

TOWN OF CHEEKTOWAGA
MEETING NO. 1
JANUARY 4, 1999

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of January, 1999 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
Councilmember Thomas J. Mazur

Also present were: Richard M. Moleski, Town Clerk; Ronald Marten, Building and Plumbing Inspector; William Conway, Assessor; Robert Kaczmarek, Supervising Accountant; and Bruce Chamberlin, Chief of Police.

I. RESOLUTIONS

Item No. 2 Moved 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:	0100-3120-1591	Crossing Guards	\$ 63.00
To:	0100-3610-1394	Part-Time Secretary	\$ 63.00

Upon roll call

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

Item No. 3a Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that regular meetings of the Town Board of the Town of Cheektowaga for the calendar year 1999 shall be held at 7:00 P.M. in the Council Chambers of the Town Hall, 3301 Broadway, Cheektowaga, New York on the following referenced dates:

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

January 19th
February 1st and 22nd
July 6th and 19th
September 7th and 20th

and, BE IT FURTHER

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

Upon roll call

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

Item No. 3b Moved by Unanimous, seconded by Unanimous

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BE IT RESOLVED, that the Town Board of the Town of Cheektowaga shall hold work sessions for the calendar year 1999 at 6:00 P.M. on the second and fourth Wednesdays of each month, and, BE IT FURTHER

RESOLVED, that said work sessions shall be held in the Council Office Conference Room, Town Hall, 3301 Broadway, Cheektowaga, New York.

Upon roll call

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

Item No. 4a Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 1999:

New Year's Day	January 1, 1999	Friday
Day After New Year's	January 2, 1999	Saturday
President's Day	February 15, 1999	Monday
Good Friday	April 2, 1999	Friday
Memorial Day	May 31, 1999	Monday
Independence Day	July 5, 1999	Monday
Labor Day	September 6, 1999	Monday
Columbus Day	October 11, 1999	Monday
Election Day	November 2, 1999	Tuesday
Veterans Day	November 11, 1999	Thursday
Thanksgiving Day	November 25, 1999	Thursday
Day After Thanksgiving	November 26, 1999	Friday
Christmas Eve	December 24, 1999	Friday
Christmas Day	December 25, 1999	Saturday

Upon roll call

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

Item No. 4b Moved by Unanimous, seconded by Unanimous

WHEREAS, Section 64 of the Town Law empowers a Town Board to designate a newspaper as the official paper of the Town provided such newspaper is regularly published in the Town and has been entered as second class mail matter, AND

WHEREAS, the Cheektowaga Times has served as the official newspaper of the Town for the past several years, and is qualified to serve as the Town's official newspaper, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Times be and hereby is designated as the official newspaper of the Town.

Upon roll call

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

Item No. 5 Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that Marine Midland Bank, N.A. (Cheektowaga Office), Fleet Bank (Walden Avenue Office), Key Bank (Cheektowaga Office), Chase Bank, N.A. (Depew Office), Citibank

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(Cheektowaga Office) and Manufacturers and Traders Trust Company (Airport Plaza Office), as designated depositories of the Town of Cheektowaga, be and they are hereby requested, authorized and directed to honor checks, notes and other instruments for the payment of money against funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of Dennis H. Gabryszak, Supervisor and, BE IT FURTHER

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

Upon roll call

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

Item No. 6 Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that the following banking institutions be named official Town Depositories for the Year 1999:

Marine Midland Bank, N.A. (Cheektowaga Office)
Manufacturers and Traders Trust Company (Airport Plaza)
Key Bank (Appletree Business Park and Union Road)
Fleet Bank (Harlem Road Office)
Chase Bank, N.A. (Depew Office)
Citibank (Cheektowaga Office)

Upon roll call

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

Item No. 7 Moved by Unanimous, seconded by Unanimous

WHEREAS, by resolution dated May 3, 1993, the Cheektowaga Town Board adopted an Investment Policy as the comprehensive investment policy of the Town, AND

WHEREAS, by resolution dated January 3, 1996, this Town Board adopted such Investment Policy with minor amendments, AND

WHEREAS, changes in legislation require further amendments to the Investment Policy, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts the attached Investment Policy as the comprehensive investment policy of the Town of Cheektowaga, effective immediately.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 8 Moved by Unanimous, seconded by Unanimous

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

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

WHEREAS, the Town Receiver of Taxes and Assessments is knowledgeable about the methods of investment and institutions in which investments can be made, AND

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

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

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

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

Upon roll call

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

Item No. 9a Moved by Unanimous, seconded by Unanimous

WHEREAS, Section 150 of the Town Law grants discretionary authority to a town for entry into an agreement with a village located partially within its boundaries and with a police department of four or more policemen on an annual full-time basis, to determine what part of the cost of the town police department shall be assessed against the property in the village, AND

WHEREAS, the Village of Depew is located partially within the boundaries of the Town of Cheektowaga, and, in addition, the Village of Depew maintains a police department on an annual full-time basis, AND

WHEREAS, the annual budget of the Town for the fiscal year beginning January 1, 1999 provides for a credit of \$220,000.00 to the Village of Depew for the cost of the Town Police Department assessed against the property in the Village, AND

WHEREAS, a proposed agreement with the Village of Depew on the matter of the aforementioned credit has been prepared and reviewed, NOW, THEREFORE, BE IT

RESOLVED, that the aforesaid agreement is approved, and the Supervisor be and hereby is authorized and directed to execute same on behalf of the Town.

Upon roll call

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

Item No. 9b Moved by Unanimous, seconded by Unanimous

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

A. Annual Audit - A complete financial audit of the Town's records will be performed to include:

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1. Preparation of the Annual Financial Report to the New York Department of Audit and Control.
2. Preparation of financial audit of the Town's records for the year ended December 31, 1998.
3. Preparation of management letter relative to regular audit.

B. Single Audit

Conduct audit of Town's federal financial assistance for compliance with applicable federal laws and regulations in accordance with the Single Audit Act of 1984.

C. Consultative Services - Periodic consultation (minimum 90 hours) will be provided to the Supervisor and the Town's Chief Accountant on areas such as: State revenue sharing, borrowings, federal and state legislative developments, and other areas as requested.

D. Benefit Basis Budget Preparation - Assistance will be provided to the Supervisor, Town Board and the Town's Chief Accountant in various phases of the preparation of the 2000 benefit basis budget. Will compute special district rates for submission to Erie County to assist in the preparation of individual property tax bills.

E. Ad Valorem Budget Consultation - Will review the tentative 2000 Ad Valorem Budget and report as to their observations and recommendations to the Supervisor and Town Board on that document. Will also provide commentary on the internally-prepared projections of available fund balances related to budget preparation (minimum 100 hours).

F. Audit of Town Clerk, Tax Receiver and Town Justice Budgets. Will prepare financial statements for these departments on the cash basis of accounting.

G. Will aid the Town in the preparation of the Comprehensive Annual Financial Report to be submitted to the Government Finance Officer's Association - for review in the Certificate of Excellence in Financial Reporting Program.

H. Preparation of Detailed Budget Presentation Document.

and

WHEREAS, this Town Board desires to retain the services of Deloitte & Touche, CPA's, for these services, NOW, THEREFORE, BE IT

RESOLVED, that Deloitte & Touche be retained to perform the services listed above for the year 1999 according to the following fee schedule:

\$22,000.00	General Fund	Acct. #01-1320-0004-4506
\$19,500.00	Sanitary Sewer Dist. #3	Acct. #23-8123-0004-4506
\$31,200.00	Sanitary Sewer Dist. #5	Acct. #25-8125-0004-4506
\$ 8,700.00	Capital Projects Fund	Acct. Various
\$ 7,600.00	Single Audit	Acct. Various
	(Various Federal Programs)	

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 10 Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that the salaries of the following Town employees not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1999:

Disaster Coordinator	\$10,692.00
Bingo Inspector (5)	\$ 7,192.64
Bingo Chairman (1)	\$ 7,531.68
Planning Board Members (5)	\$ 3,396.96
Planning Board Secretary (1)	\$ 4,299.84
Planning Board Chairman (1)	\$ 5,018.88

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Zoning Board Members (4)	\$ 4,005.12
Zoning Board Chairman (1)	\$ 5,424.96
Zoning Inspector (Part-Time)	\$ 15.913/hr.
Assessment Review Board Member (4)	\$ 1,259.84
Assessment Review Board Chairman (1)	\$ 1,566.17
Police Matron (3)	\$13,000.00
School Crossing Guards (30)	\$ 7.107/hr.
School Crossing Guard Supervisor	\$15,000.00
Town Historian	\$ 1,500.00
Court Officers	\$ 12.50/hr.
Court Officer Supervisor	\$ 13.50/hr.
Secretary to Traffic Safety Commission	\$ 2,163.00

Upon roll call

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

Item No. 11a Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that Michael J. Stachowski be and hereby is reappointed to the position of Deputy Town Attorney with the following duties:

- Reviewing and monitoring litigation matters involving outside counsel
- Performing in-house litigation matters and proceedings filed against the Town
- Handling assessment review proceedings
- Performing such other duties as assigned to him by the Town Attorney

at an annual salary of \$32,801 and, BE IT FURTHER

RESOLVED, that this reappointment shall be effective as of January 1, 1999.

