOUSING REHABILITATION FUND	11,036.46
SPECIAL DISTRICTS FUND	244,186.51
CAPITAL FUND	<u>66,444.25</u>
	\$ 808,885.14

Upon roll call

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

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

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on May 19, 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 8th day of May, 1997, 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 May 19, 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 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

Wellworth Place	South Side	from west curb of Union Road to the east side of Meadow Road
Alexander Avenue	East and west sides	one hundred (100) feet north of Straley Avenue
Alexander Avenue	West side	from north curb of Walden Avenue to south line of Straley Avenue
Straley Avenue	North side	from west curb of Harlem Road to east line of Gualbert Street
Linda Drive	East side and south side	from east line of Colden Court to south curb of Maryvale Drive

Item No. 4 cont'd.

B. No parking anytime

MEETING NO. 9
MAY 5, 1997

Crabapple Lane	North side	from the north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to and including the cul-de-sac
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Crabapple Lane	South side	from the north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to and including the cul-de-sac
----------------	------------	---

C. No parking here to corner

Straley Avenue	South side	from west curb of Harlem Road to 309 Straley Avenue
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Straley Avenue	South side	from the west curbline of Woodell Avenue to a point fifty (50) feet westerly thereof
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Section 76-103 shall be amended by deleting therefrom the following:

A. Parking signs: restricted and time limit

- a. No parking school days 7:30 a.m. to 4:00 p.m.

Alexander Street	West side	from the north curbline of Doat Street to a point seventy-five (75) feet, plus or minus therefrom
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Section 76-102 shall be amended by adding thereto the following:

B. No parking anytime

Alexander Avenue	East side	from north curbline of Walden Avenue north to its terminus
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Straley Avenue	South side	from west curbline of Harlem Road to east curbline of Gualbert Avenue
----------------	------------	---

Straley Avenue	North side	from west curbline of Ridge Park Avenue to a point sixty five (65) feet west and from east curbline of Ridge Park Avenue to a point sixty five (65) feet east
----------------	------------	---

Straley Avenue	North side	from west curbline of Alexander Avenue to a point forty (40) feet west and from east curbline of Alexander Avenue to a point forty (40) feet east
----------------	------------	---

Straley Avenue	North side	from east curbline of Gualbert Avenue to a point sixty (60) feet east
----------------	------------	---

Ridge Park Avenue	West side	from north curbline of Straley Avenue to north curbline of Greenleaf Lane
-------------------	-----------	---

Linda Drive	North side & side	from south curbline of Maryvale Drive to east west curbline of Colden Court
-------------	-------------------	---

Crabapple Lane	South side	from north curbline of Losson Road northeast to its terminus to include the cul-de-sac
----------------	------------	--

French Road	North side	from the east curbline of Fradine Drive to a point sixty (60) feet east
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Item No. 4 cont'd

Union Road Lateral	East side	from the dead end at 4620 Union Road to the dead end at 4714 Union Road
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MEETING NO. 9
MAY 5, 1997

Wellworth Place	South side	from a point one hundred twenty (120+) feet west of the west curbline of Union Road to the east curbline of Meadow Place
-----------------	------------	--

Section 76-103 shall be amended by adding thereto the following:

A. Parking signs: restricted and time limit.

Alexander Avenue	West side	from north curbline of Doat Street to a point one hundred fifty (150) feet north, no parking school days 7:00 A.M. to 4:00 P.M.
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BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

Dated: May 5, 1997

Richard M. Moleski
Town Clerk



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 5 Motion By Councilmember Rogowski, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the resolution dated April 21, 1997, awarding the Skid Steer Loader to Buffalo Tractor & Implement Co., Inc. in the amount of \$49,013.00, be and hereby is rescinded, AND

MEETING NO. 9
MAY 5, 1997

NOW, BE IT RESOLVED, WHEREAS, bids were duly received by this Town Board at a public bid opening held on April 2, 1997 for the purchase of One (1) New and Unused, 1997 Model, Skid Steer Loader with attachments, as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bid for the purchase of One (1) New and Unused, 1997 Model, Skid Steer Loader be awarded to Buffalo Tractor & Implement Co., Inc., P.O. Box 318, Buffalo, New York 14224 at a total bid price of \$49,013.00; said bidder being the lowest responsible bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof and, BE IT FURTHER

RESOLVED, that monies be charged to line item 5713-5141-9710 in the amount of \$45,000.00 and \$4,013.00 to line item 0300-5130-2407.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 6a Motion By Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by this Town Board at a public bid opening held on April 23, 1997 for the purchase of Three (3) Sets of Completely Installed and Operational Front Snow Plows, Wingplows, Plow Riggings, Hydraulics and Dump Bodies installed on Town Owned vehicles as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

MEETING NO. 9
MAY 5, 1997

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

RESOLVED, that the bid for the purchase of Three (3) Sets of Completely Installed and Operational Front Snow Plows, Wingplows, Plow Riggings, Hydraulics and Dump Bodies Installed on Town Owned Vehicles be awarded to T-W TRUCK EQUIPPERS, INC., 2025 Walden Avenue, Buffalo, New York 14225 at a total bid price of \$70,248.00; said bidder being the lowest responsible bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof and, BE IT FURTHER

RESOLVED, that monies be charged to line item 0300-5130-2407.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, \$35,000 is available in the Town's Tree Replacement Program account for the purchase and planting of trees in the Town, AND

WHEREAS, by resolution dated April 7, 1997, bids were advertised for the Furnishing and Installation of Trees along various rights-of-way within the Town to compensate for accumulated wind damage and other causes for tree losses, and to meet residents' requests for trees in front of their homes, AND

MEETING NO. 9
MAY 5, 1997

WHEREAS, bids were duly opened on April 24, 1997, and thereafter tabulated, AND

WHEREAS, Gleason's Nursery, Inc. was deemed to be the lowest responsible bidder meeting specifications for this bid, NOW, THEREFORE, BE IT

RESOLVED, that the Bid for Furnishing and Installation of Trees for 1997 be and hereby is awarded to Gleason's Nursery, Inc., 4780 Sheridan Drive, Williamsville, New York 14221 at the bid price of \$33,830.50 and, BE IT FURTHER

RESOLVED, that moneys for such bid award shall be appropriated from budget line item number 5005-8560-0700 and, BE IT FURTHER

RESOLVED, that the Cheektowaga Highway Department shall coordinate the planting of trees under this bid award, and shall be authorized to execute vouchers in connection with such project.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Blachowski

Item No. 6c Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, a Notice to Bidders was published for the receipt of bids for the interior painting of digesters at Plant #5, which bids were duly received and opened on April 23, 1997 at 11:00 A.M. by the Town Clerk, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated April 25, 1997, AND

WHEREAS, said letter recommends the contract for interior painting of the digesters be awarded to E & M Star Painting, 17 Doe Haven Circle, Depew, New York 14043 for their low bid price of \$13,250.00 and, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute said agreements with E & M Star Painting Inc., and, BE IT FURTHER

RESOLVED, that funding for said project shall be chargeable to Account #5806-8135-1100 for said interior painting project.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 6d Motion By Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by the Town Board at a bid opening on April 30, 1997 for TOPSOIL for use by the Town of Cheektowaga, as a result of advertising thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bid for TOPSOIL be awarded to CUSTOM TOPSOIL INC., 320 Crabapple Lane, Cheektowaga, New York 14227 for Shredded Topsoil (picked up the Town vehicles) and the balance of the Topsoil Bid to TOM GREENAUER DEVELOPMENT, INC., P. O. Box 250,

MEETING NO. 9
MAY 5, 1997

Springbrook, New York 14140-0250 (including regular and screened pickup by Town Vehicles); meeting specifications as per schedule attached and made a part hereof, AND

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7 Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, Contract "D" for the Digester Conversion Project at Plant #5 was awarded by Town Board resolution dated June 3, 1996 to Lackawanna Electric & Construction Company, Inc., 3021 Baker Road, Orchard Park, New York 14127 for a low bid price of \$31,343.00, AND

WHEREAS, Nussbaumer & Clarke, Inc., the Project Engineer and the Town Engineer have advised that work on the aforesaid contract has been completed in accordance with contract requirements, AND

WHEREAS, Nussbaumer & Clarke, Inc. and the Town Engineer further recommend the approval of Change Order #1 (final) which provides for modifications of the electrical system to supply a needed 277 V transformer and the final adjustment to contract item quantities as outlined in the change order document, NOW, THEREFORE, BE IT

MEETING NO. 9
MAY 5, 1997

RESOLVED, that Change Order #1 (final) for the aforementioned project in the amount of \$3,000 as an increase to the contract of Lackawanna Electric & Construction Company, Inc. of 3021 Baker Road, Orchard Park, New York 14127 be and hereby is approved and shall be chargeable to Account No. 5806-8135-1100 and, BE IT FURTHER

RESOLVED, that the Town Board accept the completed project as recommended by the Town Engineer and hereby authorizes the Town Supervisor to execute Change Order #1 and the final contract acceptance documents.

Upon roll call

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



MOTION BY COUNCILMEMBER ROGOWSKI, SECONDED BY SUPERVISOR GABRYSZAK TO DISPENSE WITH READING THE FIGURES IN THE FOLLOWING RESOLUTION, ITEM 8, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



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

BE IT RESOLVED, that the following recreational fees be established effective May 1, 1997 for the Summer 1997 and Fall/Winter 1997-98:

FEES IN (\$0.00) DENOTE 1996 FEE

YOUTH SOCCER

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
FIRST CHILD	\$38.00 (\$38)	\$52.00 (\$52)
EACH ADDITIONAL	\$28.00 (\$28)	\$42.00 (\$42)

Item No. 8 cont'd.

YOUTH SPORT CAMPS

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER WEEK/SPORT-first child	\$67.00 (\$38)	\$87.00 (\$66)
-second child	\$59.00 (NEW)	\$70.00 (NEW)
FOR 3 WEEKS/SPORT-first child	\$175.00 (NEW)	\$235.00 (NEW)
-second child	\$160.00 (NEW)	\$220.00 (NEW)

Transportation is available at a cost of \$10 per week. This service is available for residents only

LACROSSE

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
FIRST PARTICIPANT	\$48.00 (*)	\$64.00 (*)
EACH ADDITIONAL PARTICIPANT	\$41.00 (*)	\$58.00 (*)

DARTWOOD AND CEDAR GROVE DAY CAMPS

MEETING NO. 9
MAY 5, 1997

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD ALL 7 WEEKS	\$517.00 (\$489)	\$622.00 (\$594)
PER CHILD WEEKLY	\$81.00 (\$77)	\$96.00 (\$92)
SECOND CHILD ALL 7 WEEKS	\$497.00 (\$469)	\$602.00 (\$574)
SECOND CHILD WEEKLY	\$76.00 (\$72)	\$91.00 (\$87)

THE FEE FOR A THREE DAY WEEK IN ALL CAMPS IS \$66.00

CAMP FLAMINGO

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD ALL 6 WEEKS	\$424.00 (\$394)	\$514.00 (\$499)
PER CHILD WEEKLY	\$79.00 (\$87)	\$94.00 (\$102)
SECOND CHILD ALL 6 WEEKS	\$404.00 (\$374)	\$494.00 (\$479)
SECOND CHILD WEEKLY	\$74.00 (\$81)	\$89.00 (\$97)

CAMP JI-IK-DO-WAH-GAH

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD ALL 6 WEEKS	\$399.00 (\$299)	\$514.00 (\$490)
PER CHILD WEEKLY	\$79.00 (\$77)	\$94.00 (\$92)
SECOND CHILD ALL 6 WEEKS	\$379.00 (\$279)	\$494.00 (\$470)
SECOND CHILD WEEKLY	\$74.00 (\$71)	\$89.00 (\$87)

CAMP CRABAPPLE

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD ALL 6 WEEKS	\$339.00 (\$264)	\$454.00 (\$481)
PER CHILD WEEKLY	\$69.00 (\$67)	\$84.00 (\$82)
SECOND CHILD ALL 6 WEEKS	\$319.00 (\$244)	\$414.00 (\$461)
SECOND CHILD WEEKLY	\$64.00 (\$61)	\$79.00 (\$77)

TINY TOTS

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD	\$31.00 (\$27)	\$41.00 (\$37)
SECOND CHILD	\$28.00 (\$24)	\$38.00 (\$34)

THREE TO GET READY

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD	\$27.00 (\$24)	\$37.00 (\$34)
SECOND CHILD	\$24.00 (\$21)	\$34.00 (\$31)

Item No. 8 cont'd.

GYMNASTICS

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD	\$44.00 (\$34)	\$54.00 (\$44)
SECOND CHILD	\$39.00 (\$29)	\$49.00 (\$39)

TINY TUMBLERS

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD	\$24.00 (\$24)	\$34.00 (\$34)
SECOND CHILD	\$19.00 (\$19)	\$29.00 (\$29)

FRIDAY GYMNASTICS

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD	\$21.00 (\$27)	\$31.00 (\$37)
SECOND CHILD	\$16.00 (\$22)	\$26.00 (\$32)

MEETING NO. 9
MAY 5, 1997

1997 TWO WEEKS SHORTER THAN 1996

ADVANCED GYMNASTICS

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD	\$49.00 (\$39)	\$59.00 (\$49)
SECOND CHILD	\$44.00 (\$34)	\$54.00 (\$44)

GYMNASTICS CLASS

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER CHILD	\$56.00 (NEW)	\$66.00 (NEW)
SECOND CHILD	\$51.00 (NEW)	\$61.00 (NEW)

PRE K

1997 - 1998 SEPT - MAY	1996 - 1997 SEPT - MAY
\$298 IF PAID IN FULL AT REGISTRATION	(\$276)
\$159 INSTALLMENT PAYMENT AT REGISTRATION	(\$148)
\$159 INSTALLMENT DUE IN JANUARY 1998	(\$148)
ADDITIONAL FEE OF \$50 FOR NON-RESIDENTS	(\$50)

PUBLIC SKATE

GENERAL ADMISSION	\$3.00	(\$3)
	W/RESIDENT DISCOUNT CARD	
CHILDREN 3 AND UNDER	FREE	(FREE)
CHILDREN 4 TO 15	\$1.00	(\$1)
ADULTS 16 AND UP	\$2.00	(\$2)
SENIOR CITIZENS	\$1.00	(\$1)

LEARN TO SKATE

	<u>RESIDENT</u>	<u>NON-RESIDENT</u>
PER INDIVIDUAL	\$37.00 (\$33)	\$53.00 (\$49)

SKATE AND SHOOT

GENERAL ADMISSION	\$7.00 (\$7)
ADMISSION W/RESIDENT DISCOUNT CARD	\$5.00 (\$5)
FIRST 2 GOALIES	FREE (FREE)

Item No. 8 cont'd.

ICE RENTAL

PER HOUR	PRIME TIME	\$121.00 (\$118)	5:00 PM - 11:00 PM M - F all day Sat. and Sun.
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ICE HOCKEY

	<u>RESIDENT</u>		<u>NON-RESIDENT</u>	
	HOUSE	TRAVEL	HOUSE	TRAVEL
NOVICE	\$185 (\$160)	N/A	\$360 (\$310)	N/A
MITE	\$235 (\$210)	\$350 (\$310)	\$410 (\$360)	\$525 (\$460)
SQUIRT	\$295 (\$270)	\$370 (\$330)	\$470 (\$420)	\$545 (\$480)
PEE WEE	\$325 (\$300)	\$350 (\$350)	\$500 (\$450)	\$565 (\$500)
BANTAM	\$355 (\$330)	\$420 (\$380)	\$530 (\$480)	\$595 (\$530)
MIDGET	\$445** (\$420)	\$340 (\$300)	\$620** (\$570)	\$515 (\$450)

MEETING NO. 9
MAY 5, 1997

MIDGET TRAVEL MAY GO TO FULL SEASON IN 1997-98 SEASON, CURRENT PRICES FOR THIS LEVEL ARE BASED ON 1/2 SEASON. COST WOULD GO TO \$520 FOR RESIDENT AND \$695 FOR NON-RESIDENTS.

**** NO TRAVEL OR HIGH SCHOOL PLAYERS**

- SECOND CHILD ENROLLED FROM FAMILY \$25.00 REDUCTION
- THIRD CHILD ENROLLED FROM FAMILY \$50.00 REDUCTION
- 1997 - 98 TRAVEL TRY-OUT FEE- \$7.00

RESIDENCY IS DEFINED AS PER LOCAL LAW NO. 1 OF THE YEAR 1988, WHICH STATES "RESIDENCY -- THE ACTUAL DOMICILE OF AN INDIVIDUAL, WHICH HE OR SHE ACTUALLY PHYSICALLY USES OR OCCUPIES FOR LIVING PURPOSES, THAT IS, WHERE HE OR SHE NORMALLY EATS, SLEEPS AND MAINTAINS USUAL PERSONAL AND HOUSEHOLD EFFECTS".

Upon roll call

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

Item No. 9 Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, Borden Road is a County highway maintained by the Erie County Department of Public Works, Division of Highways ("County DPW"), AND

WHEREAS, traffic signals exist on Borden Road at its intersections with Como Park Boulevard, Losson Road and French Road in the Town of Cheektowaga, AND

WHEREAS, these traffic signals were erected pursuant to a permit issued to the Town by the County DPW, AND

WHEREAS, four years ago, the Town of Cheektowaga conducted a review of the Borden Road traffic signals, and it was determined that work on such signals was needed to improve traffic flow and safety in this area of Town, AND

WHEREAS, the Town thereafter requested the County DPW and other governmental agencies to supply the necessary funding to improve such signals, AND

WHEREAS, in response to the Town's request, the County DPW applied for and has now received Federal CMAQ (congestion mitigation and air quality) funding for a signal replacement and coordination project along Borden Road at a total estimate cost of \$350,000, AND

Item No. 9 cont'd.

WHEREAS, a 20% local match is required for this traffic signal project, AND

WHEREAS, the County DPW has notified the Town that it is the Town's responsibility to provide local matching funds in the amount of \$70,000 for this project, AND

WHEREAS, the Town has also been notified that State Marchiselli funds may be available to reduce the local match to 5% (\$17,500), NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby commits to pay the local share for the above referenced traffic signal project out of budget line item number 5704-1400-9606 in an amount not to exceed \$70,000 and, BE IT FURTHER

RESOLVED, that the County DPW be and hereby is requested to either apply directly for State Marchiselli funds for this project or assist the Town in applying for such funds should they become available to reduce the Town's local match for this project and, BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes State Assemblyman Paul A. Tokasz and State Senator William T. Stachowski to secure State Marchiselli fundings to assist the Town with its local match for this project and, BE IT FURTHER

MEETING NO. 9
MAY 5, 1997

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the County DPW, c/o Earl E. Dubin, Traffic Engineer; State Assemblyman Paul A. Tokasz; and State Senator William T. Stachowski.

Upon roll call

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

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

WHEREAS, the Niagara Frontier Transportation Authority ("NFTA"), as part of the Greater Buffalo International Airport ("GBIA") Improvement Program, is performing street lighting modifications along Genesee Street and Cayuga Road, AND

WHEREAS, as part of such modifications, street lights will be moved outside of the highway rights-of-way, resulting in a need for the Town to obtain an easement from the NFTA on GBIA property, AND

WHEREAS, the NFTA has agreed to grant the Town an easement for these street light standards and electrical wiring, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned easement from the NFTA, and authorizes and directs the town Supervisor to execute same 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, Johnson,
Swiatek, and Jankowiak
NAYES: 0
ABSENT: Councilmember Blachowski

Item No. 10b Motion By Councilmember Rogowski, Seconded by Councilmember Johnson

WHEREAS, as part of the approval process for the construction of an automobile parts store at 1200 French Road, a sidewalk easement was requested by the Town for a portion of sidewalk to be located on French Road at Borden Road, AND

Item No. 10b cont'd.

WHEREAS, the owner of such property has executed and offered such sidewalk easement to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned sidewalk easement over 1200 French 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.

Upon roll call

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

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

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

MEETING NO. 9
MAY 5, 1997

WHEREAS, the Southline Athletic Association has made application to hold its Opening Day Ceremonies and Parade on May 26, 1997 beginning at 9:00 A.M.; said parade will begin at the Garden Village Plaza; proceed east on French Road to Towers; then north on Towers to North Seine ball diamonds, AND

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Southline Athletic Association for its Opening Day ceremonies and parade to be held on May 26, 1997 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, Johnson, Swiatek, and Jankowiak
NAYES: 0
ABSENT: Councilmember Blachowski

Item No. 12 Motion By Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, legislation went into effect on January 9, 1997 that Chapter 309 of the Laws of 1996, sections 422 through 428, delegate the responsibility for statewide enforcement of charitable fundraising ticket activity (bell jar tickets) to the New York State Racing and Wagering Board, AND

WHEREAS, each municipal clerk will continue to accept, review and issue bell jar license applications pursuant to existing provisions of the General Municipal Law, AND

WHEREAS, the NYS Wagering and Racing Board has arbitrarily taken over receipt of the additional license fee for bell jar operations, and there was no input on a local level on the changes. Local governments will lose needed revenue and the local organizations will lose revenue by the increase in additional fees, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board protests this administrative change resulting in an annual loss of revenue to the Town of Cheektowaga in excess of \$5,000.00 and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Governor George Pataki, State Senator William T. Stachowski, State Assemblyman Paul Tokasz, and NYS Wagering and Racing Board.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, and Jankowiak
NAYES: 0

MEETING NO. 9
MAY 5, 1997

ABSENT: Councilmember Blachowski

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

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, Johnson, Swiatek, and Jankowiak

NAYES: 0

ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

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

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

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

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

AND, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 9
MAY 5, 1997

Item No. 14a Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, a housing rehabilitation loan was previously approved for the owner of 58 Meadowbrook Parkway, Cheektowaga, New York, AND

WHEREAS, an amendment to increase the loan by the amount of \$18,207.00 is required to cover the cost of additional unforeseen repair work, the need for which was discovered during rehabilitation, AND

WHEREAS, the Community Development Director has recommended approval of said loan amendments, NOW, THEREFORE, BE IT

RESOLVED, that an amendment to the original housing rehabilitation loan agreement for 58 Meadowbrook Parkway, to increase said loan by the amount of \$18,207.00 is hereby approved and BE IT

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign said loan amendment, the cost of which is chargeable to the Community Development Block Grant Housing Rehabilitation budget.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Blachowski

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

MEETING NO. 9
MAY 5, 1997

WHEREAS, the State DOT is widening Transit Road in the area of Madeira Drive in the Town, and is requiring the various utility companies to relocate their lines, AND

WHEREAS, New York State Electric & Gas Corporation ("NYSEG") must relocate its lines along this area of Transit Road, AND

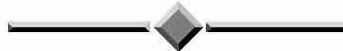
WHEREAS, the Town of Cheektowaga owns two parcels of property along this section of Transit Road just south of Madeira Drive, which parcels are used for a detention basin, AND

WHEREAS, NYSEG has requested a 15 foot wide easement along the east/front side of the aforesaid Town parcels to relocate its lines, AND

WHEREAS, the Town Engineer has reviewed this request and has stated that the granting of this easement to NYSEG would not interfere with the Town's use of this property provided that NYSEG's Pole #56 be moved to the north line of Town Parcel SBL #115.17-3-24.2, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes and directs the Supervisor to execute the attached easement agreement as modified, as suggested by the Town Engineer, with NYSEG 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 Cheektowaga Times.



NOTICE OF ADOPTION OF RESOLUTION

SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town board of the Town of Cheektowaga, on May 5, 1997, adopted a resolution authorizing the granting of a utility easement to New York State Electric & Gas Corporation for the construction and maintenance of a utility pole, cables, wires and Item No. 14b cont'd.

other fixtures over and across property owned by the Town of Cheektowaga located on Transit Road just south of Madeira Drive (Madeira Detention Basin) in the Town of Cheektowaga.

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

TAKE FURTHER NOTICE that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

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

Dated: May 5, 1997

Richard M. Moleski
Town Clerk



Upon roll call

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

NAYES: 0

ABSENT: Councilmember Blachowski

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 9
MAY 5, 1997

Item No. 14c Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

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

WHEREAS, there are two (2) traffic signals on Union Road (Nos. 361S and 252) in front of Cheektowaga Central Schools, which signals were erected under DOT permits issued to the Town of Cheektowaga, AND

WHEREAS, the DOT is progressing a project to improve signal coordination on Union Road, and, pursuant to the terms of the DOT permit issued to the Town for the aforementioned two (2) traffic signals, the Town is required to upgrade such signals, AND

WHEREAS, the DOT has notified the Town that it will perform the necessary modification and upgrade on these signals provided that the Town enters into a signal maintenance agreement with the DOT, AND

WHEREAS, such signal maintenance agreement would require the Town to pay the DOT annually the sum of \$1,250 per upgraded signal and pay all energy charges, AND

WHEREAS, it would be more advantageous to the Town to enter into the aforesaid maintenance agreement with the DOT rather than to do the work ourselves, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned traffic signal maintenance agreement with the DOT and, BE IT FURTHER

RESOLVED, that annual maintenance fees required pursuant to this agreement shall be appropriated from budget line item number 3310-4476; and energy charges shall be paid from budget line item number 3310-4317.

Upon roll call

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

NAYES: 0

MEETING NO. 9
MAY 5, 1997

ABSENT: Councilmember Blachowski

Item No. 14d Motion By Councilmember Johnson, Seconded by Unanimous

WHEREAS, the Pfohl Brothers Landfill Site (the "Site") located in the Town of Cheektowaga ("Town") was operated between the late 1930's and 1969 by members of the Pfohl family as a commercial landfill for the disposal of municipal, industrial and commercial wastes; AND

WHEREAS, prior to 1952 the then existing refuse and garbage districts of the Town, and subsequent thereto the Consolidated Refuse and Garbage District of the Town utilized the Site for the disposal of municipal wastes; AND

WHEREAS, the New York State Department of Environmental Conservation ("DEC") has listed the Site on the State Registry of Inactive Hazardous Waste Disposal Sites as a Class 2 Inactive Hazardous Waste Disposal Site; AND

WHEREAS, the Town was advised by the DEC that, pursuant to the New York Environmental Conservation Law ("ECL") and federal Comprehensive Environmental Response, Compensation and Liability Act of 1980 ("CERCLA"), that the Town was a potentially responsible party ("PRP") liable for the costs of remediating the Site due to the previous disposal of municipal wastes; and

WHEREAS, the DEC has also designated various corporate parties of PRPs with regard to their use of the Site for the disposal of commercial and industrial wastes, including, but not limited to, Allied Signal, Inc., American Standard, Inc., Browning-Ferris Industries of New York, Inc., Buffalo Forge Company, Buffalo Pumps, Inc., Calspan Corporation, The Carborundum Company, Curtiss-Wright Corporation, Dresser Industries, Inc., E.I. duPont de Nemours & Co., Ford Motor Company, General Motors Corporation, Laidlaw Waste Systems, Inc., Lancaster Stone Products
Item No. 14d cont'd.

Corporation, Litton Systems, Inc., New York State Electric & Gas Corporation, Niagara Mohawk Power Corporation, Occidental Chemical Corporation, Textron, Inc., Products Corporation, Warner-Lambert, Inc., Waste Management of New York, Inc., and Westinghouse Electric Corporation (the "Corporate PRPs"); AND

WHEREAS, DEC issued a Pfohl Brothers Landfill Record of Decision ("ROD") requiring a three-phased approach to the clean-up of the Site consisting of: (1) Interim Remedial Measures ("IRM") to excavate and remove buried drum waste and associated contaminated media; (2) an Off-Site Remedial Investigation to assess the extent of the migration of contaminants, if any, from the Site; and (3) a Remedial Action ("RA") consisting of the capping of the Site to eliminate the threat of the release of contaminants, along with the construction and operation of systems to collect, treat and dispose of Site groundwater; AND

WHEREAS, the Corporate PRPs formed an unincorporated association (the "Steering Committee") and entered into an Order On Consent (the "Order") with DEC to perform the IRM and reimburse the State of New York for costs previously incurred for the remediation of the Site; AND

WHEREAS, the Steering Committee has expended in excess of Three Million Nine Hundred Thousand Dollars (\$3,900,000) in performing the IRM pursuant to the Order; AND

WHEREAS, in September of 1995 the Steering Committee and the Town commenced discussions regarding the contribution to be made by the Town toward the RA phase of the remediation of the Site; AND

WHEREAS, the Steering Committee requested that the Town provide various required operation and maintenance ("O&M") services as an in-kind contribution for the implementation of the RA (the "Initial Proposal"); AND

WHEREAS, an evaluation of the Initial Proposal by counsel and engineers retained by the Town disclosed that a disproportionate share of the expense of the RA would be borne by the Town pursuant to the Initial Proposal; AND

WHEREAS, the Steering Committee was required by the Town to substantially modify the RA for the Site to reduce the O&M costs associated with the Initial Proposal; AND

MEETING NO. 9
MAY 5, 1997

WHEREAS, in November of 1995 the Steering Committee filed a complaint in the Western District Court seeking to recover from the Town past and future remedial response costs for the clean-up of the Site pursuant to sections 107 and 113 of CERCLA)the "Cost Recovery Action"); AND

WHEREAS, as a result of the filing of the Cost Recovery Action all negotiations between the Town and the Steering Committee regarding the allocation of RA costs for the Site were suspended; AND

WHEREAS, the Town filed an answer to the Cost Recovery Action complaint on February 20,1996; AND

WHEREAS, the Hon. Richard J. Arcara Judge, U.S. District Court, entered a Case Management Order ("CMO") for the Cost Recovery Action which limited the initial phase of discovery to a determination of the extent to which the Town utilized the Site for the disposal of municipal wastes; AND

WHEREAS, CERCLA is a strict liability statute which provides limited defenses to a party such as the Town designated as a PRP liable for the payment of response costs; AND

WHEREAS, an analysis of relevant judicial precedents performed by retained environmental and defense counsel indicated that the Town could be allocated a substantial share of the costs of the RA for the Site in the event that the Cost Recovery Action were to proceed to a trial in the Western District Court before Judge Arcara; AND

Item No. 14d cont'd.

WHEREAS, the Steering Committee and the Town agreed to suspend the Cost Recovery Action in order to devote renewed efforts to the negotiation of a mutually acceptable RA allocation; AND

WHEREAS, the Steering Committee has accepted the settlement proposal (the "O&M settlement") of the Town which serves to substantially reduce the RA costs for the Site to be borne by the Town; AND

WHEREAS, the O&M Settlement will terminate the Cost Recovery Action litigation pending in the Western District Court; AND

WHEREAS, counsel has prepared an O&M Settlement Agreement which has been reviewed and analyzed by engineers and accountants retained by the Town; AND

WHEREAS, the Town Attorney, Town Engineer and Supervising Accountant have reviewed and analyzed the negotiated O&M Settlement Agreement, and they, along with retained environmental counsel, environmental engineers and outside accountants, recommend the acceptance of such Agreement; AND

WHEREAS, the O&M Settlement Agreement has been executed by the Steering Committee and the Corporate PRPs; AND

WHEREAS, this resolution and the O&M Settlement Agreement are excluded from the application of SEQR review, AND

WHEREAS, there is a need for the Town to proceed with the execution of the O&M Settlement Agreement, NOW, THEREFORE, BE IT

RESOLVED, that the Town hereby agrees to and accepts the O&M Settlement Agreement with the Steering Committee and, BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed on behalf of the Town to sign the O&M Settlement Agreement with the Steering Committee.

Upon roll call

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

NAYES: 0

MEETING NO. 9
MAY 5, 1997

ABSENT: Councilmember Blachowski

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 as listed:

EFFECTIVE

SEWER MAINTENANCE DEPARTMENT

Jamie Feldman	Immediately
Jason Mueller	Immediately
Steven Russ	Immediately

Upon roll call

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

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

WHEREAS, the Town Board of the Town of Cheektowaga has previously created a corporation known as the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging economic development within the Town, AND

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

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

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

RESOLVED, that the following individuals are hereby reappointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately for a term of three years and expiring at a time of reappointment to said Board of Directors positions but no later than May 31, 2000: Joseph Funk, David Cutting, Richard Cielinski, Robert Buczynski, William Scarafia and William Kuropatwinski.

Upon roll call

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

Item No. 17 Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be transferred, at the hourly salary rate (A) indicated: (seasonal, effective May 12th), AND

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

From Adapted Recreation 7310.1803 to: 1) Camp Flamingo (7310.1810) May 12th - August 10th; to 2) Camp Aloha (7310.1802) at a salary classification for the week of August 11th - 17th; to 3) Adapted Recreation (7310.1803) August 18th - October 26th:

MEETING NO. 9
MAY 5, 1997

Deborah Ann Fleetwood
Program Coordinator

- A. \$ 11.50
- B. \$370.00

Leanne Fischer
Supervisor VI (Activity Director IV)

- A. \$ 7.25
- B. \$275.00

From Adapted Recreation 7310.1803 to: 1) Camp Crabapple (7310.1802) May 12th - August 10th; to 2) Camp Aloha (7310.1802) August 11th - August 17th; to 3) Adapted Recreation (7310.1803) August 18th - October 26th:

Barbara Walters
Senior Recreation Supervisor
(Assistant Program Coordinator/Nurse)

- A. \$ 9.00
- B. \$290.00

Item No. 17 cont'd.

Kim Szucz
Activity Director I

- A. \$ 6.50
- B. \$270.00

Amy Tomaka
Supervisor III (Activity Director I)

- A. \$ 6.50
- B. \$270.00

From Adapted Recreation (7310.1803; to: 1) Camp JI-IK-DO-WAH-GAH (7310.1801) May 12th - August 10th; to: 2) Camp Aloha (7310.1802) August 11th - August 17th; to: 3) Adapted Recreation (7310.1803) August 18th - October 26th:

Victor Nosal
Supervisor (Activity Director II)

- A. \$ 6.75
- B. \$270.00

Maggie Wnuk
Supervisor (Activity Director II)

- A. \$ 6.75
- B. \$270.00

Trever Stowell
Supervisor (Activity Director II)

- A. \$ 6.75
- B. \$270.00

BE IT RESOLVED, that those listed above revert to their part-time status, effective October 27, 1997, AND

BE IT RESOLVED, that the following Youth and Recreation employees be upgraded in the line indicated and that they also be transferred from part-time to seasonal, effective May 12th:

Camp Cedargrove - 7140.1631

MEETING NO. 9
MAY 5, 1997

Site Director II - \$6.75
Dawn Smith

Counselor II - \$5.00
Jamie Lynn Hoffman

Counselor III - \$5.25
Ian Wienclawski

Camp Dartwood - 7140.1632

Site Director I - \$6.50
Dawn Zilbauer

From Recreation Attendants - 7140.1614 to Camp Dartwood - 7140.1632
From Recreation Attendant II to Counselor II - \$5.00
George Hunger
Christopher Maciok

Item No. 17 cont'd.

From Recreation Attendants - 7140.1614 to Camp Flamingo - 7130.1810
From Recreation Attendant II to Counselor II - \$5.00
Shannon DiSanto

BE IT RESOLVED, that the following individuals be transferred as indicated (part-time to seasonal, effective May 12th):

From Adapted Recreation Program - 7310.1803 to Camp JI-IK-DO-WAH-GAH - 7310.1801
Stephanie Albano
Breanne Blachura
Stacey Getz
Tim Isch
Mindy Kieser
Laura Zlotek

From Adapted Recreation 7310.1803 to Camp Crabapple - 7310.1802
Gayle Bosiacki
Amy Conner
Samantha Schanne

From Adapted Recreation - 7310.1803 to Camp Flamingo - 7310.1810
Dana Abendschein
Sandra Bentz
Sarah Broton
Sarah Miga
Daniel Quigley

From Recreation Supervisors - 7140.1613 to Camp Dartwood - 7140.1632
Jennifer Garrison

From Part-Time to Seasonal
Effective May 12th

Administrative Interns - 7310.1804
Angela Krzemien

Soccer - 7140.1636
Lynne Butts
Tony Pierino
Cheryl Stucke

Upon roll call

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

MEETING NO. 9
MAY 5, 1997

NAYES: 0
ABSENT: Councilmember Blachowski

Item No. 18a Motion By Councilmember Swiatek, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are hired as PART-TIME employees, in the various departments listed, not to exceed 19 hours on a weekly basis, in compliance with the provisions of the Town's collective agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

EFFECTIVE

POLICE DEPARTMENT - \$5.00 per hour

Linda Wnuk	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
Elizabeth Schmidt	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97

and, BE IT FURTHER
Item No. 18a cont'd.