Upon roll call

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

Item No. 11b Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that the following individuals be and hereby are appointed as Bingo Inspectors, effective January 1, 1999 for a term of one year.

Katherine Zydel, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Ruth A. Cassacci, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
John Abraham, XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX
Joanne Burst, XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX
Thaddeus I. Marciniak, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX

and, BE IT FURTHER

Item No. 11b cont'd.

RESOLVED, that the following individual be and hereby is appointed Bingo Inspector Chairman, effective January 1, 1999 for a term of one year:

Kenneth J. Jeffords, XXXXXXXXXXXXXXXX, Depew, New York XXXXX

Upon roll call

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

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Item No. 11c Moved by Unanimous, seconded by Unanimous

WHEREAS, the term of Cheektowaga Public Library Board member Judith M. Mietlicki expired on December 31, 1998, AND

WHEREAS, the Board of Trustees of the Cheektowaga Public Library Board recommended that Ms. Mietlicki be reappointed for another term, NOW, THEREFORE, BE IT

RESOLVED, that Judith M. Mietlicki, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is reappointed as a member of the Cheektowaga Public Library Board, effective January 1, 1999 and terminating on December 31, 2003.

Upon roll call

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

Item No. 11d Moved by Unanimous, seconded by Unanimous

WHEREAS, the term of Joseph Lipowski as Member of the Cheektowaga Planning Board expired on December 31, 1998, AND

WHEREAS, Joseph Lipowski has performed his duties satisfactorily as Member of the Cheektowaga Planning Board in the past, and desires to continue to serve on such Board, NOW, THEREFORE, BE IT

RESOLVED, that Joseph Lipowski, XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is reappointed as Member of the Cheektowaga Planning Board, effective January 1, 1999 and terminating on December 31, 2005.

Upon roll call

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

Item No. 11e Moved by Unanimous, seconded by Unanimous

WHEREAS, the terms of Cheektowaga Traffic Safety Commission members Lou Penkalski and Charles Getz expired on December 31, 1998, AND

WHEREAS, the Cheektowaga Traffic Safety Commission recommended that such individuals be reappointed to another term, NOW, THEREFORE, BE IT

RESOLVED, that Lou Penkalski, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX and Charles Getz, XXXXXXXXXXXXXXXX, West Seneca, New York XXXXX be and hereby are reappointed as members of the Cheektowaga Traffic Safety Commission effective January 1, 1999 and terminating on December 31, 2001.

Item No. 11e cont'd.

Upon roll call

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

Item No. 11f Moved by Unanimous, seconded by Unanimous

WHEREAS, in order to keep this Town Board informed as to the needs of veterans in the Town, this Town Board created the Veterans Affairs Committee and appointed members thereto, AND

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WHEREAS, the members of the Veterans Affairs Committee serve for terms of one year, and their terms expired on December 31, 1998, AND

WHEREAS, this Board wishes to reappoint these members to another one year terms, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are reappointed to the Cheektowaga Veterans Affairs Committee, effective January 1, 1999 and expiring on December 31, 1999:

Alexander Burke, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Victor Carlucci, XXXXXXXXXXXXXXXX, Depew, New York XXXXX
Wesley Fuqua, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Dorothy Kubik, XXXXXXXXXXXXXXXX, Apt. 244, Cheektowaga, New York XXXXX
Donald LeBarron, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Joseph Lipowski, XXXXXXXXXXXXXXXX, Depew, New York XXXXX
Sylvia Lipowski, XXXXXXXXXXXXXXXX, Depew, New York XXXXX
Joseph Porempski, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Earle Rosenthal, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Elaine Rosenthal, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Edward Schultz, XXXXXXXXXXXXXXXX, Sloan, New York XXXXX
George Ross, XXXXXXXXXXXXXXXX, Sloan, New York XXXXX

Upon roll call

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

Item No. 11g Moved by Unanimous, seconded by Unanimous

WHEREAS, the term of Robert Brandon as member of the Cheektowaga Zoning Board of Appeals expired as of December 31, 1998, AND

WHEREAS, Robert Brandon has performed his duties satisfactorily as Member of the Zoning Board of Appeals in the past, and desires to continue on such Board, NOW, THEREFORE, BE IT

RESOLVED, that Robert Brandon, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is reappointed as Member of the Cheektowaga Zoning Board of Appeals, effective January 1, 1999 and terminating on December 31, 2003.

Upon roll call

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

Item No. 12 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town is eligible to receive approximately \$862,000 in Community Development Block Grant funds for the 1999 Program Year, AND

WHEREAS, the Amherst-Cheektowaga-Tonawanda HOME consortium, of which the Town of Cheektowaga is a member, is eligible to receive approximately \$982,000 in Home Investment Partnership program funds for the 1999 Program Year, of which Cheektowaga will receive a proportionate and equitable share, AND

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

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WHEREAS, the Town is required to hold public hearings to obtain the views of Town residents, public agencies and other interested parties on housing and community development needs, AND

WHEREAS, proposed activities under the 1999 Community Development Block Grant and HOME Programs have been made available for public review and comment in the public libraries within the Town, the Cheektowaga Town Clerk's Office and the Community Development Office, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on January 19, 1999 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, New York 14227 for the above stated purpose and, BE IT FURTHER

RESOLVED, that the attached public notice of such public hearing be published in the Cheektowaga Times on Thursday, January 7, 1999.



LEGAL NOTICE
NOTICE OF PUBLIC HEARING
Town of Cheektowaga FY 1999 Annual Plan
Community Development Block Grant/HOME Programs

The Town of Cheektowaga will hold a Public Hearing on January 19, 1999 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway Avenue, Cheektowaga, New York, regarding the Town's 1999 Annual Plan for the Community Development Block Grant and HOME Investment Partnership Programs.

The Town is eligible to receive \$862,000 in Community Development Block Grant funds for the 1999 Program Year; the Amherst-Cheektowaga-Tonawanda HOME Consortium, of which the Town of Cheektowaga is a member, is eligible to receive \$982,000 in Home Investment Partnership program funds for the 1999 Program Year, of which Cheektowaga will receive a proportionate and equitable share.

The purpose of this hearing is to provide the citizens of the Town of Cheektowaga and interested parties the opportunity to express their views and opinions on housing and community development needs in the Town. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

Residents of low and moderate income neighborhoods as well as all citizens of the Town are encouraged to participate in this process and express their views on the use of funds and activities that may be carried out with program funds. Upon prior request, an interpreter will be made available at the hearing to sign for the hearing impaired. If you are in need of such special arrangements, please contact the Cheektowaga Community Development Office at 897-7200 seven (7) business days in advance of the hearing. The hearing location is accessible to the physically

Item No. 12 cont'd.

handicapped. Written comments may be submitted to the Office of Community Development, 275 Alexander Avenue, Cheektowaga, New York 14211.



Upon roll call

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

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Item No. 13a Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, bid proposals were received for the furnishing of Athletic White Stripe for the Facilities Department on December 21, 1998, AND

WHEREAS, said proposals have been reviewed for compliance under the terms of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby award said bid for Athletic White Stripe to:

Keystone Builders Supply, Inc.
4388 Broadway
Depew, New York 14043

Athletic White Stripe @ \$.55 per lb.