RESOLVED, that Suzanne DeFields, hired as a seasonal employee in the Tax Office, be and hereby is transferred as a Part-Time employee in the Accounting/Payroll Department, effective immediately and, BE IT FURTHER

RESOLVED, that Lori Lacey, a part-time employee in the Police Department, be and hereby is transferred as a Seasonal employee in the title of Recreation Instructor V in the Youth and Recreational Services Department. at the salary of \$6.00 per hour, effective immediately.

Upon roll call

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

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

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

New Programs - 7140.1813 (Sports Camp)

Recreation Attendant II - \$5.00

Teri-Ann Duszynski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jason Wheeler	XXXXXXXXXXXXXXXXXXXX	XXXXX
Amy Wojdyla	XXXXXXXXXXXXXXXXXXXX	XXXXX

Soccer - 7140.1636

Recreation Attendant III - \$5.25
(retroactive to April 26, 1997)

Chris Bandura	XXXXXXXXXXXXXXXXXXXX	XXXXX
Marisa Fallacaro	XXXXXXXXXXXXXXXXXXXX	XXXXX

Upon roll call

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

Item No. 18c Motion By Councilmember Swiatek, Seconded by Councilmember Jankowiak

MEETING NO. 9
MAY 5, 1997

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 - \$6.00 per hour (0100-7110-1491)

Mark Wood	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
Jarrett Sinclair	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
Ronald Kaczmarek	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
Justin Keating	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
Ronald Sobocinski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97

FACILITIES DEPARTMENT - \$6.00 per hour (0100-7110-1493)

Michael Papero	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
<u>Item No. 18c cont'd.</u>		

RECYCLING DEPARTMENT - \$6.00 per hour

George Principe	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
Jason Jacks	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
Thomas Porto	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	5-06-97
Eric Ziarnowski	XXXXXXXXXXXXXXXXXXXX	5-06-97

Upon roll call

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

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

WHEREAS, the Binghamton Police Department is hosting an annual Advanced K-9 Handlers and Street Survival Seminar in Binghamton, New York on May 18th through May 23rd, 1997.

WHEREAS, Chief Chamberlin is requesting authorization to send K-9 Officer Daniel Smith to this training. Officer Smith has been requested to attend this training as an instructor therefore, the Binghamton Police Department will cover his expenses. The Cheektowaga Police Department K-9 vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

RESOLVED, that Office Smith is authorized to attend this training and that the time spent is authorized as normal duty time.

Upon roll call

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

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

WHEREAS, the 5th Annual Western New York Regional Prevention Education Conference will be held May 14th and 15th at Daemen College, AND

WHEREAS, said conference will feature local and national presenters, interactive forums, panel presentations and resource displays all focusing on substance abuse issues, with special emphasis on the increase in youth marijuana abuse, AND

WHEREAS, direct prevention funds from the Town's Suburban Wellness grant have been utilized to co-sponsor said conference, AND

MEETING NO. 9
MAY 5, 1997

WHEREAS, three staff members from the Suburban Wellness grant are desirous of attending said conference in the interest of it serving as staff development, NOW, THEREFORE, BE IT

RESOLVED, that Project Director, Ellen Fischer and Program Coordinators Lois Friedrich and Gabrielle Coyne be authorized to attend the "Reality Check" conference May 14th & 15th at Daemen College, with total registration travel and meal costs not to exceed \$270.00 (0100-7321-4000).

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Blachowski

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Building Permits
Received and Filed.

Item No. 21a Minutes of Cheektowaga Public Library Board - March 26, 1997
Received and Filed.

Item No. 21b Minutes of Cheektowaga Planning Board - April 10, 1997
Received and Filed.

Item No. 22 Supervisor's Statement of Funds - March 1997
Received and Filed.

Item No. 23 Motion By Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn this meeting in memory of Sister Mary Augustina Sliwinski, a long time nun at the Villa Maria Convent. This meeting adjourned at 7:55 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 19th day of May, 1997 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; Ronald Marten, Supervising Building and Plumbing Inspector; Sal LaGreca, Planning Board Chairman; Robert Kaczmarek, Supervising Accountant; William Conway, Assessor; Bruce Chamberlin, Chief of Police; Robert McCarthy, Director of Employee Relations; Len Szymanski, Foreman in Facilities Department.

I. PUBLIC HEARINGS

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

ARTICLE X

Parking, Standing and Stopping

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

A. No parking this side or one side parking

Wellworth Place	South Side	from west curb of Union Road to the east side of Meadow Road
Alexander Avenue	East and west sides	one hundred (100) feet north of Straley Avenue
Alexander Avenue	West side	from north curb of Walden Avenue to south line of Straley Avenue
Straley Avenue	North side	from west curb of Harlem Road to east line of Gualbert Street
Linda Drive	East side and south side	from east line of Colden Court to south curb of Maryvale Drive

B. No parking anytime

Crabapple Lane	North side	from the north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to and including the cul-de-sac
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Item No. 2 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

Crabapple Lane	South side	from the north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to and including the cul-de-sac
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C. No parking here to corner

Straley Avenue	South side	from west curb of Harlem Road to 309 Straley Avenue
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Straley Avenue	South side	from the west curblines of Woodell Avenue to a point fifty (50) feet westerly thereof
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Section 76-103 shall be amended by deleting therefrom the following:

A. Parking signs: restricted and time limit

a. No parking school days 7:30 a.m. to 4:00 p.m.

Alexander Street	West side	from the north curblines of Doat Street to a point seventy-five (75) feet, plus or minus therefrom
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Section 76-102 shall be amended by adding thereto the following:

B. No parking anytime

Alexander Avenue	East side	from north curblines of Walden Avenue north to its terminus
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Straley Avenue	South side	from west curblines of Harlem Road to east curblines of Gualbert Avenue
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Straley Avenue	North side	from west curblines of Ridge Park Avenue to a point sixty five (65) feet west and from east curblines of Ridge Park Avenue to a point sixty five (65) feet east
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Straley Avenue	North side	from west curblines of Alexander Avenue to a point forty (40) feet west and from east curblines of Alexander Avenue to a point forty (40) feet east
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Straley Avenue	North side	from east curblines of Gualbert Avenue to a point sixty (60) feet east
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Ridge Park Avenue	West side	from north curblines of Straley Avenue to north curblines of Greenleaf Lane
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Linda Drive	North side & side	from south curblines of Maryvale Drive to east west curblines of Colden Court
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Crabapple Lane	South side	from north curblines of Losson Road northeast to its terminus to include the cul-de-sac
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French Road	North side	from the east curblines of Fradine Drive to a point sixty (60) feet east
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Union Road Lateral	East side	from the dead end at 4620 Union Road to the dead end at 4714 Union Road
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Wellworth Place	South side	from a point one hundred twenty (120+) feet west of the west curblines of Union Road to the east curblines of Meadow Place
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Item No. 2 cont'd

Section 76-103 shall be amended by adding thereto the following:

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

A. Parking signs: restricted and time limit.

Alexander Avenue	West side	from north curbline of Doat Street to a point one hundred fifty (150) feet north, no parking school days 7:00 A.M. to 4:00 P.M.
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The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved.

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

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

GENERAL FUND

FROM:	0100-7320-4000 Contractual Expenses	\$ 620.00
TO:	0100-7320-1100 Project Director	\$ 620.00

SPECIAL DISTRICT FUND

FROM:	1500-8173-4475 NOREC	\$ 3,500.00
	1500-8160-4468 Compost	\$10,000.00
TO:	1500-8160-4475 Consulting	\$13,500.00

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to May 16, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$ 626,826.79
HIGHWAY FUND	321,636.30
TRUST & AGENCY	124.06
PART TOWN FUND	4,220.98
RISK RETENTION FUND	58,857.60
CDBG HUD FUND	77.73
HUD HOUSING REHABILITATION FUND	905.00
SPECIAL DISTRICTS FUND	648,422.07
CAPITAL FUND	<u>661,362.59</u>
	\$2,322,433.12

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

Item No. 5a Negative Declaration - S.E.Q.R. - 1551 Harlem Road
This item was withdrawn.

Item No. 5b Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

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

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

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

WHEREAS, an application was submitted by Marvin Ginsberg, Architect, as agent of Wilbert Vault of WNY to erect a 6000± square foot addition to the facility at 805 Rein Road, and

WHEREAS, no further construction or addition is contemplated for the future, and

WHEREAS, the plan was revised to include landscaping along both Rein Road and the north lot line, and

WHEREAS, the property owner is preparing to present an easement along Ellicott Creek to the Town, and

WHEREAS, the Fire Inspector has indicated an aboveground fuel tank must be brought into compliance with Town, State and Federal regulations, and

WHEREAS, the applicant's agent was informed that no building permit would be issued until the tank is in compliance, and

WHEREAS, the Advisory Committee, at its meeting held on May 7, 1997 rendered the determination shown on the attached memo dated May 8, 1997, 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. 6a Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, J.J. Juliano has made application and requested the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District for property located at 3788 Broadway, NOW, THEREFORE, BE IT

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 2, 1997 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Sportsway Limited DBA The Ski Sale, Inc. has made application and requested the rezoning from M1-Light Manufacturing District to C-Retail Business District for property located at 25 Gardenville Pkwy., NOW, THEREFORE, BE IT

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 2, 1997 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

AFFIDAVIT - NEXT PAGE

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Item No. 7 Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

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

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

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

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

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

ORDERED that the owners of properties listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before June 23, 1997 in accordance with the Town's Streets and Sidewalks Ordinance, and BE IT FURTHER

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

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



NOTICE OF ADOPTION OF ORDER

OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE that, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on May 19, 1997, YOU ARE HEREBY ORDERED to repair/replace the sidewalks in need of repair or replacement abutting the front of your property.

Such work must be completed on or before June 23, 1997.

In the event you choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done, and will audit and pay the expense of doing such work and assess 50% of the expense thereof (including interest at the rate of 6.00%) against your property in two (2) annual installments; this amount will be added to your Town tax bills for the next (2) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so within 30 days after you are billed for the amount you owe for the sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$26.00 per 20-square foot block of sidewalk, which amount is one-half of the estimated total cost per block.

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

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

Dated: May 19, 1997

RICHARD M. MOLESKI
Town Clerk

Item No. 7 cont'd

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

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

Item No. 8 Motion by Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, as a result of advertisement, bids were received on May 7, 1997 for the furnishing of one (1) ice rink resurfacing machine for the Cheektowaga Recreation Center, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Allan Blachowski, Principal Engineer, to the Town Board dated May 8, 1997, NOW, THEREFORE, BE IT

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

RESOLVED that the contract for the furnishing of one (1) ice rink resurfacing machine be awarded to Charles R. Mueller & Sons, Inc. 21500 Gratiot Avenue, East Pointe, Michigan 48021 for submission of the lowest bid meeting the requirements of the specifications in the amount of \$49,325.00, and BE IT FURTHER

RESOLVED that funds have been budgeted for said ice rink resurfacers in Account No. 5709-7110-9704.

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

**See next page(s) for attachments

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

WHEREAS, the Town of Cheektowaga is sponsoring five (5) summer day camps for children (Camp Crabapple, Camp JI-IK-DO-WAH-GAH), Camp Flamingo and the Dartwood and Cedargrove Heights Variety Pak Camps), from June 30th - August 16, 1997, and

WHEREAS, it is necessary that bus transportation be provided to transport these children to and from Camp Crabapple, Camp JI-IK-DO-WAH-GAH, Camp Flamingo and the Dartwood and Cedargrove Heights Variety Pak Camp, and

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of the aforesaid bus transportation to be provided from June 30th through August 16, 1997; said notice to be published in the May 22, 1997 issue of the CHEEKTOWAGA TIMES, and BE IT FURTHER

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

RESOLVED that the Cheektowaga Town Clerk is hereby designated to publicly open and read sealed bid proposals at 11:00 a.m. on Wednesday, June 4, 1997.



NOTICE TO BIDDERS

Sealed proposals will be received at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 11:00 a.m. Eastern Daylight Savings Time on Wednesday, June 4, 1997 for the furnishing of daily transportation to and from four (4) day camp programs for children to be located at the Alexander Community Center, 275 Alexander Avenue (near Straley Avenue), Cheektowaga, New York. Included in the bid should be the use of four full size school buses. Children will be transported from the Cheektowaga, Sloan and Depew area to the camp site and vice versa, Monday through Friday, beginning June 30th, 1997 through August 8, 1997. Arrival time at camp is scheduled for 9:30 a.m. Dismissal and take home is scheduled for 2:30 p.m. Also included in the bid should be transportation for the Alexander Day Camp's five (5) weekly field trips to and from various points of interest in the Western New York area.

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

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

Information for bidders may be obtained from the camps' Program Coordinator at the Cheektowaga Youth and Recreational Services Department (275 Alexander Avenue) in said Town.

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

RICHARD M. MOLESKI
Town Clerk



Item No. 9a cont'd

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

AFFIDAVIT - NEXT PAGE

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

Item No. 9b Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, this Town Board has previously authorized the preparation of plans and specifications for the construction of the Homeworth Parkway Sanitary Sewer Replacement Project, and

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

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the construction of the Homeworth Parkway Sanitary Sewer Replacement Project, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

RESOLVED that sealed bids will be received on the 4th day of June, 1997 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 4th day of June, 1997, at 11:00 A.M., Local Time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for the Homeworth Parkway Sanitary Sewer Replacement Project, complete, in place, and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Instructions to Bidders, etc., prepared by Nussbaumer & Clarke, Inc., Consulting Engineers for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Engineers at 3556 Lake Shore Road, Suite 500, Buffalo, New York 14219. Copies may be secured at the office of Nussbaumer & Clarke, Inc., upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, marked as "Proposal for the Homeworth Parkway Sanitary Sewer Replacement Project."

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

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

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

Item No. 9b cont'd

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

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

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

The work shall be completed within 90 consecutive calendar days, to begin five (5) days after the "Order of Commence Work" has been issued.

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

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

RICHARD M. MOLESKI, Town Clerk

Dated: May 19, 1997

Published: May 22, 1997



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

AFFIDAVIT - NEXT PAGE

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

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

WHEREAS, the North Cheektowaga Amateur Athletic Association has made application to hold its parade on June 1, 1997 beginning at 1:00 p.m., on Nagel Drive at Maryvale Primary School; then proceed down Nagel to George Urban Boulevard; then proceeding to Union Road, and

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

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

1. Submittal of plan for sanitary facilities

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the North Cheektowaga Amateur Athletic Association for its parade to be held on June 1, 1997, and BE IT FURTHER

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

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

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

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

WHEREAS, the War of 1812 Cemetery Board of Trustees has made application to hold its War of 1812 parade on June 8, 1997; such parade beginning at the corner of Aero Drive and Wehrle Drive; then proceeding down Aero Drive to the War of 1812 Cemetery, and

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

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

1. Submittal of plan for sanitary facilities
2. Submittal of site plan
3. Requirement that application be made at least 60 days prior to the date of the special event
4. Submittal of Security Plan
5. Submittal of Fire Prevention/Emergency Services Plan
6. Requirement for insurance certificate and execution of Indemnification Agreement

Item No. 10b cont'd

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the War of 1812 Cemetery Board of Trustees for its parade to be held on June 8, 1997, and BE IT FURTHER

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

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

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

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

WHEREAS, the Cheektowaga Youth and Recreation Department is sponsoring the Cedargrove Heights Variety Pak Camp, a day camp for children in the Cedargrove and surrounding areas, and

WHEREAS, the Camp is being held in the Cheektowaga Masonic Center, 97 Lucid Drive, Cheektowaga, New York, and

WHEREAS, the Youth and Recreation Department and the Cheektowaga Masonic Center have agreed to terms of a rental fee of \$1,500.00 for the seven week period, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is authorized to sign an agreement between the Town of Cheektowaga and the Cheektowaga Masonic Center for the period of June 30, 1997 - August 15, 1997.

BUDGET LINE: 7140.4516

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

Item No. 11b Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga, through its Community Development Office, previously remitted moneys to Alicia M. Summers for work to be done on her home located at 2848 Harlem Road; and was granted a mortgage on such property, and

WHEREAS, the State of New York Department of Transportation ("DOT") appropriated a four foot strip of property fronting on 2848 Harlem Road for purposes of widening Harlem Road and has requested the Town to execute an Assignment of Claim and Release relating to the acquisition of this property, and

WHEREAS, the Office of Community Development has stated that repayments of the Town mortgage are being timely made and the execution of this Assignment and Release would not prejudice the Town's mortgage, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Assignment of Claim and Release on this matter.

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

Item No. 11c Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Transportation Systems Management Study Areawide Report for the Town, prepared in September 1994, recommended the establishment of a long range program to upgrade numerous traffic signals and related intersections to address deficiencies noted in said report, and

WHEREAS, the Town Engineer and the Town Traffic Signal Maintenance Office have recommended that the traffic signal at the intersection of Pine Ridge Road and Doat Street be upgraded to meet current standards, and that a signal warrant analysis be prepared to determine if the existing traffic signal at the intersection of Doat Street and Randolph Avenue can be removed, and

WHEREAS, it is necessary to prepare plans, specifications and bid documents to proceed with said traffic signal improvements at the intersection of Pine Ridge Road and Doat Street, NOW, THEREFORE, BE IT

RESOLVED that the proposal of EMS Consulting, dated April 25, 1997 as submitted to the Town Engineer for professional services for the preparation of plans, specifications, bid documents and services during construction related to the traffic signal improvements at the aforesaid intersection, is accepted and approved, and BE IT FURTHER

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

RESOLVED that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign the agreement with EMS Consulting for the provision of said professional services, and BE IT FURTHER

RESOLVED that the cost of said professional services in an amount not to exceed \$7,900.00 shall be chargeable to Account No. 5704-1400-9606.

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

Item No. 11d Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Town owns and maintains underground petroleum storage tanks and dispensing facilities utilized by various departments at numerous sites including the Sanitation Department/Central Garage, Highway Department, Town Park Ice Rink/Facilities Department, Main Pump Station, Sewer Maintenance Garage and Facilities Maintenance Department located on Losson Road, and

WHEREAS, there is a need to upgrade existing facilities which have reached expected service life, to consolidate fueling facilities where appropriate and to bring all Town-owned underground petroleum storage tanks and dispensing facilities and related equipment into compliance with the requirements of 6 NYCRR612-614 and the latest requirements of EPA 40 CFR which become effective in 1998, and

WHEREAS, there is a need to prepare detailed plans and specifications for the removal and abandonment of existing facilities and for the construction of new tanks and dispensing systems, related equipment and site improvements, and the Town Engineer advises that it is necessary to engage a consultant for engineering design services to assist the Town of Cheektowaga with implementing this project, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc., dated May 14, 1997 as submitted to the Town Engineer for professional engineering services related to underground petroleum storage tank replacement and related site improvements at numerous Town-owned sites be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign the agreement with Nussbaumer & Clarke, Inc. for the provision of the aforesaid professional services, and BE IT FURTHER

Item No. 11d cont'd

RESOLVED that funding for said professional engineering services in the amount of \$42,250.00 shall be apportioned and be chargeable to Account Nos:

5702-1440-9603
5702-1440-9604
5703-1440-9605

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

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

BE IT RESOLVED that the Niagara Mohawk Power Corporation be and hereby is authorized to install one (1) 100 watt high pressure sodium standard enclosed luminaire on Olcott Place, Pole No. 28, at an annual increase to the General Lighting District in the amount of \$135.46 in accordance with the attached Niagara Mohawk Power Corporation street lighting proposal dated April 24, 1997.

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

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

**See next page(s) for attachments

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

WHEREAS, the Hy-View Fire District has requested the relocation of one (1) fire hydrant located at #8 Airport Avenue, NOW, THEREFORE, BE IT

RESOLVED that in response to the communication from the Board of Fire Commissioners of Hy-View Fire District No. 8 of the Town of Cheektowaga, the Erie County Water Authority is hereby requested to relocate one (1) hydrant located at #8 Airport Avenue, a distance of fifty feet (50') to the east of the present location, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga shall assume responsibility for the payment of said relocation and any additional charges demanded by the Erie County Water Authority.



Motion by Councilmember Jaworowicz, Seconded by Councilmember Johnson
to amend the above resolution and the voting was as follows:

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



TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

WHEREAS, the Hy-View Fire District has requested the relocation of one (1) fire hydrant located at #8 Airport Avenue, NOW, THEREFORE, BE IT

RESOLVED that in response to the communication from the Board of Fire Commissioners of Hy-View Fire District No. 8 of the Town of Cheektowaga, the Erie County Water Authority is hereby requested to relocate one (1) hydrant located at #8 Airport Avenue, a distance of fifty feet (50') to the east of the present location, and BE IT FURTHER

RESOLVED that the Hy-View Fire District shall assume responsibility for the payment of said relocation and any additional charges demanded by the Erie County Water Authority.

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

Item No. 14a Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

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

<u>TAX OFFICE</u>	<u>EFFECTIVE</u>
Patricia Jaroszewski	02-21-97
Sandra Rakowski	02-21-97
<u>SANITATION DEPARTMENT</u>	
Frank Swiatek	Immediately
<u>RECYCLING DEPARTMENT</u>	
Scott Burgard	Immediately
Sean Ptak	Immediately

Item No. 14a cont'd

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

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

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

Glenn Au	Joanne Haas
James Brydalski	Mark Klaczyk
Scott Callen	Kimberly Kubiak
Joseph Deckop	Nick Logiudice
Michelle Diehl	Kevin Martin
Eric Doktor	Scott Morris
Mark Fleetwood	Lynn Pettit
Brett Flynn	John Rivers
Wilmer Froman	Jason Stucke
Thomas Goff	

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

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

WHEREAS, said vacant position falls within the competitive class of Civil Service, and

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

RESOLVED that Richard Calorico, of XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the position of temporary Pump Operator in the Main Pump Station, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective May 26, 1997.

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

WHEREAS, two (2) vacancies exist in the position of Public Safety Dispatcher in the Police Department, and

WHEREAS, the Civil Service eligible list for such position has been canvassed and candidates were interviewed: NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are appointed to the position of Public Safety Dispatcher, in accordance with the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association, effective May 29, 1997:

Paul Topor
XXXXXXXXXXXXXXXXXX
Cheektowaga, NY XXXXX

Brian Gould
XXXXXXXXXXXXXX
Cheektowaga, NY XXXXX

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



Motion by Councilmember Jaworowicz, Seconded by Councilmember Jankowiak to dispense with the reading of the names for Item No. 16a.

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

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997



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

BE IT RESOLVED that the following individuals be hired as seasonal employees in the Youth and Recreation department, effective May 20th:

POOLS

Beach and Pool Supervisors - 7180.1902

Pool Supervisor - Level I (Town Park) - \$8.15

Amy Garbacz	XXXXXXXXXXXXXXXXXX	XXXXX
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Pool Supervisor - Level II (Auxilliary) - \$8.10

Kurt Hansen	XXXXXXXXXXXXX	XXXXX
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Head Lifeguard - (Town Park) \$7.80

Eric Kazukiewicz	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	
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Lifeguards - 7180.1903

Level I - \$5.25

Jennifer Strobele	XXXXXXXXXXXXXXXXXX	XXXXX
Mary Beth Rokitka	XXXXXXXXXXXXXXXXXX	XXXXX
Caitlin Vanderbush	XXXXXXXXXXXXXXXXXX	XXXXX
Shawn Mertz	XXXXXXXXXXXXXXXXXX	XXXXX

Item No. 16a cont'd

Nicholas Jason Pijanowski	XXXXXXXXXXXXXXXXXX	XXXXX
Natalie Michalski	XXXXXXXXXXXXXXXXXX	XXXXX
Maria Scarozza	XXXXXXXXXXXXXXXXXX	XXXXX
Linda Marie Piesczynski	XXXXXXXXXXXXXXXXXX	XXXXX
Jonathan Chapp	XXXXXXXXXXXXXXXXXX	XXXXX
Kenneth Sielski	XXXXXXXXXXXXXXXXXX	XXXXX
Amanda Suriani	XXXXXXXXXXXXXXXXXX	XXXXX

Level I (ALTERNATE) - \$5.25

Adam Conner	XXXXXXXXXXXXX	XXXXX
Lori A. Injaychock	XXXXXXXXXXXXXXXXXX	XXXXX
Dina Mantione	XXXXXXXXXXXXX	XXXXX

Level II - \$5.50

Erik Hansen	XXXXXXXXXXXXXXXXXX	XXXXX
Aaron Grupka	XXXXXXXXXXXXXXXXXX	XXXXX
Elizabeth Sinski	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXX
Jennifer Sielski	XXXXXXXXXXXXXXXXXX	XXXXX
Cathleen Cramer	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	
Jeffrey Bartel	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
Tamara Krawczyk	XXXXXXXXXXXXX	XXXXX
Miranda Serafini	XXXXXXXXXXXXX	XXXXX

Level II - (WSI) - \$5.75

Elizabeth Czajkowski	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
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Level III - \$6.00

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

Beth Ann Kawczynski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Mike Barnhard	XXXXXXXXXXXXXXXXXXXX	XXXXX
Darryl Lindell	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jonathan Bialek	XXXXXXXXXXXXXXXXXXXX	XXXXX
Kristopher Kubiak	XXXXXXXXXXXX	XXXXX
Mark Przybysz	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jennifer Dembinski	XXXXXXXXXXXXXXXXXXXX	XXXXX

Level IV - \$6.50

Juliette Nowak	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Level V - (WSI) - \$7.25

Kathleen Kreil	XXXXXXXXXXXXXXXXXXXX	XXXXX
Tony Pawlowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	

Bathhouse Attendants - 7180.1901

Basket Checkers - \$4.75

Stacey E. Lubacz	XXXXXXXXXXXXXXXXXXXX	XXXXXX
Kristy-Lynn Przepiora	XXXXXXXXXXXXXXXXXXXX	XXXXX
Michael Miszeweski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Christina Klaffka	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	

Basket Checkers (Trainees) - \$4.25

Karen Grinnen	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	
Tanis Phillips	XXXXXXXXXXXXXXXXXXXX	XXXXX
Nicole Ritzenthaler	XXXXXXXXXXXXXXXXXXXX	XXXXX
Kimberly Granich	XXXXXXXXXXXXXXXXXXXX	XXXXX

Item No. 16a cont'd

Catherine Taber	XXXXXXXXXXXXXXXXXXXX	XXXXX
Sarah E. Newhouse	XXXXXXXXXXXXXXXXXXXX	XXXXX
Justin Tricoli	XXXXXXXXXXXXXXXXXXXX	XXXXX
Sean O'Brien	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jennifer Odrobina	XXXXXXXXXXXXXXXXXXXX	XXXXX
Christina Zagrabski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Brandon J. Dziengielewski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Michelle Rush	XXXXXXXXXXXXXXXXXXXX	XXXXX
Richard Kenyan	XXXXXXXXXXXXXXXXXXXX	XXXXX

Arts and Crafts Rotation - 7140.1648

Supervisor III - \$6.50

Jodi Napier	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Supervisor I - \$6.00

Corry Walters	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	
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Recreation Attendant I - \$4.75

Rebecca Miller	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	
Erin O'Brien	XXXXXXXXXXXXXXXXXXXX	XXXXXX
Joy M. Schnettler	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jill Zarazinski	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	

Sports Rotation - 7140.1645

Supervisor IV - \$6.75

Lynn Kopra	XXXXXXXXXXXX	XXXXXX
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**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

Recreation Attendant III - \$5.25

Craig Mahalic	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant II - \$5.00

Mindy Greenauer	XXXXXXXXXXXXXXXXXXXX	XXXXX
Lisa Santomaggio	XXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Attendant I - \$4.75

Joel Astyk	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	
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Lacrosse - 7140.1625

Recreation Instructor VII - \$6.50

Michael Yelich	XXXXXXXXXXXX XXXXXX	
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Recreation Instructor V - \$6.00

Joseph Cantafio	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Pre-K - 7140.1664

Recreation Specialist VI - \$6.50

Constance Stewart	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Item No. 16a cont'd

DAY CAMPS

Camp JI-IK-DO-WAH-GAH - 7310.1801

Activity Director - \$6.50

Amy Zakrzewski	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Counselor II - \$5.00

Renee Szarzynski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Howard Schnaufer	XXXXXXXXXXXXXXXXXXXX	XXXXX
Michelle Taylor	XXXXXXXXXXXXXXXXXXXX	XXXXX
Susan Stoklosa	XXXXXXXXXXXXXXXXXXXX	XXXXX

Counselor I - \$4.75

Suzanne Brucz	XXXXXXXXXXXXXXXXXXXX	XXXXX
Tracy Malczewski	XXXXXXXXXXXXXXXXXXXX	XXXXX

Camp Crabapple - 7310.1802

Counselor I - \$4.75

Anthony Astran	XXXXXXXXXXXX	XXXXX
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Camp Flamingo - 7310-1810

Counselor IV - \$5.50

Krista Sacco	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	
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Counselor III - \$5.25

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

Kevin Tomaka	XXXXXXXXXXXXXXXXXXXX	XXXXX
Kristen Toolen	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Ronn Whitehead	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX

Counselor II - \$5.00

Natalie Brucz	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jaclyn Campbell	XXXXXXXXXXXXXXXXXXXX	XXXXX
Melissa Gon	XXXXXXXXXXXXXXXXXXXX	XXXXX
Paula Panasiewicz	XXXXXXXXXXXX	XXXXX
Kerrie Rich	XXXXXXXXXXXXXXXXXXXX	XXXXX
Sara Sinclair	XXXXXXXXXXXXXXXXXXXX	XXXXX
Dan Shantler	XXXXXXXXXXXXXXXXXXXX	XXXXX
Kelly Williams	XXXXXXXXXXXXXXXXXXXX	XXXXX

Counselor I - \$4.75

Javette Adams	XXXXXXXXXXXXXXXXXXXX	XXXXX
Korrin Getz	XXXXXXXXXXXXXXXXXXXX	XXXXX
Nicole Kozma	XXXXXXXXXXXXXXXXXXXX	XXXXX
Allison Montroy	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Julie Stumm	XXXXXXXXXXXXXXXXXXXX	XXXXX
Melissa Tweedy	XXXXXXXXXXXXXXXXXXXX	XXXXX

Camp Cedargrove - 7140.1631

Counselor II - \$5.00

Robert Proehl	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Item No. 16a cont'd

Counselor I - \$4.75

Lori Burdzy	XXXXXXXXXXXX	XXXXX
Jason Peters	XXXXXXXXXXXXXXXXXXXX	XXXXX

Dartwood Camp - 7140.1632

Counselor III - \$5.25

Jeff Brych	XXXXXXXXXXXX	XXXXX
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Counselor II - \$5.00

Tracy Liegl	XXXXXXXXXXXX	XXXXX
Julie Stetter	XXXXXXXXXXXX	XXXXX

Counselor I - \$4.75

Michael Cercone	XXXXXXXXXXXX	XXXXX
Christina Indelicato	XXXXXXXXXXXXXXXXXXXX	XXXXX
Denise Jarvis	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX

Youth Conservation Corps (YCC) - Supervision - 7310.1811

YCC Supervisors- Level II - \$8.75

Mike Murphy	XXXXXXXXXXXXXXXXXXXX	
Kristy Szprygada	XXXXXXXXXXXXXXXXXXXX	XXXXX
Anthony Kalisz, III	XXXXXXXXXXXXXXXXXXXX	XXXXX

YCC Youth Leaders - Level II - \$6.20

Julie Kulesz	XXXXXXXXXXXXXXXXXXXX	XXXXX
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YCC Youth Leaders - Level I - \$6.00

Eric Corcoran	XXXXXXXXXXXXXXXXXXXX	
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MEETING NO. 10

May 19, 1997

XXXXXXXXXXXXXXXXXXXX

XXXXXX

NAYES: 0

ABSENT: 0

Item No. 16b

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 - \$6.00 per hour (1625-1491)

David Michalski	XXXXXXXXXXXXXXXXXXXX	5/20/97
Dominick Selvaqqio	XXXXXXXXXXXXXXXXXXXX	5/20/97

FACILITIES DEPARTMENT - \$6.00 per hour (7110-1491)

Paul Ivanowski	XXXXXXXXXXXXXXXXXXXXXXX	5/20/97
Eric Ozolins	XXXXXXXXXXXXXXXXXXXXXXX	5/20/97
Jeffrey Helmbrecht	XXXXXXXXXXXXXXXXXXXXXXX	5/20/97

Item No. 16b cont'd

FACILITIES DEPARTMENT - \$6.00 per hour (7110.1493)

Eugene PyrlowskiXXXXXXXXXXXXXXXXXXXXX5/20/97

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

Item No. 16c

WHEREAS, Christopher Rutledge, a participant in Reach Teams, an employment program at the University of Rochester, has requested a ten (10) week internship with the Town of Cheektowaga Justice Court, and

WHEREAS, said salary for this position has been established at \$7.00 per hour, of which 75% of the student wages will be reimbursed to the Town through this Reach Teams Program, NOW, THEREFORE, BE IT

RESOLVED that Christoher Rutledge of XXXXXXXXXXXX Street, Cheektowag, New York XXXXX be and hereby is hired as a Seasonal Intern in the Justice Court, effective immediately.

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

Item No. 17a

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

SANITATION DEPARTMENT - \$6.00 per hour (Clerical)

Marie Manley	XXXXXXXXXXXXXXXXXXXXXXXXXXXX5/20/97
Norman Bender	XXXXXXXXXXXXXXXXXXXXXXXXXXXX5/20/97

SANITATION DEPARTMENT - \$6.00 per hour (Laborer)

Kenneth Bollman	XXXXXXXXXXXXXXXXXXXXXXXXXXXX 5/20/97
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Swiatek and Jankowiak
NAYES: 0
ABSENT: 0

Item No. 17b Hiring of part-time Park Rangers in Facilities Department
This item was withdrawn.

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

BE IT RESOLVED that the following part-time hourly salaries be and hereby are established as follows, effective immediately:

Item No. 18 cont'd

Jovina Pagano	Central Garage	\$6.50
Suzanne O'Neill	Assessor's Office	\$6.50
Mary Morris	Assessor's Office	\$6.00
Geraldine Sobocinski	Justice Court	\$6.50

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



Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski to dispense with the reading of the names in Item #19.

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



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

BE IT RESOLVED that the following Youth and Recreation employees be upgraded/transferred as indicated: (Part-time to Seasonal)

Beach and Pool Supervisors - 7180.1902
(effective May 26th)

Pool Director - \$12.70

Brian Hansen

Special Events Program Director - \$11.00

Catherine Giles

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

Pool Supervisor (Maryvale) \$10.15

Michelle Kunkel

Head Lifeguard - (Town Park - 2nd Shift) - \$8.15

Greg Bean

Head Lifeguard - (Maryvale) - \$8.00

Jacqueline Houser

Head Lifeguard - (Dingens) - \$7.50

Margaret Brezowski

Lifeguards - 7180.1903

From Lifeguard to Lifeguard II - \$5.50

Julie Isch

Lori Owens

Jonathan Owens

Stephanie Ketterl

Item No. 19 cont'd

From Lifeguard to Lifeguard III - \$6.00

Sarah Kazukiewicz

Andrea Solecki

Rachel Williams

Timothy Skrzydlewski

Arts and Crafts Rotation - 7140.1648

From Recreation Supervisor to Recreation Supervisor IV - \$6.75

Jill Matuszewski

(effective May 26th)

Sports Rotation - 7140.1625

From Recreation Supervisor to Supervisor IV - \$6.75

Cheryl Ostempowski

(effective May 26th)

Volleyball - 7140.1627

From Recreation Attendant V to Recreation Leader II - \$6.00

Cheryl Skowronski

From Recreation Supervisor to Supervisor III - \$6.50

Cindy Pietz

Administrative Interns - 7310.1804

From Recreation Leader IV to Supervisor V - \$7.00

Tracey Frank

From part-time to seasonal

(effective May 20th)

Noreen Brezowski

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

Sarah Kosicki
Leanne Ventura
Rebecca Volk



Supervisor Dennis Gabryszak left the meeting at this time.