Upon roll call

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

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NAYES: 0
ABSENT: 0

Item No. 13b Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, bid proposals were received for the Leasing and Servicing of Portable Chemical Toilets on December 21, 1998, AND

WHEREAS, said proposals have been reviewed for compliance under the terms of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby award said bid for the Leasing and Servicing of Portable Chemical Toilets to:

Ball Toilets & Septic Service
P.O. Box 2072
Blasdell, New York 14219

Category A	-	Single Units	-	\$1.09 per day, per unit, Items I through X
Category B	-	Handicapped Units	-	\$2.20 per day, per unit, Item I
Category C	-	Special Events	-	\$13.75 per day, per unit, Items I through X

Upon roll call

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

Item No. 13c Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, sealed bids were received for Pool Maintenance Chemicals on December 21, 1998 at a meeting held for said purpose, AND

WHEREAS, said bids have been reviewed for compliance under the terms of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby awards said bid for Pool Maintenance Chemicals to:

Alden Pools, Inc.
12890 Broadway
Alden, New York 14004

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- for -

Category I	-	Bromine	-	\$2.485 per lb.
Category II	-	Diatomaceous Earth	-	\$.29 per lb.
Category III	-	Sodium Bicarbonate	-	\$.35 per lb.
Category IV	-	Soda Ash	-	\$.31 per lb.

Upon roll call

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

Item No. 14 Moved by Councilmember Jaworowicz, seconded by Supervisor Gabryszak,

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WHEREAS, by resolution dated December 21, 1998, this Town Board reappointed Andrew H. Schwenk to the position of member of the Board of Assessment Review, AND

WHEREAS, such resolution contained an incorrect termination date of September 30, 2002 instead of September 30, 2003, NOW, THEREFORE, BE IT

RESOLVED, that the aforesaid resolution be and hereby is amended to state that the termination date for the reappointment of Andrew H. Schwenk to the Board of Assessment Review shall be September 30, 2003.

Upon roll call

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

Item No. 15 Moved by Supervisor Gabryszak, seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga has supported the Meals on Wheels Program for over twenty 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 \$28,000 for the year 1999 to insure the continuity of this program in our town.

Upon roll call

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

Item No. 16 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, by resolution dated August 17, 1998, this Town Board rezoned property at 4874-4876 Transit Road, Cheektowaga, New York from C-Retail Business District to MS-Motor Services District, AND

WHEREAS, the owner of such property, Monroe Muffler Brake, Inc. offered to convey the rear 2+ acres of land at such location to the Town, AND

Item No. 16 cont'd.

WHEREAS, Monroe Muffler Brake, Inc. has submitted a deed to the Town for this land, AND

WHEREAS, the Town can utilize this land for drainage and environmental purposes, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the deed from Monroe Muffler Brake, Inc. for the above referenced property at the rear of 4874-4876 Transit Road and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file the deed for this property in the Erie County Clerk's Office.

Upon roll call

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

Item No. 17 Moved by Councilmember Johnson, seconded by Councilmember Swiatek

MEETING NO. 1
JANUARY 4, 1999

WHEREAS, the Villages of Depew and Lancaster and the Town of Lancaster are in the process of preparing a regional comprehensive master plan for the development of their communities, AND

WHEREAS, the Town of Cheektowaga is an interested party under the State Environmental Quality Review Act ("SEQRA") for the preparation of this master plan because of various potential impacts to the Town of Cheektowaga resulting from the implementation of a master plan in such communities, AND

WHEREAS, the Village Board of the Village of Lancaster has notified the Town of Cheektowaga that the Lancaster Village Board requests lead agency status under SEQRA for the completion of this comprehensive master plan, AND

WHEREAS, this Town Board, under the Environmental Impact Review Ordinance of the Town, renders decisions on behalf of Cheektowaga with respect to environmental matters affecting the Town, AND

WHEREAS, this Town Board has no objection to the Village Board of the Village of Lancaster serving as lead agency with respect to the preparation of the above referenced comprehensive master plan provided that this Town Board has the opportunity to provide input and comment on the preparation of such plan, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, on behalf of the Town of Cheektowaga, hereby consents to the Village Board of the Village of Lancaster serving as lead agency under SEQRA with respect to the preparation of the above referenced comprehensive plan AND, BE IT FURTHER

RESOLVED, that this Town Board hereby requests the Village Board of the Village of Lancaster to notify the Cheektowaga Town Clerk and Cheektowaga Building Inspector/EAC Intake Officer Thomas Adamczak of all developments with respect to the preparation of the above referenced comprehensive plan and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Village Boards of the Villages of Lancaster and Depew, to the Town Board of the Town of Lancaster and to Mary Kopaskie of Peter J. Smith & Company, Inc. (1140 Delaware Avenue, Buffalo, New York 14209).

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 18 Moved by Councilmember Mazur, 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 attached list of vehicles 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.

<u>VEHICLE MAKE & YEAR</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
1998 Ford	AA 5160	250
1998 Ford	AA 7238	511
1998 Ford	AA 2990	518
1998 Ford	AA 7235	543

Upon roll call

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

MEETING NO. 1
JANUARY 4, 1999

NAYES: 0
ABSENT: 0

Item No. 19 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, subject to approval by the Town Attorney, that Supervisor Dennis H. Gabryszak be authorized to sign contracts between the Town of Cheektowaga and the performers at the Cultural Center summer concerts and special events to be held in June, July and August, 1999 not to exceed the sum of the following Town budget line items:

FUNDING SOURCE: 01-7140-4503
01-7140-4491

Upon roll call

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

Item No. 20 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

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

EFFECTIVE

SANITATION

Marie Manley 01/04/99

FACILITIES

Andrew Dewolf 12/31/98
David Roman "
Michael Full "

Item No. 20 cont'd.

Upon roll call

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

Item No. 21a Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Senior Clerk-Typist (Promotional) in the Town Clerk's Office, AND

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

WHEREAS, such job title is in the competitive class of Civil Service, AND

WHEREAS, Oliada Nowicki, currently employed as a Clerk-Stenographer in the Town Clerk's Office, appears on said Civil Service list and is eligible for said promotion, NOW, THEREFORE, BE IT

RESOLVED, that Oliada Nowicki of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Senior Clerk-Typist in the Town Clerk's Office in

MEETING NO. 1
JANUARY 4, 1999

accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 5, 1999.

Upon roll call

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

Item No. 21b Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, a vacancy exists in the position of Building and Zoning Clerk (Provisional) in the Building and Plumbing 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, there is no valid Civil Service list for the title of Building and Zoning Clerk, AND

WHEREAS, Suzanne Sanscrainte applied for said vacancy, was interviewed and meets the qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Suzanne Sanscrainte of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the provisional position of Building and Zoning Clerk in the Building and Plumbing Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 5, 1999.

Upon roll call

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

Item No. 22 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be and hereby are transferred as indicated:

Seasonal - effective 1/4/99 - 3/14/99
Part-Time - effective 3/15 - 10/3
Seasonal - effective 10/4 -12/31

Matthew Bean
Lynne Butts
Eugene Pytlewski

Seasonal - effective 1/4/99

Angela Krzemien
Susan Switalski
Camille Russell

Upon roll call

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

Item No. 23a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

MEETING NO. 1
JANUARY 4, 1999

BE IT RESOLVED, that the following individual be hired as a Part-Time Recreation Attendant I (Trainee) in the Youth and Recreation Department at the ninety day training rate of \$4.25 per hour, AND

BE IT RESOLVED, RESOLVED, that the salary be increased to the minimum wage of \$5.15 per hour after said ninety day period.

Gymnastics - 7140.1630

Recreation Attendant (Trainee) - \$4.25

Amy Hawrysiak	53 Park Edge	14225
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Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 23b Moved by Councilmember Mazur, seconded by Councilmember Swiatek

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

ASSESSOR'S OFFICE - Clerk - \$6.00 per hour

Beatrice Szymkowiak	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	Immediately
Marlene Pijacki	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"

SANITATION - Laborer - \$6.00 per hour

Charles Cobb	XXXXXXXXXXXXXXXXXXXXX, Depew XXXXX	Immediately
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Item No. 23b cont'd.

POLICE DEPARTMENT - Crossing Guard - \$6.90 per hour

Thelma Burke	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	01/01/99
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FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Paul Ivanowski	XXXXXXXXXXXXXXXXXX, Depew XXXXX	01/01/99
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Upon roll call

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

NAYES: 0

ABSENT: 0

BE IT FURTHER 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

JUSTICE COURT - Clerk - \$12.50 per hour

Stephanie Lewandowski	XXXXXXXXXXXXXXXX, Cheektowaga XXXXX	01/01/99
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Upon roll call, . . .