Item No. 20a Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the current Flood Insurance Rate Map (F.I.R.M.) prepared by the Federal Emergency Management Agency for Scajaquada Creek Tributary T-1, effective April 8, 1993, delineates the flood boundary based on approximate methods, and which flood boundary encompasses a substantial number of residential homes, the owners of which under the National Flood Insurance Program are mandated by lending institutions to carry flood insurance at a significant annual cost, and

Item No. 20a cont'd

WHEREAS, the Town Engineer has recommended that a detailed flood plan analysis and re-evaluation of the flood hazard boundaries and appropriate revisions to the flood insurance rate mapping, be undertaken by the Town for said reach of Scajaquada Creek Tributary T-1 to ensure that flood plain boundaries accurately depict current conditions and to establish base flood elevations reflecting numerous improvements efforts both downstream, and in the diversion of a substantial portion of f the upstream watershed, and

WHEREAS, Pratt & Huth Associates, a consulting engineering firm having expertise in performing the necessary analysis utilizing the methodology employed by the Federal Government under the Flood Insurance Program, who has successfully performed studies of a similar nature for the Town and for neighboring local communities, has submitted an Engineering Services Proposal for the flood plain analysis and map amendment evaluation for Scajaquada Creek T-1, NOW, THEREFORE, BE IT

RESOLVED that the firm of Pratt & Huth Associates, 60 Earhart Drive, Williamsville, New York 14211 is hereby retained to provide the aforementioned professional engineering services in accordance with the proposal submitted to the Town Engineer and dated May 1, 1997 at a fee not to exceed \$16,140.00, and BE IT FURTHER

RESOLVED that funds for said services shall be chargeable against Account No. 5312-1440-9339.

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

Item No. 20b Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, on or about May 10, 1988, the Town entered into a certain Solid Waste Disposal Agreement with Occidental Chemical Corporation, now known as American Ref-Fuel Company of Niagara, for the disposal of mixed municipal solid waste at the Energy From Waste Facility in Niagara Falls, New York, and

WHEREAS, the said Disposal Agreement provides for adjustments to the compensation paid to American Ref-Fuel by "any documented cost changes that are related to newly imposed environmental requirements", and

WHEREAS, such environmental cost pass-throughs represent approximately 48% of the monthly tipping fee paid to American Ref-Fuel, and

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

WHEREAS, the Town has the right to inspect records of American Ref-Fuel "for the purpose of verifying the accuracy of invoices submitted to the Town",

NOW, THEREFORE, BE IT RESOLVED that the public accounting firm of Deloitte & Touche, LLP be and they hereby are retained to perform the following professional accounting services:

1. obtain a complete tabulation of environmental pass-through charges paid by the Town from the inception of the Solid Waste Disposal Agreement through December 31, 1996,
 2. obtain environmental cost documents from American Ref-Fuel which impacted the compensation paid by the Town,
 3. identify all environmental requirements imposed on American Ref-Fuel for its Energy From Waste Facility which support the environmental cost changes made to the compensation paid by the Town,
 4. test environmental cost expenditures on supporting contracts and other support data,
 5. test depreciation calculations on capitalized environmental expenditures,
 6. review the reasonableness of major expenditures with O'Brien & Gere Engineers, Inc,
 7. test calculation of allocation of environmental expenditures to the Town of Cheektowaga contract,
- Item No. 20b cont'd**
8. discuss preliminary findings with representatives of American Ref-Fuel,
 9. prepare report of results of agreed upon procedures and discuss same with appropriate Town representatives,
 10. meet with the Town Board to discuss agreed upon procedures report and related observations,

and BE IT FURTHER

RESOLVED that the aforementioned professional services are to be performed at per diem rates, but the total fee, exclusive of costs and disbursements, shall not exceed \$18,500.00, and BE IT FURTHER

RESOLVED that all professional fees paid herein shall be chargeable to the budget of the Consolidated Garbage and Refuse District; and all such fees and disbursements shall be monitored and approved by the Town's Supervising Accountant.

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

Item No. 21 Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the New York State Department of Environmental Conservation is accepting pre-applications for eligible projects for further consideration for funding through the Waste Reduction/Recycling component of the 1996 Environmental Bond Act, and

WHEREAS, the Town of Cheektowaga is in need of grant monies to support construction of a composting facility and to purchase recycling equipment, and

WHEREAS, the design and construction of the composting facility is estimated to cost \$1,548,976., and

WHEREAS, the Town may apply to the New York State Department of Environmental Conservation for a 50% grant, NOW, THEREFORE, BE IT

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

RESOLVED that matching funds will be raised through a bond issue, and BE IT FURTHER

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997

RESOLVED that Dennis H. Gabryszak, as Supervisor of the Town of Cheektowaga, is hereby authorized and directed to execute all documents pertaining to the pre-application, application and acquisition of this grant.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Annual Financial Report - Update for 1996
Received and Filed.

Item No. 23 Comprehensive Annual Financial Report for fiscal year ended December 31, 1996
Received and Filed.

Item No. 24 Cheektowaga Traffic Safety Commission - April 15, 1997
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 25 NYS Dept. of Trans. - Notice of Order - Transit Rd. at intersection/Wegmans Driveway (signal)
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board; Highway Department; Bruce Chamberlin, Chief of Police; Cheektowaga Traffic Safety Commission.
Received and Filed.

Item No. 26a Notice of Claim - Stacy Kaluzny/Maryvale Union Free School District/Travelers Property Casualty vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.
Received and Filed.

Item No. 26b Notice of Claim - Gwen Wagner vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.
Received and Filed.

Item No. 26c Notice of Claim - Lorraine Grzybowski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department; W. Wielinski, Facilities Director; N. Rutkowski, Foreman-Facilities Department.
Received and Filed.

Item No. 26d Notice of Claim - Agnes Tryjankowski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.
Received and Filed.

Item No. 27 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski to adjourn the meeting.
Time meeting was adjourned: 8:20 P.M.

RICHARD M. MOLESKI

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 19, 1997**

Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 11
JUNE 2, 1997

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of June, 1997 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 Jeff Swiatek
 Councilmember James J. Jankowiak

ABSENT: 0

Also present were: Vickie Dankowski, 2nd Deputy Town Clerk; James J. Kirsits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Planning Board Chairman; Bruce Chamberlin, Chief of Police; Robert Kaczmarek, Supervising Accountant; William Pugh, Town Engineer; Allan Blachowski, Principal Engineer; William Wielinski, General Crew Chief-Facilities Department; Kevin Glascott, Union President of Town of Cheektowaga Employees Association and Leonard Szymanski, Facilities Foreman.

I. RESOLUTIONS

Item No. 2 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

GENERAL FUND

From:	0100-3510-4221	Gas for Dog Kennel	\$ 1,000.00
	0100-3510-4432	Repair & Maintenance	\$ 4,000.00
To:	0100-1640-2502	Other Equipment Supply	\$ 5,000.00

SPECIAL DISTRICT FUND

From:	1500-8173-1205	Assistant Foreman	\$25,000.00
	1500-8173-1391	Part-Time Labor Clerical	\$ 6,700.00
To:	1500-8173-1492	Seasonal Labor	\$18,000.00
	1500-8160-1492	Seasonal Labor	\$ 8,000.00
	1500-8160-1391	Part-Time Clerical	\$ 5,700.00



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

Upon roll call

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



Item No. 2 cont'd.

AMENDED

MEETING NO. 11
JUNE 2, 1997

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

GENERAL FUND

From:	0100-3510-4221	Gas for Dog Kennel	\$ 1,000.00
	0100-3510-4432	Repair & Maintenance	\$ 4,000.00
	<u>0100-1110-2770</u>	<u>Other Unclassified Revenue</u>	<u>\$ 2,100.00</u>
	<u>0100-1110-1391</u>	<u>Part-Time Clerical</u>	<u>\$ 700.00</u>
To:	0100-1640-2502	Other Equipment Supply	\$ 5,000.00
	<u>0100-1110-1492</u>	<u>Seasonal Labor</u>	<u>\$ 2,800.00</u>

SPECIAL DISTRICT FUND

From:	1500-8173-1205	Assistant Foreman	\$25,000.00
	1500-8173-1391	Part-Time Labor Clerical	\$ 6,700.00
To:	1500-8173-1492	Seasonal Labor	\$18,000.00
	1500-8160-1492	Seasonal Labor	\$ 8,000.00
	1500-8160-1391	Part-Time Clerical	\$ 5,700.00

Upon roll call

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 Jaworowicz

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to May 30, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$ 172,032.30
HIGHWAY FUND	43,494.07
TRUST & AGENCY	8,192.60
PART TOWN FUND	1,944.44
RISK RETENTION FUND	27,022.48
HUD HOUSING REHABILITATION FUND	10,885.00
SPECIAL DISTRICTS FUND	260,305.45
CAPITAL FUND	<u>15,067.86</u>
	\$ 538,944.20

Upon roll call

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

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

WHEREAS, in 1991, the State Legislature restructured the Consolidated Local Street and Highway Improvement Program (CHIPS), creating a new payment mechanism for the capital project portion of the program, AND

WHEREAS, before the Town can avail itself of the CHIPS funding for the capital project portion, the Town must first spend the money then seek reimbursement from CHIPS, AND

Item No. 4 cont'd.

WHEREAS, a capital account must be established, moneys must be transferred into such account, and then moneys from such account will be spent, to be reimbursed later, NOW, THEREFORE, BE IT

MEETING NO. 11
JUNE 2, 1997

RESOLVED, that the following accounts be and hereby are established:

CHIPS State Aid (Expense)	-	#5714-5132-0001	-	\$167,273.36
CHIPS State Aid (Revenue)	-	#5714-5132-3089	-	\$167,273.36

Upon roll call

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

Item No. 5a 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 J.J. Juliano Construction Incorporated to rezone 3.5 acres of land of 3788 Broadway from M1-Light Manufacturing to M2-General Manufacturing, AND

WHEREAS, the request was made to allow for the expansion of the existing construction business and to construct a 6,350 square foot office building with a 2,500 square foot warehouse addition, AND

WHEREAS, the owner would also expand the use of the property through construction of additional 10,000± square foot buildings, parking areas and access road at a future date, AND

WHEREAS, the applicant has agreed to participate in the extension of the Ellicott Road waterline at a time in the future when the additional buildings would be constructed, AND

WHEREAS, the Advisory Committee, at its meeting held on May 7, 1997 rendered the determination shown on the attached memo dated May 8, 1997, AND

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

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 purpose of SEQRA.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 5b 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

MEETING NO. 11
JUNE 2, 1997

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 Steve Miller to rezone 25 Gardenville Parkway W from M1-Light Manufacturing to C-Retail Business District, AND

WHEREAS, the rezoning was requested to allow for a 7,500 square foot addition to the existing store and to place the property in Zoning District commensurate with existing and proposed uses, AND

WHEREAS, the Advisory Committee, at its meeting held on May 7, 1997 rendered the determination shown on the attached memo dated May 8, 1997, 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 purpose of SEQRA.

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 6a Motion By Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, Conrad N. Wesley has petitioned for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of property owned by Michael J. and Jacqueline J. Juliano and located at 3788 Broadway, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 2nd day of June, 1997 at 6:30 o'clock P.M., after publication and service of the notices required by the

MEETING NO. 11
JUNE 2, 1997

provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning, AND

NOW, THEREFORE, BE IT RESOLVED, that the application of Conrad N. Wesolek for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of the property specified in the attached legal description be and the same is hereby granted and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 6b Motion By Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, Sportsway Limited d/b/a The Ski Sale, Inc. has petitioned for the rezoning from M1-Light Manufacturing District to C-Retail Business District of property owned by it and located at 25 Gardenville Parkway, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town board on the 2nd day of June, 1997 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

MEETING NO. 11
JUNE 2, 1997

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning,

NOW, THEREFORE, BE IT RESOLVED, that the application of Sportsway Limited d/b/a The Ski Sale, Inc. for the rezoning from M1-Light Manufacturing District to C-Retail Business 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.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, by resolution dated October 21, 1996, this Town Board approved the rezoning of 3700 Broadway from M1-Light Manufacturing District to RA-Apartment District, AND

WHEREAS, such rezoning was granted, in part, based on a commitment from the owner that he would install and maintain an eight (8) foot high privacy wooden fence along the property line abutting 3738 Broadway, AND

WHEREAS, the owners of 3700 and 3738 Broadway have now agreed to reduce the height of the proposed fence from eight (8) feet to six (6) feet, and this is also acceptable to this Town Board, NOW, THEREFORE, BE IT

MEETING NO. 11
JUNE 2, 1997

RESOLVED, that this Town Board hereby amends the aforementioned October 21, 1996 Town Board resolution to acknowledge that such rezoning approval is based, in part, on the attached Letter of Acceptance and the owner's commitment to install and maintain a six (6) foot high wooden privacy fence along the property line abutting 3738 Broadway in lieu of the eight (8) foot high fence.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, this Town Board held a public hearing on May 19, 1997 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:

MEETING NO. 11
JUNE 2, 1997

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.

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

Wellworth Place	South Side	from west curb of Union Road to the east side of Meadow Road
Alexander Avenue	East and west sides	one hundred (100) feet north of Straley Avenue
Alexander Avenue	West side	from north curb of Walden Avenue to south line of Straley Avenue
Straley Avenue	North side	from west curb of Harlem Road to east line of Gualbert Street
Linda Drive	East side and south side	from east line of Colden Court to south curb of Maryvale Drive

Item No. 8 cont'd.

B. No parking anytime

Crabapple Lane	North side	from the north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to and including the cul-de-sac
Crabapple Lane	South side	from the north curb of Losson Road east a distance of zero and four hundred fifty seven thousandths (0.457) mile, more or less, to and including the cul-de-sac

C. No parking here to corner

MEETING NO. 11
JUNE 2, 1997

Straley Avenue	South side	from west curb of Harlem Road to 309 Straley Avenue
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Straley Avenue	South side	from the west curbline of Woodell Avenue to a point fifty (50) feet westerly thereof
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Section 76-103 shall be amended by deleting therefrom the following:

A. Parking signs: restricted and time limit

a. No parking school days 7:30 a.m. to 4:00 p.m.

Alexander Street	West side	from the north curbline of Doat Street to a point seventy-five (75) feet, plus or minus therefrom
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Section 76-102 shall be amended by adding thereto the following:

B. No parking anytime

Alexander Avenue	East side	from north curbline of Walden Avenue north to its terminus
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Straley Avenue	South side	from west curbline of Harlem Road to east curbline of Gualbert Avenue
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Straley Avenue	North side	from west curbline of Ridge Park Avenue to a point sixty five (65) feet west and from east curbline of Ridge Park Avenue to a point sixty five (65) feet east
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Straley Avenue	North side	from west curbline of Alexander Avenue to a point forty (40) feet west and from east curbline of Alexander Avenue to a point forty (40) feet east
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Straley Avenue	North side	from east curbline of Gualbert Avenue to a point sixty (60) feet east
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Ridge Park Avenue	West side	from north curbline of Straley Avenue to north curbline of Greenleaf Lane
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Linda Drive	North side & side	from south curbline of Maryvale Drive to east west curbline of Colden Court
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Crabapple Lane	South side	from north curbline of Losson Road northeast to its terminus to include the cul-de-sac
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French Road	North side	from the east curbline of Fradine Drive to a point sixty (60) feet east
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Item No. 8 cont'd.

Union Road Lateral	East side	from the dead end at 4620 Union Road to the dead end at 4714 Union Road
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Wellworth Place	South side	from a point one hundred twenty (120+) feet west of the west curbline of Union Road to the east curbline of Meadow Place
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Section 76-103 shall be amended by adding thereto the following:

A. Parking signs: restricted and time limit.

Alexander Avenue	West side	from north curbline of Doat Street to a point one hundred fifty (150) feet north, no parking school days 7:00 A.M. to 4:00 P.M.
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Upon roll call

MEETING NO. 11
JUNE 2, 1997

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, this Town Board previously enacted a "Non-Residential Development Moratorium" for properties along Losson Road and William Street in the Town of Cheektowaga, AND

WHEREAS, during the term of such moratorium, the Town retained a planning consultant to review the zoning district classifications of properties along such roadways, AND

WHEREAS, the Cheektowaga Planning Board has recommended that the planning consultant's report/study be accepted and has recommended approval of same, AND

WHEREAS, the planning consultant's report is still being processed and reviewed by the Town Environmental Advisory Committee, which is awaiting comment from the Erie County Department of Public Works, Division of Highways, and the Erie County Sewer District, AND

WHEREAS, additional time is needed to complete review of the study, conduct a public hearing, etc., NOW, THEREFORE, BE IT

MEETING NO. 11
JUNE 2, 1997

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 June, 1997 at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the Non-Residential Development Moratorium should be amended to extend same an additional 50 days.



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 said Town of Cheektowaga, 3301 Broadway, on the 16th day of June, 1997 at 7:00 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 such moratorium, shall be amended to change the length of such moratorium from 270 days to 320 days.

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

Dated: June 2, 1997

Richard M. Moleski
Town Clerk



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER BLACHOWSKI TO AMEND THE ABOVE RESOLUTION, ITEM 9A, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



Item No. 9a cont'd.

AMENDED

WHEREAS, this Town Board previously enacted a "Non-Residential Development Moratorium" for properties along Losson Road and William Street in the Town of Cheektowaga, AND

WHEREAS, during the term of such moratorium, the Town retained a planning consultant to review the zoning district classifications of properties along such roadways, AND

WHEREAS, the Cheektowaga Planning Board has recommended that the planning consultant's report/study be accepted and has recommended approval of same, AND

WHEREAS, the planning consultant's report is still being processed and reviewed by the Town Environmental Advisory Committee, which is awaiting comment from the Erie County Department of Environmental Planning, the Erie County Department of Public Works, Division of Highways, and the Erie County Sewer District, AND

WHEREAS, additional time is needed to complete review of the study, conduct a public hearing, etc., NOW, THEREFORE, BE IT

MEETING NO. 11
JUNE 2, 1997

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 June, 1997 at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the Non-Residential Development Moratorium should be amended to extend same an additional 50 days.