AYES: Councilmembers Jaworowicz, Rogowski, Johnson, Jankowiak, and Mazur

MEETING NO. 1
JANUARY 4, 1999

NAYES: Supervisor Gabryszak
ABSENT: 0

Item No. 23c Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

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

EFFECTIVE

POLICE DEPARTMENT - Clerk - \$6.00 per hour

Candace Solecki XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX 01/01/99

SEWER MAINTENANCE - Laborer - \$6.00 per hour

Eric Czubaj	XXXXXXXXXXXXXXXXXXXX, Sloan	XXXXX	01/04/99
Joseph Gruber	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Donald Hartman	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Marcus Hartman	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Damian Klosko	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Mark Klosko	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Lou Mueller	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Alan Ross	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Phil Tasillo	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
David Tomasello	XXXXXXXXXXXXXXXXXXXX, Depew	XXXXX	"

ASSESSOR'S OFFICE - Clerk - \$6.75 per hour

Mary Morris XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX 01/04/99

Item No. 23c cont'd.

ASSESSOR'S OFFICE - Clerk - \$7.00 per hour

Suzanne O'Neill XXXXXXXXXXXXXXXXXXXX Sloan XXXXXX 01/04/99

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Andrew Dewolf	XXXXXXXXXXXXXXXXXXXX, Depew	XXXXX	01/01/99
David Roman	XXXXXXXXXXXX, Cheektowaga	XXXXX	"
Michael Full	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Felix Lampke XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX 01/04/99

Upon roll call . . .

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

Item No. 24 Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, as part of the operation and maintenance responsibilities associated with the Sanitary Sewer District No. 5 Main Pump Station and various other sanitary sewer pump station facilities the Town has relied on engineering consultant technical assistance to resolve problems as they occur which involve highly specialized components, and by conducting quarterly preventative maintenance inspections, to insure efficient facilities operation, AND

MEETING NO. 1
JANUARY 4, 1999

WHEREAS, there is need to continue obtaining specialized technical assistance in order to assure continuous uninterrupted operation of the sanitary sewer system facilities, AND

WHEREAS, the engineering consulting firm of Nussbaumer & Clarke, Inc. has been found qualified to perform such services and have in the past provided assistance at all hours as needed on an emergency basis, NOW, THEREFORE, BE IT

RESOLVED, that agreement for general technical services for calendar years 1999 through 2001 as submitted by the consulting firm of Nussbaumer & Clarke, Inc. and as recommended by the Town Engineer and reviewed by the Office of the Town Attorney is approved and accepted and, BE IT FURTHER

RESOLVED, that the professional fees shall be based on the hourly rates established in the agreement and shall be chargeable to Contracted Technical Services Account No: 2500-8125-4581 as budgeted and, BE IT FURTHER

RESOLVED, that the Supervisor is directed and authorized to sign said agreement for professional services with:

Nussbaumer & Clarke, Inc.
3556 Lake Shore Road
Buffalo, New York 14219-1439

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 25 Building Permits
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 26a Notice of Claim: Travelers Property and Casualty Company vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Chief of Police and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26b Notice of Claim: Arthur Corker vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Chief of Police and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26c Notice of Claim: CarTemps, USA, Rent-A-Car, (Gregory Ferguson) vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Chief of Police and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 27 Moved by Supervisor Gabryszak, seconded by Councilmember Rogowski to adjourn this meeting. This meeting was adjourned at 7:48 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA

MEETING NO. 2

January 19, 1999

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 January, 1999 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
Councilmember Thomas Mazur

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Jim Kirisits, Town Attorney; Sal LaGreca, Chairman of the Planning Board; Bill Pugh, Town Engineer; John Schaller, Assistant Chief of Police; Jerry Gabryszak, Director of Community Development; Robert Kaczmarek, Supervising Accountant; Mark Wegner, Foreman-Facilities Department; William Conway, Assessor; Earl Loder, Disaster Coordinator.

I. RESOLUTIONS

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

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

CAPITAL FUND

FROM: 5826-1910-5031 Transfers In	\$500,000.00
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TO:	5826-1440-9801 Harlem Road Storm Sewer	\$500,000.00
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur

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 January 15, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 747,534.87
HIGHWAY FUND	180,588.92
TRUST & AGENCY	15,245.55
PART TOWN FUND	7,358.86
HUD CDBG FUND	65,924.65
RISK RETENTION FUND	83,538.00
SPECIAL DISTRICTS FUND	389,712.60
CAPITAL FUND	<u>144,149.35</u>
	\$1,634,052.80

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

NAYES: 0

ABSENT: 0

Item No 4 Motion by Councilmember Johnson, Seconded by Councilmember Mazur

MEETING NO. 2
January 19, 1999

WHEREAS, as a result of advertisement, bids were received on December 23, 1998 for the furnishing of equipment and operators for maintenance and installation of storm sewers and erosion control projects during the calendar year of 1999 in the Town of Cheektowaga, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated January 11, 1999, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of equipment and operators for maintenance and installation of drainage and erosion control projects in the Town of Cheektowaga be awarded to Kissell Excavating, Inc., 1026 Reilein Road, Cowlesville, New York 14037 for submission of the lowest bid meeting the specifications as per the unit prices of:

Item 1	Hydraulic Backhoe	\$598.00 per 8 hour day
Item 2	Tractor with Front End Loader	\$400.00 per 8 hour day
Item 3	Dozer	\$598.00 per 8 hour day
Item 4	Dozer	\$465.00 per 8 hour day
Item 5	Dozer	\$465.00 per 8 hour day
Item 6	Tandem Dump Truck	\$340.00 per 8 hour day
Item 7	Landscape Type Tractor	\$200.00 per 8 hour day
Item 8	Hydraulic Backhoe	\$620.00 per 8 hour day
Item 9	Laborers	\$400.00 per 8 hour day
Item 10	Hydraulic Backhoe	\$610.00 per 8 hour day

and BE IT FURTHER

RESOLVED that payment for said equipment and operators for maintenance and installation of storm sewers and erosion control projects is to be chargeable on an as-needed basis by any Town departments who wish to avail themselves of this service within their appropriated budget items.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

MEETING NO. 2
January 19, 1999

WHEREAS, the New York State Archives and Records Administration (SARA) is accepting applications for eligible projects for funding its New York State Local Government Records Management Improvement Fund, and

WHEREAS, Robert J. Miller and Associates has rescinded their offer to remain grant consultants to the Town, NOW, THEREFORE, BE IT

RESOLVED that the resolution dated December 7, 1998, is amended to state that Lisa-Marie DeMont, Records Inventory Clerk, be authorized and directed to complete the application materials to be submitted to SARA.

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

Item No. 6a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of continuing the operation of a joint program with the Cheektowaga Public Library System at each of Cheektowaga's four branch libraries, provides special activities that encourage children to read and become more familiar with the library, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga continue said program for a twelve (12) month period, January 1, 1999 through December 31, 1999 with a total cost not to exceed the sum of \$2,100.00, and BE IT FURTHER

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute said agreement between the Town of Cheektowaga and the Cheektowaga Public Library System.

CONTRACT # (BUDGET LINE ITEM) 01-7310-4675

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

Item No. 6b 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 1999, 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 1999, and

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

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said transportation program for the year 1999, NOW, THEREFORE, BE IT

Item No. 6b cont'd

MEETING NO. 2
January 19, 1999

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, 1999.

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

Item No. 6c Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of continuing the operating of a joint program with Child and Family Services of Erie County, 330 Delaware Avenue, Buffalo, New York 14202, for the purpose of providing group, individual and family counseling to police and court referred juveniles, youthful offenders, and runaway and homeless youth, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Child and Family Services to continue said program for a twelve month period, January 1, 1999 through December 31, 1999 with a total cost not to exceed the sum of \$98,197.00, and BE IT FURTHER

RESOLVED that Child and Family Services will reimburse the Town for up to \$14,730.00 (15%) of the actual costs of operating said program and the New York State Office of Children and Family services will reimburse the Town for up to \$27,696.00 (28%) leaving the actual cost to the Town at \$55,771.00 (57%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-4687

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

Item No. 6d Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Youth and Recreational Services Department is desirous of continuing the operating of a joint program with Catholic Charities Metropolitan Services Department of 525 Washington Street, Buffalo, New York 14203, whereby high risk youth within the Town will receive individual and family counseling through the School Intervention Service, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Catholic Charities Metropolitan Services to continue said program for a twelve month period, January 1, 1999 through December 31, 1999 with a total cost not to exceed the sum of \$134,917.00, and BE IT FURTHER

RESOLVED that Catholic Charities Metropolitan Services will reimburse the Town for up to \$33,729.00 (25%) of the actual costs of operating said program and the New York State Office of Children and Family services will reimburse the Town for up to \$38,711.00 (29%) leaving the actual cost to the Town at \$62,477.00 (46%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-4677

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

Item No. 6e Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

MEETING NO. 2
January 19, 1999

WHEREAS, the Cheektowaga Youth & Recreational Services Department is desirous of continuing the operation of the Youth Engaged in Service program with the Youth Department - the Diocese of Buffalo of 795 Main Street, Buffalo, New York, which prepares and provides teenagers with opportunities to assist their community in various projects that have a need for volunteers, and

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color or creed, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and the Youth Department - Diocese of Buffalo to continue said program for a twelve (12) month period, January 1, 1999 through December 31, 1999 with a total cost not to exceed the sum of \$48,232.00 and BE IT FURTHER

RESOLVED that the Youth Department - Diocese of Buffalo will reimburse the Town for up to \$9,164.00 (19%) of the actual costs of operating said program leaving the actual cost to the Town at \$39,068.00 (81%).

CONTRACT # (BUDGET LINE ITEM) 01-7310-4685

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

Item No. 6f Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga requires experienced technical assistance for maintenance of Town computers, and

WHEREAS, Ikon Office Solutions has been providing these services to the Town in the past, and such services have been satisfactory, and

WHEREAS, Ikon Office Solutions has submitted a proposed agreement to continue to provide computer maintenance services to the Town for 1999, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby retains Ikon Office Solutions to provide computer maintenance services to the Town for 1999 for a cost of \$19,557.12, to be paid on a quarterly basis (\$4,889.28 per quarter), and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement with Ikon Office Solutions for the above services, and BE IT FURTHER

RESOLVED that moneys for such services shall be appropriated from budget line item number 0100-1315-4431.

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

Item No. 6g Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

WHEREAS, Sue Ann Barnes of Grantmakers Advantage, Inc. has had experience in the past preparing grant applications for the Town to assist the Town with obtaining grants, and

WHEREAS, moneys obtained from grants procured outweigh the cost to the Town for such firm's services, and

Item No. 6g cont'd

WHEREAS, this Town Board wishes to continue to retain the services of a grants consulting firm for the 1999 calendar year, NOW, THEREFORE, BE IT

MEETING NO. 2
January 19, 1999

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Agreement with Grantmakers Advantage, Inc., and BE IT FURTHER

RESOLVED that the fee stipulated in such Agreement, \$28,000.00, shall be appropriated from budget line item number 0100-1220-4957.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 6h Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the developer of the Concourse Center on Genesee Street has requested the Town to abandon Nowicki Place, a paper street which traverses its property, and

**MEETING NO. 2
January 19, 1999**

WHEREAS, prior to the abandonment of Nowicki Place, National Fuel Gas Distribution Corporation ("National Fuel") has requested the Town to grant an easement over its existing line, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes and directs the Supervisor to execute a Right-of-Way Agreement with National Fuel over the Nowicki Place paper street, and BE IT FURTHER

RESOLVED that this resolution is subject to a permissive referendum under Article 7 of the Town Law, 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 January 19, 1999, adopted a resolution authorizing the Town of Cheektowaga to grant a right-of-way to National Fuel Gas Distribution Corporation for the installation and maintenance of a gas distribution pipeline across Nowicki Place, a paper street located on Genesee Street near Buell Avenue.

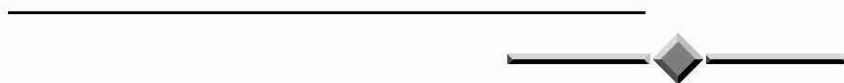
A copy of such Right-of-Way agreement is on file in the Town Clerk's Office where the same may be inspected during regular business hours.

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: January 19, 1999

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, as part of the development of a development ("Concourse Center") on Genesee Street at Buell Avenue, the Town requested the developer to grant to the Town drainage and sanitary sewer easements, and

MEETING NO. 2
January 19, 1999

WHEREAS, Concourse Center, L.L.C., the developer of the Concourse Center, has submitted two drainage easements and two sanitary sewer easements to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the above-referenced drainage easements and sanitary sewer easements, and BE IT FURTHER

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

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

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

BE IT RESOLVED that the following individual be terminated from the Youth and Recreation Department, effective immediately (part-time):

Rebecca Volk

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

Item No. 8b Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

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

	<u>EFFECTIVE</u>
<u>SANITATION</u>	
Charles Egloff	12/31/98
Charles Cobb	01/16/99
<u>EMPLOYEE RELATIONS</u>	
Patricia Albrechcinski	12/31/98

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

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

BE IT RESOLVED the Town Board hereby creates two (2) positions of Senior Clerk Typist in the Office of the Town Clerk, pursuant to Civil Service Laws and Rules effective immediately.

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

Item No 10 Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak
Councilmember Jankowiak

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

MEETING NO. 2
January 19, 1999

WHEREAS, pursuant to such law, the Cheektowaga Town Board appointed voting members to serve on such Cheektowaga Conservation Advisory Council ("CCAC"), and

WHEREAS, the terms of members of the CCAC expired on October 15, 1998, NOW, THEREFORE, BE IT

RESOLVED that the following individuals be and hereby are reappointed to the CCAC, effective from October 15, 1998 to October 15, 2000:

John Marriott, Chairman
Michael Hanchak, Member
Michael Dusing, Member
Edward Kosmoski, Jr., Member
Rachel Gorski, Member
Lawrence Watson, Member

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

Item No. 11 Motion by Councilmember Jankowiak, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated February 2, 1998, this Town Board appointed Frank Max to the position of General Crew Chief in the Sanitation/Recycling Department on an interim basis until such time that a permanent department head is appointed, NOW, THEREFORE, BE IT

RESOLVED that this Board now desires to return Mr. Frank Max effective on Wednesday, January 20, 1999 to the Town of Cheektowaga Supervisory Unit position of Working Crew Chief in the Sanitation/Recycling Department until such time as the issue of the appointment to General Crew Chief can be secured, and BE IT FURTHER

RESOLVED that Frank Max will continue to supervise the Sanitation/Recycling Department on a day to day basis or until further notice from this Town Board.

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

Item No. 12a Motion by Councilmember Jaworowicz, Seconded by Unanimous

WHEREAS, Jamie Holtz, a participant in the Canisius Earning Excellence Program (CEEP) has requested an internship within the Town of Cheektowaga Justice Court, and

WHEREAS, said salary for this position has been established at \$8.00 per hour, of which \$4.00 of the student wages will be paid by the Town of Cheektowaga and \$4.00 will be subsidized by Canisius College, NOW, THEREFORE, BE IT

RESOLVED that Jamie Holtz of XXXXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX, be and hereby is hired as a Seasonal Intern in the Justice Court effective January 8, 1999, out of Department Budget 0100-1110-1492.

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

Item No. 12b Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, this Town Board previously appointed Stephanie Lewandowski to the position of Clerk (Part-Time) in the Justice Court, effective January 5, 1999, and

WHEREAS, her employee classification should have been Clerk (Seasonal), NOW, THEREFORE, BE IT

MEETING NO. 2
January 19, 1999

RESOLVED that Stephanie Lewandowski hereby be hired as Clerk (Seasonal) in the Justice Court at the hourly rate of \$12.50, effective January 5, 1999.

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

Item No. 12c Motion by Councilmember Mazur, 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

MAIN PUMP STATION - Laborer - \$6.75 per hour

Leroy Linkner XXXXXXXXXXXXXXXX Cheektowaga, XXXXX 2/10/99

TAX OFFICE - Clerk - \$6.25 per hour

Delphine Gembka	XXXXXXXXXXXXXX, Depew, XXXXX	1/01/99
Judith Havernick	XXXXXXXXXXXXXX, Cheektowaga, XXXXX	"
Julie Miller	XXXXXXXXXXXXXX, Sloan, XXXXX	"
Patricia Miller	XXXXXXXXXXXXXX, Cheektowaga, XXXXX	"
Waltraud Piffl	XXXXXXXXXXXXXX, Cheektowaga, XXXXX	"
Lucille Rokitka	XXXXXXXXXXXXXX, Cheektowaga, XXXXX	"

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

Item No. 13 Motion by Councilmember Mazur, 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

POLICE DEPARTMENT - Clerk - \$6.00 per hour

Elizabeth D. Manos XXXXXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately

POLICE DEPARTMENT - Dog Warden - \$7.00 per hour

Jason Scott XXXXXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately

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

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

BE IT RESOLVED that the following Youth and Recreation employees be and hereby are upgraded as indicated (effective immediately):

From Part-time to Seasonal

Cindy Pietz

From Seasonal to Part-time

Amie Godzich

MEETING NO. 2
January 19, 1999

Theater - 7140.1651
From Counselor II to Recreation Leader I - \$6.15
Jillian Pytlewski

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

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

WHEREAS, the 1999 Training School and Annual meeting of the Association of Towns will be held at the New York Hilton and Towers in New York City, February 14-17th, 1999, and

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

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

RESOLVED that the following individuals be and hereby are authorized to attend the 1999 Training School and Annual Meeting of the Association of Towns:

Supervisor Dennis H. Gabryszak
Councilmember Jeff Swiatek
Town Engineer William Pugh
Highway Superintendent Chris Kowal

and BE IT FURTHER

RESOLVED that Councilmember Jeff Swiatek be and hereby is designated as the Official Voting Delegate to represent the Town, 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 0100-1010-4088 and 0100-1910-4082.