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 said Town of Cheektowaga, 3301 Broadway, on the 16th day of June, 1997 at 7:00 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 such moratorium, shall be amended to change the length of such moratorium from 270 days to 320 days.

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

Dated: June 2, 1997

Richard M. Moleski
Town Clerk



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 9b Call for Public Hearing: Rezoning of Property Located on French Road (French Road Commons)
This item was withdrawn.

Item No. 10 Motion By Unanimous, Seconded by Unanimous

WHEREAS, the Supervisory Group of the Town of Cheektowaga has requested permission to place a plaque in honor of the late James J. Matecki in front of the Facilities Department located at 500 Losson Road, Cheektowaga, New York 14227, AND

WHEREAS, this plaque would be at no expense to the town, being paid by the Supervisory Group.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board, of the Town of Cheektowaga hereby accepts this plaque and authorizes the Supervisory Group to place a plaque at the aforementioned location.

Upon roll call

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

MEETING NO. 11
JUNE 2, 1997

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

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 Volunteer Firefighters and the Town have made application to hold Cheektowaga Volunteer Firefighters Recognition Day in Cheektowaga Town Park on Sunday, June 22, 1997 from dawn to dusk, AND

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Volunteer Firefighters and the Town, which application has been approved by the Special Events Committee, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Volunteer Firefighters and the Town for Volunteer Firefighters Recognition Day to be held on Sunday, June 22, 1997 in Cheektowaga Town Park.

Upon roll call

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

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

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 Stingrays Swim Club has made application to hold its annual long course swim meet at the Town Park Pool on July 11, 12 and 13, 1997, AND

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Stingrays Swim Club, which application has been approved by the Facilities and Youth & Recreational Services Departments, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

MEETING NO. 11
JUNE 2, 1997

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Stingrays Swim Club for its annual long course swim meet and its breakfast and luncheon to be held on July 11, 12 and 13, 1997.

Upon roll call

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

Item No. 11c Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, Cub Scout Pack 618 has requested permission to conduct an overnight campout on Saturday, June 7, 1997 to Sunday, June 8, 1997 at Stiglmeier Park, AND

WHEREAS, Section 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 this Town Board hereby permits a waiver of Section 48-12 of the Code of the Town of Cheektowaga, and that said waiver be extended to Cub Scout Pack 618 for the use of Stiglmeier Park on June 7-8, 1997 and, BE IT FURTHER

RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Chief of Police and Director of the Facilities Department.

Upon roll call

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

Item No. 12 Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

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

Item No. 12 cont'd.

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

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

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

ORDERED, that the owners of properties listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before July 7, 1997, in accordance with the Town's Streets and Sidewalks Ordinance and, BE IT FURTHER

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

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

Upon roll call

MEETING NO. 11
JUNE 2, 1997

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

*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, one of the conditions for the opening of the Walden Galleria Mall was that the developer, Pyramid Company of Buffalo, after the opening of the Mall, conduct traffic analyses along Galleria Drive and the Mall driveways to determine whether another traffic signal was warranted along this area of Galleria Drive, AND

WHEREAS, traffic analyses were conducted along Galleria Drive on behalf of the Pyramid Company of Buffalo, and such studies concluded that a traffic signal on Galleria Drive at the easterly Mall driveway was necessary in order to enhance traffic safety, AND

WHEREAS, the Cheektowaga Traffic Safety Commission reviewed the traffic analyses and the proposed location for the traffic signal on Galleria Drive and approved same, AND

WHEREAS, this Town Board, by resolution dated January 6, 1997, approved a traffic signal permit for such traffic signal, AND

WHEREAS, the said traffic signal is erected and needs to be activated in the near future in the interests of public safety, AND

WHEREAS, the United States Post Office has an exit driveway on Galleria Drive just east of the easterly Mall driveway/traffic signal, AND

WHEREAS, the Post Office was requested to consider connecting its parking lot/driveway with the easterly Mall driveway; and meetings were held with Mall, Post Office and Town personnel, AND

WHEREAS, the Pyramid Company of Buffalo has agreed to grant the Post Office the necessary easement and rights to utilize its easterly driveway and traffic signal; and the Post Office has been reviewing this matter, AND

MEETING NO. 11
JUNE 2, 1997

WHEREAS, it is important that this traffic signal at the easterly Mall driveway be activated and utilized as soon as possible, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby determines and orders that the aforementioned traffic signal at the easterly Mall driveway on Galleria Drive be activated in 30 days from the date of adoption of this resolution and, BE IT FURTHER

RESOLVED, that, in the interests of public safety, the United States Post Office be and hereby is requested to expedite its review of this matter and complete its plans to connect its parking lot/driveway with the easterly Mall driveway, and to otherwise finalize plans to connect with the Mall driveway and, BE IT FURTHER

RESOLVED, that, should the Post Office not take any action in the near future to connect its parking lot/driveway with the Mall driveway, the Town may consider the closing off of the westerly Post Office driveway at Galleria Drive and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the United States Post Office, Walden Galleria Mall, and to U.S. Congressman Jack Quinn and U.S. Senators Alfonse M. D'Amato and Daniel Patrick Moynihan.

Upon roll call

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

Item No. 14 Motion By Councilmember Swiatek , Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga Assessor has been assessing as real property the lateral utility service lines which service a customer's residence or business, AND

Item No. 14 cont'd.

WHEREAS, National Fuel Gas Corporation has instituted legal proceedings against the Town of Cheektowaga and other towns claiming that the lateral service lines are personal property and, as such, should not be assessed; and this matter is presently in litigation, AND

WHEREAS, National Fuel Gas Corporation has lobbied the State Legislature to enact legislation which would specifically declare that these utility lines are excluded from real property taxation, AND

WHEREAS, legislation (S.4790/A.7692) has been submitted which would exclude from the definition of real property for purposes of the real property tax law, equipment owned by a public utility to transport service to consumers which lie on the consumer's property, AND

WHEREAS, if this legislation is adopted, it would make such utility service lines exempt from taxation, and the Town of Cheektowaga and other municipalities would lose hundreds of thousands of dollars in tax revenues each year, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate, State Assembly and Governor to oppose the enactment of S.4790/A.7692 and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Governor George Pataki, Assemblyman Paul A. Tokasz and to Senator William T. Stachowski with a request that they oppose this bill.

Upon roll call

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

MEETING NO. 11
JUNE 2, 1997

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

WHEREAS, the Town of Cheektowaga worked with Sprint Spectrum and Upstate Cellular Network in 1996 and 1997 to find a suitable location in the Town for the placement of a telecommunications tower, and, by resolution dated February 24, 1997, approved a Special Tower Permit and Site Plan for the location of such a tower behind the Airport Plaza, 4230-4236 Union Road, AND

WHEREAS, the Town's preferred site for the location of this tower was on New York State Thruway Authority ("NYSTA") property at the Thruway Cloverleaf near the State Trooper's Barracks located at Exit 51, AND

WHEREAS, Sprint Spectrum and Upstate Cellular Network agreed to relocate to the NYSTA site if the NYSTA gave its final approval to locate at such site on or before October 31, 1997, AND

WHEREAS, prior to final approval being given by the NYSTA, the NYSTA informed the Town that it would move aggressively to complete a radio tower site management agreement with Motorola, which company would then have the duty to negotiate a lease agreement with Sprint Spectrum and Upstate Cellular Network, AND

WHEREAS, the NYSTA informed the Town that its agreement with Motorola would be finalized by the end of winter, AND

WHEREAS, the NYSTA has been in negotiations on this matter since September of 1996, AND

WHEREAS, it would be financially advantageous to the NYSTA and taxpayers of New York State for the NYSTA to enter into a lease agreement with Sprint Spectrum/Upstate Cellular Network, AND

Item No. 15 cont'd.

WHEREAS, the Town has, in the past, requested the NYSTA to expedite handling of this matter and to approve an agreement with Sprint Spectrum and Upstate Cellular Network to allow them to locate on the aforementioned NYSTA property, thus requiring Sprint Spectrum and Upstate Network to move its telecommunications tower from the Airport Plaza site to the NYSTA site, AND

WHEREAS, to the Town's knowledge, no finalized agreement has been made between the NYSTA and Motorola or between the NYSTA and Sprint Spectrum/Upstate Cellular Network, and time is running out, AND

WHEREAS, this Town Board believes it is imperative that the NYSTA finalize an agreement with Sprint Spectrum/Upstate Cellular Network, and that these telephone companies move their telecommunications tower from the Airport Plaza site to the NYSTA site as soon as possible, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NYSTA, Governor George Pataki, Assemblyman Paul A. Tokasz and Senator William T. Stachowski to ensure that, prior to October 31, 1997, the NYSTA has a finalized agreement with Sprint Spectrum/Upstate Cellular Network to allow them to place a telecommunications tower at the aforementioned NYSTA location and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to NYSTA Executive Director John R. Platt, Governor George Pataki, Assemblyman Paul A. Tokasz, and Senator William T. Stachowski.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

MEETING NO. 11
JUNE 2, 1997

Councilmember Jankowiak

WHEREAS, a Project for the Transportation Enhancement Project, (Rails to Historic Trails), P.I.N. 57755.08, funded for in Title 23 U.S. Code, as amended calls for the apportionment of the costs of such program to be borne at the ratio of 78% Federal funds and 22% non-federal funds; AND

WHEREAS, the Town of Cheektowaga desires to advance the above project by making a commitment of 100% of the non-federal share of the costs of Rails to Historic Trails in the amount of \$137,200.

NOW, THEREFORE, the Cheektowaga Town Board duly convened does hereby

RESOLVE, that the Cheektowaga Town Board hereby authorizes the Supervisor of Cheektowaga to pay 100% of the non-federal share of the cost of construction work for the subject project or portions of the subject project; AND IT IS FURTHER

RESOLVED, that the sum of \$137,200 is hereby appropriated to cover the cost of participation in the above phase of the project; AND IT IS FURTHER

RESOLVED, that in the event the full non-federal share costs of the project as bid and awarded exceed the amount appropriated above, the Town of Cheektowaga shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Department of Transportation.

RESOLVED, that the Supervisor of the Town of Cheektowaga be and is hereby is authorized to execute all necessary Agreements on behalf of the Town of Cheektowaga with the New York State Department of Transportation approving of the above-subject project and providing for the Municipality's administration of the Project and its participation in the cost of the local share of the subject project.

Item No. 16a cont'd.

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreements in connection with the Project.

Upon roll call

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

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

WHEREAS, the Town Justice Court is in need of equipment upgrading in the Justice Court, AND

WHEREAS, the County of Erie through the efforts of County Legislators Raymond Dusza and Gregory Olma have appropriated \$7,000.00 in 1997 Public Benefit Funding to the Town Justice Court for the purchase of equipment, subject to the completion of the necessary application therefore, AND

WHEREAS, the Supervising Accountant has completed the necessary 1997 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 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)

MEETING NO. 11
JUNE 2, 1997

Upon roll call

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

Item No. 16c Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, Contract "C" for the Digester Conversion Project at Plant #5 was awarded by Town Board resolution dated June 3, 1996 to Peerless Air Conditioning & Heating Company, Inc. of 24 Lansing Street, Buffalo, New York 14207 for a low bid price of \$17,467.00, AND

WHEREAS, Nussbaumer & Clarke, Inc., the Project Engineer and the Town Engineer have advised that work on the aforesaid contract has been completed in accordance with contract requirements, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board accept the completed project as recommended by the Town Engineer and hereby authorizes the Town Supervisor to execute the final contract acceptance documents.

Upon roll call

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

Item No. 16d Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga has received funding from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, as amended, AND

WHEREAS, energy conservation and weatherization services for income-eligible persons is an eligible activity under the Community Development Block Grant Program, AND

WHEREAS, Supportive Services Corporation of Western New York has requested funding for assisting in providing energy conservation and weatherization services for income-eligible Town residents, AND

WHEREAS, funding for such services has been included in the Town's 1996 Community Development budget, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with Supportive Services Corporation of Western New York in an amount not to exceed \$6,000 to provide energy conservation and weatherization services for income-eligible Town residents.

Upon roll call

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

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

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

EFFECTIVE

FACILITIES DEPARTMENT

Eugene Pytlewski

Immediately

RECYCLING DEPARTMENT

MEETING NO. 11
JUNE 2, 1997

James Ludtka

Immediately

Upon roll call

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



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SWIATEK TO
DISPENSE WITH READING THE NAMES IN ITEMS 18, 20A, 20B, AND 20C AND THE VOTING WAS
AS FOLLOWS:

Upon roll call

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



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

BE IT RESOLVED, that the below listed individuals previously hired in the Youth and
Recreation Department's Youth Conservation Corps (YCC) program (7310.1811), be terminated due to
their acceptance of other employment (Seasonal).

James Brydalski, Jr. (Youth Leader)

Michael Murphy (Crew Supervisor)

BE IT RESOLVED, that John Kulesz, previously hired as a Youth Leader in the YCC
program be elevated to the position of Crew Supervisor, Level I at the rate of \$8.60 per hour
(7310.1811), AND

BE IT RESOLVED, that the following be transferred/upgraded as indicated (Part-Time
to Seasonal):

Gymnastics - 7140.1630
(effective June 9th)

From Supervisor to Program Supervisor - \$10.75

Colleen Tonsoline

From Supervisor to Supervisor V - \$7.00

Cheryl Skowronski

From Recreation Attendant to Recreation Attendant IV - \$5.50

Eileen Skowronski
Robin Thompson

From Instructor to Instructor I - \$5.00

Kim Arnold

Recreation Supervisors - 7140.1613

From Recreation Instructor to Recreation Supervisor VI - \$6.50
(effective July 7th)

MEETING NO. 11
JUNE 2, 1997

Camille Russell

Administrative Interns - 7310.1804

From Recreation Attendant XII to Recreation Leader X - \$8.00
(effective June 9th)

Angela Krzemien

Tennis - 7140.1642

(effective June 9th)

From Recreation Instructor to Instructor VI - \$6.25

Alan Jachimiak

Upon roll call

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

Item No. 19 Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak
Councilmember Blachowski

BE IT RESOLVED, that three (3) positions of Park Ranger (Seasonal) be and hereby
are created in the Facilities Department, effective immediately.

Upon roll call

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

Item No. 20a Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak
Councilmember Blachowski

WHEREAS, this Town Board created three (3) positions of Park Ranger (Seasonal) in
the Facilities Department, AND

WHEREAS, interviews were conducted, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are hired as Park Rangers
(Seasonal) in the Facilities Department, not to exceed 24 weeks in a calendar year, 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 June 2, 1997, at a salary of \$8.00 per
hour:

Jason Ozolins
XXXXXXXXXXXXXXXXXXXXXXXXX
Depew, New York XXXXX

Brian Kaczmarek
XXXXXXXXXXXXXXXXXXXXXXXXX
Cheektowaga, New York XXXXX

Kenneth Kubler
XXXXXXXXXXXXXXXXXXXXX
Cheektowaga, New York XXXXX

Upon roll call

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

MEETING NO. 11
JUNE 2, 1997

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

BE IT RESOLVED, that the following individuals be hired as Seasonal employees in the Youth and Recreation Department, effective June 3, 1997:

Camps

Dartwood Camp - 7140.1632

Counselor I - \$4.75

Daniel Widomski	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Counselor II - \$5.00

Janet Nowak	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Item No. 20b cont'd.

Camp Cedargrove - 7140.1631

Counselor I - \$4.75

Timothy Ahrens	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Counselor III - \$5.25U

Danielle Drzymala	XXXXXXXXXXXX	XXXXX
Cheryl Wazny	XXXXXXXXXXXXXXXXXXXX	XXXXX

Camp Flamingo - 7310.1810

Counselor I - \$4.75

Amie Godzich	XXXXXXXXXX	XXXXX
Masoud Toloue	XXXXXXXXXXXXXXXXXXXX	XXXXX

Counselor II - \$5.00

Maureen Brezowski	XXXXXXXXXXXX	XXXXX
Douglas Stoklosa	XXXXXXXXXXXX	XXXXX

Counselor III - \$5.25

Dana Manos	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Gymnastics - 7140

Recreation Attendant I - \$4.75

Philomena Bakowski	XXXXXXXXXXXXXXXX	XXXXX
Janet Burkard	XXXXXXXXXXXXXXXX	XXXXX
Erica D'Amico	XXXXXXXXXXXXXXXX	XXXXX
Amy Kasianowicz	XXXXXXXXXXXX	XXXXX
Julie Lesser	XXXXXXXXXXXXXXXX	XXXXX

Arts and Crafts Rotation - 7140.1648

Recreation Attendant I - \$4.75

Kari Kowalski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jay Napieralski	XXXXXXXXXXXXXXXX	XXXXX

MEETING NO. 11
JUNE 2, 1997

Recreation Attendant IV - \$5.50

Kimberly Mahoney	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
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Sports Rotation - 7140.1645

Recreation Attendant V - \$5.75

Stephanie King	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
Scott R. Syroczyński	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Supervisor IV - \$6.75

Richard Gorzynski	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
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Item No. 20b cont'd.

Pools

Lifeguards - 7180.1903

Level II - \$5.50 (Alternate)

Penny Armitage	XXXXXXXXX	XXXXX
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Bathhouse Attendants - 7180.1901

Level I - \$4.75 (Alternate)

Kelly Stewart	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
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Tennis - 7140.1642

Recreation Instructor I - \$5.00

Johnathan Blank	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
Amy Snyder	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Instructor II - \$5.25

Eric Burns	XXXXXXXXX	XXXXX
Heather Solecki	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Instructor VI - \$6.25

Elizabeth Snyder	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
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Youth Conservation Corps - (YCC)

Supervision - 7310.1811

Youth Leader - Level I - \$6.00

Jeff Kosicki	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
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YCC Participants - 7310.1812

Participants - \$4.75

Joshua Bakes	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
Nicholas Buczek	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
Aaron Cwiklinski	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX
Neil Czerniejewski	XXXXXXXXXXXXXXXXXXXXXXX	XXXXX

MEETING NO. 11
JUNE 2, 1997

Dale Czubaj	XXXXXXXXXXXXXXXXXXXXX	XXXXX
David DeFields, Jr.	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Donna Griese	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Kimberly Goulding	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Kellie Henning	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Michael Huber	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Joseph LaBarbara	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Robert Pantling	XXXXXXXXXXXXXXX	XXXXX
Paul Ray	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Erik Reinheimer	XXXXXXXXXXXXXXX	XXXXX
David Schiess	XXXXXXXXXXXXXXX	XXXXX
Mary Szymanski	XXXXXXXXXXXXXXX	XXXXX
Mark Walter	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Thomas Wnuk, Jr.	XXXXXXXXXXXXXXX	XXXXX

Item No. 20b cont'd.