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

Item No. 15b Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and inspections from February 8-10, 1999 at the Sheraton Inn Buffalo Airport, and

WHEREAS, said seminar provides 15 of the 24 mandatory credit hours of New York State in-service training, and

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

Item No. 15b cont'd

RESOLVED that Ronald Marten, Thomas Adamczak, Gary Parks, Louis Costrino, Daniel Ulatowski, Lawrence Kensy, Mark Radecki, and Donald Wartinger are authorized to attend said educational seminar on February 8, 9 and 10, 1999 at the Sheraton Inn Buffalo Airport, at a cost of \$170.00 per person, said costs to be paid from the Building Inspection Department Budget account number 0800-3620-4088.

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

**MEETING NO. 2
January 19, 1999**

Item No. 15c Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and inspections from February 7-10, 1999 at the Sheraton Inn Buffalo Airport, 2040 Walden Avenue, Cheektowaga, New York, and

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

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

RESOLVED that Richard J. Willis, Housing Inspector in the Office of Community Development is authorized to attend said educational seminar on February 7, 8, 9 and 10, 1999 at the Sheraton Inn Buffalo Airport, 2040 Walden Avenue, Cheektowaga, NY 14225, at a cost of \$170.00, said costs to be paid from the Community Development Budget.

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

NAYES: 0

ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 16 Supervisor's Statement of Funds - December, 1998
Received and Filed.

Item No. 17 Receiver of Taxes and Assessments - Annual report for 1998
Received and Filed.

Item No. 18 Office of Emergency Services - Quarterly report from October to December, 1998
Received and Filed.

Item No. 19a Minutes of meeting - Cheektowaga Planning Board - December 10, 1998
Received and Filed.

Item No. 19b Minutes of meeting - Cheektowaga Traffic Safety Commission - December 15, 1998
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 20 Third Party Summons & Complaint - Jeff Minier, executor of Estate of Arthur Minier, Deceased and Jean Minier, surviving spouse vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;(original sent to Town Attorney); Council Office;
Received and Filed.

Item No. 21a Notice of Claim - Thaddeus Jarzabek 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.

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- Item No. 21b** Notice of Claim - Sheryl Alessi 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. 21c** Travelers Prop Casualty, as subrogee of Tyldin Corp Tire World 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. 21d** Martin J. Wacker & Barbara A. Wacker vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation Department.
Received and Filed.
- Item No. 22** Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson to adjourn the meeting.
Time Meeting Adjourned: 7:35 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 3
FEBRUARY 1, 1999

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of February, 1999 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
Councilmember Thomas J. Mazur

Also present were: Richard M. Moleski, Town Clerk; Ronald Marten, Building and Plumbing Inspector; William Conway, Assessor; Robert Kaczmarek, Supervising Accountant; Bruce Chamberlin, Chief of Police; William Pugh, Town Engineer; Michael Stachowski, Deputy Town Attorney; Mark Wegner, Working Crew Chief; Kenneth Kopacz, Director of Youth and Recreational Services Department; James Kirsits, Town Attorney; Salvatore LaGreca, Planning Board Chairman; and Jerome Gabryszak, Director of Community Development.

I. RESOLUTIONS

Item No. 2 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

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

HUD-CDBG FUND

From:	0700-1094-0750	Code Enforcement	\$147.00
To:	0700-1094-0703	Administration	\$147.00

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 3 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to January 19, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$565,237.45
HIGHWAY FUND	\$ 53,804.18
TRUST & AGENCY	7,351.25
PART TOWN FUND	1,840.75
HUD CDBG FUND	13,822.00
RISK RETENTION FUND	36,849.97
SPECIAL DISTRICTS FUND	37,881.41
CAPITAL FUND	<u>46,705.04</u>
	\$763,492.05

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 4 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

MEETING NO. 3
FEBRUARY 1, 1999

WHEREAS, the Town will enter into an agreement with the Boys and Girls Club of Buffalo to implement a Safe Places program which creates youth development opportunity during non-school hours at a cost not to exceed \$25,000.00; AND

WHEREAS, the Town will receive \$12,500.00 from the County of Erie and \$1,000.00 from the Cleveland Hill School District to operate said program, NOW, THEREFORE, BE IT

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

Safe Places Program (Revenue) - Account #7310.3789
Safe Places Program (Expense) - Account #7310.4789

FURTHER RESOLVED, that \$11,500.00 be transferred from Account Line 7140.4519 (After-School Programs) to Account Line 7310.4789 (Safe Places Program).

Upon roll call

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

Item No. 5 Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, bids were received on December 21, 1998 for the Supplying of Custodial Supplies for 1999, 2000 and 2001, AND

WHEREAS, said bids were referred to the Director of the Facilities Department William L. Wielinski for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Supplying of Custodial Supplies for the fiscal years 1999, 2000 and 2001 be awarded to the following at the total bid price listed below:

		<u>TOTAL BID PRICE</u>
CATEGORY I	- Paper Products	\$ 64.22 Inc./Del.
CATEGORY II	- Polyethylene Liners	\$ 40.60 Inc./Del.
CATEGORY III	- Cleaner/Disinfectant	\$182.63 Inc./Del.
CATEGORY IV	- Cleaner/Polishers	\$ 45.70 Inc./Del.
AWARD OF CATEGORY I	-	Corr Distributors, Inc.
AND CATEGORY III		33 Chandler Street Buffalo, New York 14207
AWARD OF CATEGORY II	-	Chudy Paper Co., Inc.
		930 Bailey Avenue Buffalo, New York 14206
AWARD OF CATEGORY IV	-	Dobmeier Janitor Supply Inc.
		354 Englewood Avenue Buffalo, New York 14223

Upon roll call

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

Item No. 6 Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, the Estate of John Sitarek has offered to convey to the Town, for no consideration, 4.2± acres of vacant land adjacent to Cayuga Creek (SBL No. 1139-2-6), AND

MEETING NO. 3
FEBRUARY 1, 1999

WHEREAS, lands within the Cayuga Creek 100-year floodplain are designated under the Town's Zoning Law and Environmental Impact Review Ordinance as critical environmental impact zones/areas, AND

WHEREAS, the Town seeks to acquire lands adjacent to Cayuga Creek and other creeks in the Town for flood control purposes and open green space areas, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to accept the above referenced property from the Estate of John Sitarek and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to file the deed for this conveyance in the Erie County Clerk's Office.

Upon roll call

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

Item No. 7a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

WHEREAS, the NYS Office of Children and Family Services has approved a Safe Places Grant Award, in the amount of \$50,000, to the Erie County Youth Bureau, as the lead agency working in conjunction with the municipal youth bureaus in the Town's of Amherst, Cheektowaga, Lancaster and Tonawanda; AND

WHEREAS, the Cheektowaga Department of Youth and Recreational Services and the three other municipal youth bureaus will receive an equal distribution of the full grant award, namely \$12,500 each; AND

WHEREAS, the Safe Places grant application addressed the collective mission of the NYS Office of Children and Family Services and the County and municipal youth bureaus to enable the positive development of children, youth and families, especially in creating youth development opportunities during the non-school hours; AND

WHEREAS, the Town will enter into an agreement with the Boys and Girls Club of Buffalo to provide the services specified in the grant application, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized and directed to sign the necessary agreement between the Town and the County to advance said funds.

Upon roll call

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

Item No. 7b Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

WHEREAS, it is widely recognized among youth-serving professionals and researchers that it is after school, between the hours of 3:00 P.M. and 7:00 P.M., when the greatest percentage of juvenile delinquent offenses are committed; AND

WHEREAS, young people who spend a large portion of their out-of-school time unsupervised face greater risks of pregnancy, substance abuse and victimization than youth who are engaged in productive activities; AND

Item No. 7b cont'd.

WHEREAS, youth from low and moderate income families have fewer opportunities to engage in enrichment activities and other positive experiences; AND

MEETING NO. 3
FEBRUARY 1, 1999

WHEREAS, the Department of Youth and Recreational Services has identified the need to provide youth development opportunities during non-school hours that are important to the well being of young people and to the quality of life in our community; AND

WHEREAS, the Town of Cheektowaga will receive \$12,500.00 from Erie County, as part of a Safe Places Grant Application approved by the NYS Office of Children and Family Services; AND

WHEREAS, the Cleveland Hill School District will provide the necessary facilities along with \$1,000 to operate a Safe Places program; AND

WHEREAS, the Boys and Girls Clubs of Buffalo have been in the forefront of youth development, working with young people from disadvantaged economic, social and family circumstances for 71 years; AND

WHEREAS, the Boys and Girls Clubs can provide the services described in the Safe Places Grant Application for the approved budgeted amount of \$25,000.00, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with the Boys and Girls Clubs of Buffalo to provide said service beginning February 15, 1999 and ending December 31, 1999.

BUDGET LINE ITEM: 7310.4789

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7c Moved by Supervisor Gabryszak, seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$90,000 to construct a shelter in Town Park, AND

WHEREAS, grant monies are available through the Legislative Initiative Program via New York State Senator William Stachowski, NOW, THEREFORE, BE IT

MEETING NO. 3
FEBRUARY 1, 1999

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the office of New York State Senator William Stachowski for the purpose of securing this grant and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 7d Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga has requested that the County of Erie grant a permanent easement across County owned property (SBL 124.22-4-2) south of Cayuga Creek Road, which easement is necessary to permit the construction of a 60" diameter storm sewer outlet being constructed as a betterment to the New York State Department of Transportation Project for the Reconstruction of Harlem Road, identified as CPIN 5268.29.301, AND

WHEREAS, the Erie County Legislature has authorized the Erie County Executive to execute the aforementioned easement request by the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the permanent drainage easement with the County of Erie and, BE IT FURTHER

RESOLVED, that the Town Board accepts the above mentioned easement to be filed by the County Attorney in the Erie County Clerk's Office.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 7e Moved by Councilmember Mazur, seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga is eligible to receive \$862,000 in Community Development Block Grant Funds for the 1999 Program Year, and, as a member of the Amherst-Cheektowaga-Tonawanda HOME Consortium, the Town is entitled to receive up to \$320,000 of the HOME Consortium, the Town is entitled to receive up to \$320,000 of the HOME Consortium entitlement grant, AND

WHEREAS, Public Hearings regarding the use of said funds were held on October 19, 1998 and January 19, 1999, AND

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

Item No. 7e cont'd.

RESOLVED, that the Town Board hereby approves the submission of the Town of Cheektowaga Annual Plan to the Department of Housing and Urban Development for the 1999 Program Year in conjunction with the Amherst-Cheektowaga-Tonawanda Consortium, including the projects contained on the attached CDBG and HOME Project Summaries, and BE IT

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign the necessary Certifications and any other Community Development Block Grant and HOME Program related documents as may be necessary.

MEETING NO. 3
FEBRUARY 1, 1999

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 8a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employee be terminated,
effective immediately.

Donna Griesse

Upon roll call

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

MEETING NO. 3
FEBRUARY 1, 1999

Item No. 8b Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

	<u>EFFECTIVE</u>
<u>SANITATION DEPARTMENT</u>	
Jason Sasiadek	01/20/99
<u>POLICE DEPARTMENT</u>	
Traci Kanick	Immediately
Lynn Kawczynski	"
Brendon Zubek	06/07/98
Andy Korzen	01/08/99
<u>BUILDING AND PLUMBING DEPARTMENT</u>	
Dale Parks	Immediately

Upon roll call

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

Item No. 9 Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, Michael Krasner has resigned from his position as member of the Cheektowaga Conservation Advisory Council ("CCAC"), AND

WHEREAS, Marcia Orwat has requested to be considered to fill such vacancy on the CCAC, AND

WHEREAS, the CCAC has recommended that Ms. Orwat be appointed as a member of the CCAC, NOW, THEREFORE, BE IT

RESOLVED, that Marcia Orwat, XXXXXXXXXXXXXXXX, Depew, New York be and hereby is appointed as a member of the CCAC, effective immediately and terminating on October 15, 2000.

Item No. 10a Moved by Councilmember Mazur and Supervisor Gabryszak,
Seconded by Councilmembers Swiatek, Johnson and Jankowiak

WHEREAS, vacancies exist in the position of Police Officer in the Town of Cheektowaga, AND

WHEREAS, the Civil Service eligible list for Police Officer has been canvassed and candidates were interviewed, NOW, THEREFORE, BE IT

Item No. 10a cont'd.

RESOLVED, that the following individuals be and hereby are appointed to the position of Police Officer to a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc.:

Ronald Murcin	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX
Patrick Chludzinski	XXXXXXXXXXXXXXXXXXXX, Sloan	XXXXX

AND, BE IT FURTHER RESOLVED, that said appointments shall become effective February 1, 1999 and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

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Upon roll call

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

Item No. 10b Moved by Councilmember Mazur, seconded by Councilmember Rogowski

WHEREAS, two vacancies exist in the position of Senior Clerk-Typist (Promotional) in the Town Clerk's Office, AND

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

WHEREAS, such job title is in the competitive class of Civil Service, AND

WHEREAS, Cynthia Dauscher, currently employed as a Clerk-Stenographer in the Town Clerk's Office, appears on said Civil Service list and is eligible for said promotion, NOW, THEREFORE, BE IT

RESOLVED, that Cynthia Dauscher of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX and Leslie Kosicki of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby are appointed to the positions of Senior Clerk-Typist in the Town Clerk's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective February 2, 1999.

Upon roll call

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

Item No. 10c Moved by Councilmember Mazur, seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Senior Clerk (Promotional) in the Assessor's Office, AND

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

WHEREAS, such job title is in the competitive class of Civil Service, AND

WHEREAS, Nancy Scarafia, currently employed as a Clerk Typist in the Assessor's Office, appears on said Civil Service list and is eligible for said promotion, NOW, THEREFORE, BE IT

Item No. 10c cont'd.

RESOLVED, that Nancy Scarafia of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the position of Senior Clerk in the Assessor's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective February 2, 1999.

Upon roll call

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

Item No. 11a Moved by Councilmember Mazur, seconded by Councilmember Johnson

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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

TAX OFFICE - Clerk - \$5.25 per hour

Patricia Cosimano	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXXX	01/18/99
Geraldine Glascott	XXXXXXXXXXXX, Depew	XXXXX	"
Eleanor Kantowski	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Jean Krzykowski	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Wanda Lennert	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Lucille McCabe	XXXXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXXX	"
Arlene Mueller	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Denise Myers	XXXXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXXX	"
Joan Wojtkowski	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Rita Wick	XXXXXXXXXXXXXXXXXXXX Cheektowaga	XXXXXX	"

Upon roll call

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

Item No. 11b Hiring of Part-Time Employees in Various Departments
This item was withdrawn.

Item No. 12 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be and hereby are transferred and/or upgraded as indicated:

Camille Russell
(From Seasonal to):
Part-Time - (effective February 15th)
Seasonal - (effective April 12th - May 23rd)
Part-Time - (effective May 24th)
Seasonal - (effective September 13th - December 5th)

Angela Krzemien
(From Seasonal to):
Part-Time - (effective March 22nd)
Seasonal - (effective June 7th - September 5th)

Item No. 12 cont'd.