Upon roll call

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

Item No. 20c 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

SEWER MAINTENANCE DEPARTMENT - \$5.50 per hour (Laborer)

Jason Baumgart	XXXXXXXXXXXXXXXXXXXXX	6-03-97
Michael Brenda	XXXXXXXXXXXXXXXXXXXXX	6-03-97
Eric Czubaj	XXXXXXXXXXXXXXXXXXXXX	6-03-97

MAIN PUMP STATION - \$6.00 per hour (Laborer)

Aaron Kuczmarski	XXXXXXXXXXXXXXXXXXXXX	6-03-97
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RECYCLING DEPARTMENT - \$6.00 per hour (Laborer)

Eric Binkowski	XXXXXXXXXXXXXXXXXXXXX	6-03-97
Andrew Cianflone	XXXXXXXXXXXXXXXXXXXXX	6-03-97
Andrew Pytlewski	XXXXXXXXXXXXXXXXXXXXX	6-03-97
Michael Heer	XXXXXXXXXXXXXXXXXXXXX	6-03-97

TAX OFFICE - \$6.25 per hour

Deborah Darlak	XXXXXXXXXXXXXXXXXXXXX	6-03-97
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and, BE IT FURTHER

RESOLVED, that Susan Zogaria, a Part-Time employee in Records Management through the S.A.R.A. grant, be and hereby is transferred as a Seasonal employee effective immediately.

Upon roll call

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

MEETING NO. 11
JUNE 2, 1997

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

WHEREAS, New York State Government Finance Officer's Association (NYS GFOA) will be conducting its Western Summer Training Program in Rochester, New York on June 25th and 26th, 1997, AND

WHEREAS, information important to the Town will be discussed at this training program, such as Single Audit Technical Amendments and Financial Compliance, which the Town will be required to implement, AND

WHEREAS, attendance at this training program is important to the Town in order that the Town can maintain its high standard in financial reporting, AND

Item No. 21a cont'd

WHEREAS, the Supervising Accountant, Accountant, and Junior Accountant have requested permission to attend this training session, NOW, THEREFORE, BE IT

RESOLVED, that Robert Kaczmarek, Lynn Nenni, and Kathleen Travers be and hereby are authorized to attend the aforementioned training program and, BE IT FURTHER

RESOLVED, that the Town shall pay all reasonable costs associated with the conference not to exceed \$291.00 out of budget line item #0100-1910-4082.

Upon roll call

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

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

WHEREAS, the NYS Division of Criminal Justice Services (NYS DCJS) is holding a certified training for D.A.R.E. Middle/Junior High School Instructor Seminar. This session will be conducted from June 16-18, 1997 in Owego, New York at the Tioga County Sheriff's Office.

WHEREAS, Chief Chamberlin is requesting authorization to send D.A.R.E. Officer Michael Sisti to this training. Officer Sisti has applied and been accepted and approved by NYS DCJS. This certification is necessary in order to teach the Middle and Junior High School students in the upcoming September 1997 school year. The Police Department will be responsible for registration, lodging, meals, and travel expenses amounting to approximately \$423.50. A Cheektowaga Police Department vehicle will be used for transportation to and from this training. NOW, THEREFORE, BE IT

RESOLVED, that Officer Sisti is authorized to attend this training and time he spends there be authorized as normal duty time. The expenses will be charged to lines 0100-3120-4006 and 0100-3120-4085.

Upon roll call

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

Item No. 21c Authorize Town Historian to Attend Conference
This item was withdrawn.

II. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Building Permits
Received and Filed.

MEETING NO. 11
JUNE 2, 1997

Item No. 23 Supervisor's Statement of Funds - April, 1997
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 24a Notice of Claim: Elaine Greiner vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 24b Notice of Claim: Nancy A. Tryjankowski, Mother of Amanda L. Tryjankowski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Facilities Department, Parks Department and Allied Claims Insurance Carrier.
Received and Filed.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER BLACHOWSKI 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, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0



Item No. 25 Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, it in order that bids be advertised for furnishing all labor, tools, equipment, materials and incidentals required for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Skating Rink Work, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Cheektowaga/Recreation Center Building Rehabilitation Skating Rink Work, said Notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

RESOLVED, that sealed bid proposals will be received on the 19th day of June, 1997 at 11:00 a.m. local time in the Town Hall Council Chambers at a public bid opening to be held for said purpose.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 19th day of June, 1997, until 11:00 a.m. local time in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for the Town of Cheektowaga/Recreation Center, Building Rehabilitation, Skating Rink Work complete, in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Information for Bidders, etc. prepared by Ronald C. Hosken, architect, for the said project and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

MEETING NO. 11
JUNE 2, 1997

Copies of the proposed Contract Documents, Plans, Specifications, Information for Bidders and bidding information may be examined at the above office and at the Architect's Office at 6645 Versailles Road, Lake View, New York 14085. Copies may be secured at the office of Ronald C. Hosken, architect, upon payment of a \$50.00 deposit for each set. Two checks, each for one-half the amount of deposit, shall be furnished, payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications, in good condition within 30 calendar days after the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans, Specifications before the bid opening will also be classified as non-
Item No. 25 cont'd.

bidders. Any bidders requesting more than one (1) set of Plans and Specifications, may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to Richard M. Moleski, Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227 and marked "Proposal for the Town of Cheektowaga/Recreation Center, Building Rehabilitation, Skating Rink Work".

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

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

No Bidder may withdraw his bid within 45 days after the actual date of the opening thereof, but may withdraw same any time prior to the scheduled date for opening of bids.

The successful bidder will be required to furnish a Performance Bond and Labor and Material Bond acceptable to the Owner, in an amount equal to the contract award.

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

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

The work to be completed within the time frame stated in the bidders proposal. Start of work to begin within ten (10) days after the "Order of Commence Work" has been issued.

BY ORDER OF: TOWN OF CHEEKTOWAGA

Richard M. Moleski, Town Clerk

Dated: June 2, 1997

Published: June 5, 1997



Upon roll call

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

MEETING NO. 11
JUNE 2, 1997

NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 26 Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, it has been determined that the paint at the Cheektowaga Recreation Center, above the ice surface is lead based, AND

WHEREAS, this condition created an immediate hazardous condition to the employees and public using the facility around the ice surface, AND

WHEREAS, informal bids were obtained to correct this problem immediately, AND

WHEREAS, subdivision 4 of Section 103 of the General Municipal Law allows for immediate action in case of public emergency arising out of an unforeseen occurrence, NOW, THEREFORE, BE IT

RESOLVED, that Marcor Environmental, 402 Vulcan Street, Buffalo, New York 14207 having the expertise and availability to correct said condition, be awarded the contract to correct the problem at a contract price of \$38,983.00, said funds to be charged to Capital Improvement Account #5709.7110.9704.

Upon roll call

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

Item No. 27 Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated May 19, 1997, this Town Board approved a Special Events application authorizing the North Cheektowaga Amateur Athletic Association to hold its parade on June 1, 1997 at 1:00 P.M., AND

WHEREAS, the North Cheektowaga Amateur Athletic Association had to cancel such parade and reschedule same for June 7, 1997 at 11:30 A.M. (rain date - June 8, 1997 at 11:00 A.M.), NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby amends the aforementioned May 19, 1997 resolution to authorize the North Cheektowaga Amateur Athletic Association to hold its parade on June 7, 1997 at 11:30 A.M. (rain date: June 8, 1997 at 11:00 A.M.).

Upon roll call

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

Item No. 28 Motion By Councilmember Swiatek, Seconded by Councilmember Jankowiak

WHEREAS, a temporary vacancy exists in the position of Motor Equipment Operator 'B' in the Sanitation Department for the period June 2, 1997 through August 29, 1997, AND

WHEREAS, said vacancy was posted, AND

WHEREAS, Daniel Majchrzycki, currently employed as a Light Motor Equipment Operator in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

MEETING NO. 11
JUNE 2, 1997

RESOLVED, that Daniel Majchrzycki of XXXXXXXXXXXX Sloan, New York XXXXX be and hereby is appointed to the temporary position of Motor Equipment Operator 'B' in the Sanitation Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 3, 1997.

Item No. 28 cont'd.

Upon roll call

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

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

BE IT RESOLVED, that the salaries for the seasonal clerks in the Tax Office be and hereby are adjusted as follows, effective June 1, 1997:

DAY SHIFT: \$6.25/hour
NIGHT SHIFT: \$5.25/hour

Upon roll call

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



COUNCILMEMBER JANKOWIAK COMMENDATED THE SUPERVISORY GROUP FOR DONATING PLAQUE IN MEMORY OF JAMES MATECKI, FORMER FACILITIES DIRECTOR.

COUNCILMEMBER JAWOROWICZ COMPLIMENTED VICKI DANKOWSKI, 2ND DEPUTY TOWN CLERK, FOR A JOB WELL DONE REPRESENTING RICHARD M. MOLESKI, TOWN CLERK, PERFORMING HIS DUTIES WHILE HE WAS IN POLAND.



Item No. 29 Motion By Supervisor Gabryszak, Seconded by Councilmember Blachowski to adjourn this meeting in memory of John J. Podgarski, lifelong member of Doyle 2 Fire District and town resident and Tim Goff, a Kenmore volunteer firefighter whose funeral was held on May 28, 1997.
This meeting was adjourned at 8:20 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 16th day of June, 1997 at 7:00 o'clock P.M. there were:

PRESENT: Councilmember Patricia A. Jaworowicz
Councilmember William P. Rogowski
Councilmember Jacqueline A. Blachowski
Councilmember Thomas M. Johnson, Jr.
Councilmember Jeff Swiatek
Councilmember James J. Jankowiak

ABSENT: Supervisor Dennis H. Gabryszak

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; William Pugh, Town Engineer; Ronald Marten, Supervising Building and Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; William Conway, Assessor; Robert McCarthy, Director of Employee Relations; Len Szymanski, Foreman in Facilities Department; Ken Kopacz, Executive Director of Youth & Recreation; Pat Wojcik, Director of Senior Services.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing for the purpose of considering whether the NON-RESIDENTIAL DEVELOPMENT MORATORIUM ORDINANCE should be amended, 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 amendment/change being as follows

1. RESOLVED, that Section 1 of such Ordinance, which pertains to the length of such moratorium and the type of such moratorium, shall be amended to change the length of such moratorium from 270 days to 320 days.



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

II. RESOLUTIONS

Item No. 3 Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

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

GENERAL FUND

FROM: 0100-1625-1422 Buildings & Grounds-Mechanic \$18,000.00

TO: 0100-7111-1499 Park Rangers \$18,000.00

AYES: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and Jankowiak

NAYES: 0

ABSENT: Supervisor Gabryszak

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

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to June 13, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$234,471.30
HIGHWAY FUND	41,381.76
TRUST & AGENCY	9,360.22
PART TOWN FUND	4,314.89
RISK RETENTION FUND	29,627.79
CDBG HUD FUND	130.92
HUD HOUSING REHABILITATION FUND	19,823.30
SPECIAL DISTRICTS FUND	753,407.46
CAPITAL FUND	<u>588,460.45</u>
	\$1,680,978.09

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

Item No. 5 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, 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 Benderson Development Company to construct a 7,400 square foot addition to 2485 Walden Avenue presently occupied by Libby Owens, and

WHEREAS, the addition will be in an area presently blacktop, and

WHEREAS, there exists sufficient parking and drainage capacity on the site, and

WHEREAS, the Advisory Committee, at its meeting held on May 21, 1997 rendered the determination shown on the attached memo dated May 22, 1997, 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: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and Jankowiak
NAYES: 0
ABSENT: Supervisor Gabryszak

**See next page(s) for attachments

Item No. 6a Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997**

WHEREAS, David Manko/Seneca Creek Development has made application and requested the rezoning of property located on French Road referred to as "French Road Commons" from:

1. RS-Residence District to RA-Apartment District
2. RS-Residence District to RSC-Residential Senior Citizens Housing District
3. RS-Residence District and RSC-Residential Senior Citizens Housing District to RA-Apartment District

with the permission of the owner of the property, namely Vincent Molino, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 7, 1997 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

AFFIDAVIT - NEXT PAGE

Item No. 6b Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997**

WHEREAS, James L. Busshart has made application and requested the rezoning from C - Retail Business District to MS-Motor Service District for property located at 2804 Union Road, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 7, 1997 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

AFFIDAVIT - NEXT PAGE

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

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

WHEREAS, this Town Board previously enacted a "Non-Residential Development Moratorium" for properties along Losson Road and William Street in the Town of Cheektowaga, and

WHEREAS, during the term of such moratorium, the Town retained a planning consultant to review the zoning district classifications of properties along such roadways, and

WHEREAS, the Cheektowaga Planning Board has recommended that the planning consultant's report/study be accepted and has recommended approval of same, and

WHEREAS, the planning consultant's report is still being processed and reviewed by the Town Environmental Advisory Committee, which is awaiting comment from the Erie County Department of Public Works, Division of Highways, and the Erie County Sewer District, and

WHEREAS, additional time is needed to complete review of the study, conduct a public hearing, etc., and

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing was held on the 16th day of June, 1997 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens had an opportunity to be heard as to whether the Non-Residential Development Moratorium should be amended to extend same an additional 50 days, and

WHEREAS, it is in the public interest to amend the Non-Residential Development Moratorium, NOW, THEREFORE, BE IT

RESOLVED that the Non-Residential Development Moratorium be and the same is hereby 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 270 to 320 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 held on the 16th day of June, 1997; 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.

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Homeworth Parkway Sanitary Sewer Replacement Project, which bids were publicly opened on June 4, 1997, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997**

WHEREAS, said bids were referred to the Town Engineer and to Nussbaumer & Clarke, Inc., project consulting engineers, for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a memorandum from the Town Engineer dated June 12, 1997, and

WHEREAS, said report recommends that the contract for the Homeworth Parkway Sanitary Sewer Replacement Project be awarded to Mar-Wal Construction Company, Inc. for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the Homeworth Parkway Sanitary Sewer Replacement Project be and hereby is awarded to Mar-Wal Construction Co., Inc., 440 Gould Avenue, Depew, New York 14043 for the bid price of \$211,050.00, said bid being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute the agreement with Mar-Wal Construction Company, Inc., and BE IT FURTHER

RESOLVED that funding for said project shall be chargeable to Account No. 5711-1440-9708.

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

**See next page(s) for attachments

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the furnishing of bus transportation for the Cheektowaga Department of Youth and Recreational Services, Inc., and

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

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

RESOLVED that the bid be awarded to the following bidder meeting specifications:

National School Bus Service, Inc.
2306 Walden Avenue
Buffalo, New York 14225

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

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

WHEREAS, the Town of Cheektowaga is in need of an Internet Service Provider to
house the Website, and

WHEREAS, quotes were referred to the Records Inventory Clerk for analysis,
tabulation and report, which is hereto attached, NOW, THEREFORE, BE IT

RESOLVED that the contract for Website Storage be and hereby is awarded to
OnLine Media, Inc., 3445 Union Road, Cheektowaga, NY 14225 at a cost of \$50.00 per month storage
fee, \$175.00 start up fee and free domain name registration, and BE IT FURTHER

RESOLVED that expenses for website storage be funded through the Comptrollers
Maintenance Agreement Account #0100-1315-4431.

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

**See next page(s) for attachments

Item No. 10 Motion by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, sealed bids were opened on May 13, 1997 at 11:00 a.m. for the purchase
of two (2) trucks with 32 cubic yard refuse packer bodies and rotary cart lifters, for the Sanitation
Department, and

WHEREAS, there is a need to clarify/particularize some items in the bid specifications
to ensure that the Town obtains the equipment it needs, NOW, THEREFORE, BE IT

MEETING NO. 12

RESOLVED that sealed bids will be received and publicly opened by the Town Clerk in the Town Hall Council Chambers on June 26, 1997 at 11:00 a.m.



NOTICE TO BIDDERS

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

Dated: June 16, 1997

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

Item No. 11 Motion by Councilmember Blachowski, Seconded by Councilmember Jankowiak
 Councilmember Jaworowicz

WHEREAS, Town of Cheektowaga Councilmembers Jacqueline Blachowski and Patricia Jaworowicz together with Supervising Building Inspector Ronald Marten have participated in a series of meetings with City of Buffalo representatives to discuss neighborhood preservation and improvement issues within the Walden Avenue, Pine Hill and Greater Schiller Park border neighborhoods, and

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

WHEREAS, such discussions have led to an agreement to mutually develop programs and strategies that address issues important to the continued preservation and improvement of the Walden Avenue, Pine Hill and Greater Schiller Park neighborhoods, and

WHEREAS, fundamental to the development and successful implementation of such programs and strategies is the creation of a Steering Committee of concerned residents within both the Town of Cheektowaga and the City of Buffalo, and

WHEREAS, such Steering Committees can assist both the Town of Cheektowaga and the City of Buffalo in identifying these issues important to the preservation and improvement of these neighborhoods and can play a vital role in developing various programming and strategies to ensure the preservation and improvement of these neighborhoods, NOW, THEREFORE, BE IT

RESOLVED that a Walden Avenue/Pine Hill Neighborhood Preservation Steering Committee be created, and BE IT FURTHER

RESOLVED that appointed to serve on this committee are: James Mietlilcki representing the Walden District Taxpayers Association, Stanley Kaznowski representing the Town Park Homeowners Association, Sister Mary Ambrose Wozniak, Sister Mary Lorianne Tylczynski and Sister Marcella Marie Garus representing Villa Maria, William Scarafia representing the Cheektowaga Chamber of Commerce, Captain Thomas Rowan as liaison for Police and Public Safety, Patricia Wojcik as liaison for Senior Citizens, Kenneth Kopacz, as liaison for Youth and Recreation, Jerome Gabryszak as liaison for Community Development, Ronald Marten as liaison for Housing and Code Enforcement, and BE IT FURTHER

RESOLVED that Councilmember Jacqueline Blachowski be appointed as liaison between the Walden Avenue/Pine Hill Neighborhood Preservation Steering Committee and the Cheektowaga Town Board.

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

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

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

WHEREAS, the Cheektowaga Patriotic Commission, Inc. has made application to hold a parade on Friday, July 4, 1997 on Harlem Road, from the Thruway Mall to Town Park, and other activities, including fireworks, amusement rides and games, sale of food and beverages, for the Independence Day celebration on July 4, 5 and 6, 1997, and

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Patriotic Commission, Inc. which application has been approved by the Police Department and the Special Events Committee and they have no objection to same, and

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

Requirement that application be made at least 60 days prior to the date of the special event

Item No. 12 cont'd

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Cheektowaga Patriotic Commission, Inc. for its parade and other activities to be held on July 4, 5 and 6, 1997, 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.

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

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

Item No. 13 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated January 21, 1997, this Town Board formulated a list of projects for which applications have been submitted for grants money available under the 1996 Environmental Bond Act, and

WHEREAS, the Town Engineer has advised this Town Board that sanitary sewer pipeline rehabilitation is deemed necessary within the Harlem Road highway right-of-way, within Town Sewer District No. 3 following recent internal video inspection by the Town Sewer Maintenance Department, and has requested that said project be included for consideration for eligibility under said 1996 Environmental Bond Act, NOW, THEREFORE, BE IT

RESOLVED that the aforesaid resolution be amended to include the above described Sanitary Sewer District No. 3 Pipeline Rehabilitation Project, 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 these grant funds.

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

Item No. 14a Motion by Councilmember Rogowski, Seconded by Councilmember Blachowski

WHEREAS, St. Aloysius Gonzaga Roman Catholic Church owns certain real property located at 157 Cleveland Drive, Cheektowaga, New York, and

WHEREAS, the Cheektowaga Department of Youth and Recreational Services wishes to use a portion of the aforesaid real property for supervised summer recreational activities, and

WHEREAS, an agreement for the use of land by a municipality for playground and/or neighborhood recreational purposes is authorized by section 241 of the General Municipal Law, and

WHEREAS, a proposed agreement for use of the aforesaid land for one year for two sponsored supervised recreational activities has been reviewed and approved by the Director of the Town's Department of Youth and Recreational Services, and

WHEREAS, such agreement has been reviewed as to form by the Town Attorney, and

WHEREAS, only this Town Board may award or authorize a contract for a purpose authorized by law, NOW, THEREFORE, BE IT

Item No. 14a cont'd

RESOLVED that the aforesaid agreement for use of the land of St. Aloysius Gonzaga Roman Catholic Church for playground and/or neighborhood recreational purposes is approved, and the Supervisor be and he hereby is authorized to execute same on behalf of the Town.

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

Item No. 14b Motion by Councilmember Swiatek, Seconded by Councilmember Blachowski

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

BE IT RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is authorized to enter into an agreement with The Hartford to serve as an additional service administrator and investment manager for the Deferred Compensation Plan for Town employees for a term of five (5) years. The plan is established in accordance with both Federal I.R.C. 457 as well as the laws established by the State of New York Deferred Compensation Board. The plan will also comply with Section 5 of the State Finance Law which allows for deferred compensation plans for public employers, effective immediately.

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

Item No. 15 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 ambulances and has recommended that the Town Board license such ambulance(s), NOW, THEREFORE, BE IT

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

1997 FORD - License No. AA7219 - Call No. 256

and BE IT FURTHER

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

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

Item No. 16 Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

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

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

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

Item No. 16 cont'd

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

ORDERED that the owners of properties listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before July 21, 1997 in accordance with the Town's Streets and Sidewalks Ordinance, and BE IT FURTHER

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

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

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



NOTICE OF ADOPTION OF ORDER

OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE that, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on June 16, 1997, YOU ARE HEREBY ORDERED to repair/replace the sidewalks in need of repair or replacement abutting the front of your property.

Such work must be completed on or before July 21, 1997.

In the event you choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done, and will audit and pay the expense of doing such work and assess 50% of the expense thereof (including interest at the rate of 6.00%) against your property in two (2) annual installments; this amount will be added to your Town tax bills for the next (2) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so within 30 days after you are billed for the amount you owe for the sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$26.00 per 20-square foot block of sidewalk, which amount is one-half of the estimated total cost per block.

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

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

Dated: June 16, 1997

RICHARD M. MOLESKI
Town Clerk



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

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

Item No. 17a 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 24 Atwood Place, Cheektowaga, New York, SBL # 90.84-2-53 and according to the Assessors' Office is owned by Baha Kufash, 7 Idlebrook Drive, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and 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 incurred be assessed against the property hereinbefore described.

AYES: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and Jankowiak

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

NAYES: 0
ABSENT: Supervisor Gabryszak

Item No. 17b 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 on East Delavan & Marne, Cheektowaga, New York, SBL # 90.76-4-30 and according to the Assessors' Office is owned by Andrew Pyszczyński, 200 North Elcamino Real #194, Ocean Side, California 92054, and

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 incurred be assessed against the property hereinbefore described.

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

Item No. 17c 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 on 62 Meadowlawn Road, Cheektowaga, New York, SBL # 90.18-9-49 and according to the Assessors' Office is owned by Ms. Diane Gawel, 62 Meadowlawn Road, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and 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 incurred be assessed against the property hereinbefore described.

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

Item No. 17d 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 on 156 Southcrest Avenue, New York, SBL # 91.20-3-37 and according to the Assessors' Office is owned by Mr. Melvin D. Brown, P.O. Box 170, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by cutting and removing the high weeds and 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 incurred be assessed against the property hereinbefore described.

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

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

Item No. 17e 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 on the corner of Vern Lane and William, Cheektowaga, New York, SBL # 113.57-2-15 and according to the Assessors' Office is owned by Tarun K. Ohri, 161 Brooklyn Street, Warsaw, New York 14569, and

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 incurred be assessed against the property hereinbefore described.

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

Item No. 17f Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga has received notification of an unsafe abandoned structure (single family dwelling) at 133 Wellworth Place, Cheektowaga, New York, SBL # 91.20-11-25 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors' Office is owned by Edward B. Sell, Jr., 131 Wellworth Place, Cheektowaga, New York 14225-3318 and 88 Southcrest, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that the Town of Cheektowaga Building Inspections Department take immediate steps to safeguard and secure the east side entrance door in the vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

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

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

Item No. 18 Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

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

EFFECTIVE

FACILITIES DEPARTMENT

Dominick Selvaggio	Immediately
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SEWER MAINTENANCE

Jason Baumgart Immediately

POLICE DEPARTMENT

Gregory Fuchs	Immediately
Tom Urbanski	Immediately
Tom Hudy	Immediately

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997**

RECYCLING DEPARTMENT

Jason Sprada
Andrew Pytlewski

Immediately
Immediately

AYES: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and Jankowiak

NAYES: 0

ABSENT: Supervisor Gabryszak

Item No. 19a Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

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

WHEREAS, said vacancy was posted, and

WHEREAS, James Kazmierczak, currently employed as a Motor Equipment Operator "B" in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that James Kazmierczak of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of Motor Equipment Operator "B" in the Sanitation Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 17, 1997.

AYES: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and Jankowiak

NAYES: 0

ABSENT: Supervisor Gabryszak

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

WHEREAS, a temporary vacancy exists in the position of Traffic Maintenance Worker in the Police Department - Traffic Maintenance Division, and

WHEREAS, said vacancy was posted, and

WHEREAS, James Augustine, currently employed as a General Mechanic in the Facilities Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

Item No. 19b cont'd

RESOLVED that James Augustine of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the temporary position of Traffic Maintenance Worker in the Police Department - Traffic Maintenance Division, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective June 17, 1997.

AYES: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and Jankowiak

NAYES: 0

ABSENT: Supervisor Gabryszak

Item No. 20 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

BE IT RESOLVED that the following individuals be and hereby are hired as PART-TIME employees, in the various departments listed, not to exceed 19 hours on a weekly basis, in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

EFFECTIVE

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997**

ENGINEERING DEPARTMENT - \$7.50 per hour

James Rogowski XXXXXXXXXXXXXXXXXXXX, Depew Immediately

SANITATION DEPARTMENT - \$6.00 per hour

Nicole Falk XXXXXXXXXXXX, Cheek., XXXXX Immediately

FACILITIES DEPARTMENT - \$6.00 per hour 7110-1491

Jeffrey Rogowski XXXXXXXXXXXXXXXXXXXX, Depew Immediately

Martin Surowiec XXXXXXXXXXXXXXXXXXXX, XXXXX Immediately

SENIOR SERVICES DEPARTMENT - \$6.00 per hour (Nutrition Site Manager)

Nan Eustler XXXXXXXXXXXXXXXXXXXX XXXXX Immediately

AYES: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and
Jankowiak

NAYES: 0

ABSENT: Supervisor Gabryszak

Item No. 21a Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

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 - \$6.00 per hour (0100-7110-1491)

Daryl Pischka XXXXXXXXXXXXXXXXXXXXXXXXXXXX 6/17/97

FACILITIES DEPARTMENT - \$6.00 per hour (0100-1625-1491)

Matthew Culley XXXXXXXXXXXXXXXXXXXXXXXXXXXX 6/17/97

Brian Drzymala XXXXXXXXXXXXXXXXXXXXXXXXXXXX6/17/97

Item No. 21a cont'd

RECYCLING DEPARTMENT - \$6.00 per hour

Darryl Heer XXXXXXXXXXXXXXXXXXXXXXXXXXXX 6/17/97

Jeffrey Speaker XXXXXXXXXXXXXXXXXXXXXXXXXXXX 6/17/97

Jim Chojnicki, Jr. XXXXXXXXXXXXXXXXXXXXXXXXXXXX 6/17/97

Nicholas Aster XXXXXXXXXXXXXXXXXXXXXXXXXXXX 6/17/97

and BE IT FURTHER

RESOLVED that Thomas Wink, a seasonal employee in the Youth and Recreational Services Department, be and hereby is transferred as a Seasonal employee in the Police Department-Traffic Maintenance Division, effective immediately.

AYES: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and
Jankowiak

NAYES: 0

ABSENT: Supervisor Gabryszak

Item No. 21b Motion by Councilmember Rogowski, Seconded by Councilmember Blachowski

BE IT RESOLVED that the following individuals be hired as seasonal employees in the Youth and Recreation Department, effective June 17, 1997:

17

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997**

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

Item No. 23 Salary adjustment for Supervising Building & Plumbing Inspector regarding Neighborhood Strike Force Grant
This item was withdrawn.

Item No. 24 Motion by Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, the Office of Emergency Preparedness is holding a seminar/class on "Public Safety Administration" on June 18, 1997 in Rochester, New York, and

WHEREAS, Earl Loder, Disaster Coordinator for the Town, has requested permission to attend this class, and

WHEREAS, it is advantageous to the Town to have the Town Disaster Coordinator attend this class, NOW, THEREFORE, BE IT

RESOLVED that Earl Loder be and hereby is authorized to attend the aforementioned class and to utilize a Town vehicle to travel to and from such class.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 25a Minutes of Cheektowaga Public Library Board - April 23, 1997
Received and Filed.

Item No. 25b Minutes of Cheektowaga Traffic Safety Commission - May 20, 1997
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 26 Summons & Complaint - Diane Racich 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. 27a Notice of Claim - Niagara Mohawk vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department; Sewer Department.
Received and Filed.

Item No. 27b Notice of Claim - Frank Stark vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Senior Services; L. Szymanski, Facilities Foreman; W. Wielinski, Facilities Director.
Received and Filed.

Item No. 27c Notice of Claim - Jill & Daniel Diemert vs Town of Cheektowaga

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Maintenance. Received and Filed.

Item No. 27d Notice of Claim - Lynn Dunning vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Youth & Recreation. Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilmember Johnson, Seconded by Councilmember Blachowski to suspend the rules to include the following item(s), and the voting was as follows:

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

Item No. 28 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, 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

Item No. 28 cont'd

WHEREAS, an application was submitted by A.P.D. Engineering to construct a 17,100± square foot retail store on a 4.9 acre vacant site on Walden Avenue between 1675 Walden Avenue and 1717 Walden Avenue, and

WHEREAS, an applicant has designed the stormwater detention system to accommodate the store, parking area and a future building with parking, and

WHEREAS, the applicant has agreed to install sidewalks along Walden Avenue and, also, on Dale Road if the Town so requests, and

WHEREAS, the Advisory Committee, at its meeting held on June 4, 1997 rendered the determination shown on the attached memo dated June 5, 1997, and

WHEREAS, the 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: Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek and Jankowiak
NAYES: 0
ABSENT: Supervisor Gabryszak

**See next page(s) for attachments

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 16, 1997**

Item No. 29 Motion by Councilmember, Seconded by Councilmember Rogowski
to adjourn the meeting.
Time adjourned was 8:25 P.M.

**RICHARD M. MOLESKI
Town Clerk**

**TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 23, 1997**

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 23rd day of June, 1997 at 5:45 o'clock P.M. there were:

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

ABSENT: Councilmember Jacqueline A. Blachowski

I. RESOLUTIONS

Item No. 2 Motion by Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, the Cheektowaga Town Clerk received sealed bid proposals for Cheektowaga/Recreation Center, Building Rehabilitation Skating Rink Work on June 19, 1997 at 11:00 a.m., and

WHEREAS, Ronald C. Hosken, Architect and Facilities Director, William L. Wielinski have reviewed said bid proposals for compliance with the terms set forth in the plans and specifications, and

WHEREAS, Mollenberg-Betz, Inc. has submitted the low bid of \$361,338.00 and meets the terms as stated in the project plans and specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards Cheektowaga/Recreation Center, Building Rehabilitation Skating Rink Work to Mollenberg-Betz, 300 Scott Street, Buffalo, New York 14204 in the amount of \$361,338.00 and BE IT FURTHER

RESOLVED that the Cheektowaga Town Board hereby accepts the time frame for completion as no later than September 30, 1997 at no additional cost, and BE IT FURTHER

RESOLVED that funds for said action are available from Capital Improvement Account #5709.7110.9704.

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



Motion by Councilmember Jaworowicz, Seconded by Councilmember Jankowiak to dispense with the reading of the names, and the voting was as follows:

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



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

TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 23, 1997

BE IT RESOLVED that the following Youth and Recreation Employees be terminated, effective immediately (part-time):

Sandra Bentz
Gayle Bosiacki
Sara Broton
Jeffrey Coia
Cathleen Cramer
Elizabeth Czajkowski
Mark Dipasquale
Brandon Dziengielewski
Norine Godzich
Karen Grinnen
Julie Isch
Gina Indelicato
Kim Kurdys
Patrick Lally
Christy Male
Bonnie Nowicki
Tony Pawlowski
Paul Rokitka
Jennifer Sielski
Keith Stachura
Joelle Stapleton
Kim Szucs
Amy Tomaka
Tom Wasielewski
Ronn Whitehead

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

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

BE IT RESOLVED that the below listed individuals be hired as seasonal employees in the Youth and Recreation Department, effective June 24, 1997:

CAMPS

Camp Flamingo - 7310.1810

Lisa Robida	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Katherine Lewis	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Counselor II - \$5.00

Kathryn Astran	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kim Beneduce	XXXXXXXXXXXXXXXXXXXX

CAMP JI-IK-DO-WAH-GAH - 7310.1801

Counselor IV - \$5.50

Jennifer Borkowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Item No. 4 cont'd

YOUTH CONSERVATION CORPS (YCC)

TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 23, 1997

YCC Participants - 7310.1811 \$4.75

Rachel Chimento	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Paul Gasiewicz	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kimberly Schneider	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

and BE IT FURTHER

RESOLVED that the following individuals be and hereby are hired as Seasonal Employees in the various departments as listed:

EFFECTIVE

RECYCLING DEPARTMENT - \$6.00 per hour

David Martin	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Patrick Fix	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately

SANITATION DEPARTMENT - \$6.00 per hour

David Principato	XXXXXXXXXXXXXXX	Immediately
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JUSTICE COURT - \$6.00 per hour

Kathy Kmiotek	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	6/28/97
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek and Jankowiak

NAYES: 0

ABSENT: Councilmember Blachowski

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

BE IT RESOLVED that the below listed individual be transferred as indicated (seasonal):

Camp Cedargrove - 7180.1631

From Recreation Attendant to Recreation Attendant III - \$5.25
(effective June 24th)

Tammy Schumacher

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

NAYES: 0

ABSENT: Councilmember Blachowski

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

WHEREAS, St. John Gualbert Catholic Church owns certain real property located at 120 Alexander Avenue, Cheektowaga, New York 14211, and

WHEREAS, the Cheektowaga Department of Youth and Recreational Services wishes to use a portion of the aforesaid real property for supervised summer recreational activities, and

WHEREAS, an agreement for use of the property for a municipality for playground and/or neighborhood recreational purposes is authorized by section 241 of the General Municipal Law, and

Item No. 6 cont'd

WHEREAS, a proposed agreement for use of the aforesaid property for a sixty (60) day period for town sponsored supervised recreational activities has been reviewed and approved by the Director of the Town's Department of Youth and Recreational Services, and

WHEREAS, such agreement has been reviewed as to form by the Town Attorney, and

TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 23, 1997

WHEREAS, only this Town Board may award or authorize a contract for a purpose authorized by law, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned agreement for use of the property of St. John Gualbert Catholic Church for playground and/or neighborhood recreational purposes is approved, and the Supervisor be and he hereby is authorized to execute same on behalf of the Town.

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

Item No. 7 Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn the meeting.
Time Meeting was adjourned - 6:00 P.M.

RICHARD M. MOLESKI
Town Clerk