Colleen Keiser (Part-Time)
From Recreation Instructor I to Recreation IV - \$6.15
(effective 2/1/99)

Upon roll call

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

Item No. 13a Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, the National League of Cities Institute will be holding its Annual Congressional Conference in Washington, DC from March 5-9, 1999, AND

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WHEREAS, at such conference there will be full-day conferences on municipal leadership strategies, collaborative leadership, community-oriented public safety, stormwater programs and guarding the public checkbook, AND

WHEREAS, Supervisor Dennis H. Gabryszak has expressed a desire to attend this Conference on behalf of the Town, AND

WHEREAS, other items of interest to the Town of Cheektowaga (i.e., telecommunications, electric deregulation, federal preemption of local authority, transportation, federal mandates, etc.) will be discussed at this Conference, AND

WHEREAS, this Board feels that it would be advantageous for the Town to have Supervisor Gabryszak attend this Conference, NOW, THEREFORE, BE IT

RESOLVED, that Supervisor Dennis H. Gabryszak be and hereby is authorized to attend the aforementioned Annual Congressional Conference sponsored by the National League of Cities and, BE IT FURTHER

RESOLVED, that the Town shall pay all reasonable and necessary expenses, not to exceed \$100.00, associated with Supervisor Gabryszak attending this Conference from budget line item number 0100-1910-4082.

Upon roll call

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

Item No. 13b Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

WHEREAS, the CONEXPO- CON/AGG '99 Exposition will be held from March 23-27, 1999 at the Las Vegas Convention Center in Las Vegas, Nevada, AND

WHEREAS, this Exposition features the latest in equipment, product design and technological advances for the construction, aggregates and ready mixed concrete industries, AND

WHEREAS, this Exposition also will have seminars of a variety of industry issues and trends, management information technology and personal development, AND

WHEREAS, Town Superintendent of Highways Christopher J. Kowal has requested permission to attend this Exposition, NOW, THEREFORE, BE IT

RESOLVED, that Christopher J. Kowal be and hereby is authorized to attend the above referenced Exposition and, BE IT FURTHER

Item No. 13b cont'd.

RESOLVED, that Mr. Kowal shall be reimbursed for reasonable and necessary expenses incurred in attending such Exposition, in an amount not to exceed \$800.00 from budget line item number 0100-1910-4082.

Upon roll call

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

Item No. 13c Moved by Supervisor Gabryszak, seconded by Councilmember Mazur

BE IT RESOLVED, that the Town Board resolution dated January 19, 1999 authorizing Town officials to attend the 1999 Training School and Annual Meeting of the Association of Towns be and hereby is amended to also authorize Deputy Town Attorney Michael J. Stachowski to attend such meeting and to reimburse him for his reasonable and necessary expenses in attending such meeting.

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Upon roll call

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

Item No. 14a Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, on occasion throughout the year, there is a need to obtain general technical services that may not be included within the scope of any on-going project, AND

WHEREAS, said services are essential in assisting the Town with long term stormwater and drainage system initiatives, management and regulatory compliance associated with the operation and maintenance of Town sanitary sewer districts, and in securing grant monies available through various State and Federal programs, AND

WHEREAS, the engineering consulting firm of Nussbaumer & Clarke, Inc. has been found qualified to perform such services and has vast experience in the development and management of the Town's infrastructure, and has also aided the Town in securing grants for numerous major projects, NOW, THEREFORE, BE IT

RESOLVED, that the agreement for general technical services for 1999 as submitted by the consulting firm of Nussbaumer & Clarke, Inc. and as recommended by the Town Engineer and reviewed by the Town Attorney is approved and accepted and, BE IT FURTHER

RESOLVED, that the professional fees shall be based on the hourly rates established in the agreement and shall be chargeable to the appropriate Sanitary Sewer District Town-Wide Drainage District Accounts as budgeted, at an amount not to exceed \$15,000 and, BE IT FURTHER

RESOLVED, that the Supervisor is directed and authorized to sign said agreement for professional services with:

Nussbaumer & Clarke, Inc.
3556 Lake Shore Road
Buffalo, New York 14219-1494

Upon roll call

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

Item No. 14b Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, New York State Health Department regulations which govern the operations at the Main Pump Station (Plant #5) require that laboratory analysis of oil and grease be performed for wastewater flows conveyed from this Sewer District facility, AND

WHEREAS, it is necessary that Main Pump Station personnel receive proper instruction and training in techniques and procedures to become proficient in performing said laboratory analytical analysis and related report preparation, AND

WHEREAS, P.E. Environmental Consultants has an extensive background in wastewater laboratory operation and is highly qualified to assist the Town in the required on-site laboratory training, NOW, THEREFORE, BE IT

RESOLVED, that the Superintendent of the Main Pump Station, Mr. Lawrence Golas, be and hereby is authorized to engage the firm of P.E. Environmental Consultants, 141 Sunset Terrace, Orchard Park, New York 14127 to provide on-site training for staff members to be conducted over a four day period at a cost not to exceed \$1,200.00 and, BE IT FURTHER

RESOLVED, that funding for professional services associated with the aforesaid laboratory training shall be chargeable to the Training and Seminar Budget Account No. 1500-8135-4087.

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Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 15 Building Permits
Received and Filed.

Item No. 16 Minutes of Cheektowaga Public Library Board of Trustees - December 16, 1998
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 17a Notice of Claim: Charlene Hollander vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Bruce Chamberlin, Chief of Police and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 17b Notice of Claim: Michael R. Woodward vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Highway Department; Sewer Maintenance and Allied Claims Insurance
Carrier.
Received and Filed.

Item No. 17c Notice of Claim: Kenneth J. Quigley vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 17d Notice of claim: James P. Jeziorski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Highway Department; Sanitation Department and Allied Claims Insurance
Carrier.
Received and Filed.

Item No. 18 Request to Speak: New Penn Motor (211 Scott Place)
Received and Filed.



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

Upon roll call

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



IV. SUSPENSION OF RULES

Item No. 19 Moved by Councilmember Jaworowicz, seconded by Councilmember Mazur

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WHEREAS, police agencies and other authorities which are notified of incidents concerning the release of hazardous substances always handle such incidents with the utmost concern for those who may have come into contact with such substances, AND

WHEREAS, in all reported instances, including the recent threats of the release of the anthrax virus in the Western New York area, hazardous materials crews, police and fire departments, and other agencies respond as if the threats are genuine; this results in a significant expenditure of money and manpower, AND

WHEREAS, false reports of such incidents cause a strain on the financial and manpower resources of these agencies, and also cause great stress and uncertainty amongst local residents, AND

WHEREAS, over the past two months alone, two such incidents have been falsely reported in the Town of Cheektowaga, resulting in a cost to taxpayers of thousands of dollars to cover the necessary work of personnel from emergency services and other agencies, AND

WHEREAS, members of the New York State Assembly have drafted and introduced legislation (Bill No. A.3091) creating a new crime under Section 240.62 of the Penal Law to make it a class E felony to falsely report an incident involving hazardous biological or chemical agents, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby condemns the recent spate of false reports involving anthrax and, BE IT FURTHER

RESOLVED, that this Town Board hereby commends the work of county and local police, fire, emergency services and hazardous materials removal personnel in valiantly investigating each and every such incident at great personal risk; and also commends the position taken by the television media in their reporting of these incidents and, BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes

1. The New York State Assembly to consider and enact Assembly Bill A.3091; and
2. The New York State Senate to consider and adopt companion legislation to A.3091; and
3. Governor Pataki to sign such legislation into law.

and, BE IT FURTHER

Item No. 19 cont'd.

RESOLVED, that this Town Board hereby directs the Town Clerk to forward certified copies of this resolution to Governor George E. Pataki, Assembly Speaker Sheldon Silver, Assemblyman Paul A. Tokasz, Senate Majority Leader Joseph Bruno, Senator William Stachowski, County Executive Dennis T. Gorski, the Clerk of the Erie County Legislature, Sheriff Patrick Gallivan and to Emergency Services Commissioner Michael Walters.

Upon roll call

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

Item No. 20 Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, record stream flows in Cayuga Creek on January 23rd and 24th, 1999 resulting from rapid snowmelt combined with rain, transported tree limbs and debris which has become lodged downstream of Union Road in the stream bed, west of the Carefree Mobile Home Community, AND

WHEREAS, it is imperative that this blockage be expeditiously removed to prevent further debris accumulation, associated bank erosion and increased potential for upstream flooding, NOW, THEREFORE, BE IT

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RESOLVED, that the Town Engineering Department is hereby authorized and directed to procure the necessary equipment for the removal of aforesaid obstruction to stream flow in Cayuga Creek and, BE IT FURTHER

RESOLVED, that costs associated with the removal of debris and restoration of normal stream flow shall be chargeable to the Town Wide Drainage District Account No. 4000-8140-4543.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 21 Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit have agreed to the terms and conditions for a successor January 1, 1998 - December 31, 2001 collective bargaining agreement between such parties, NOW, THEREFORE, BE IT

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

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 22 Moved by Councilmember Swiatek, seconded by Unanimous

WHEREAS, the Town of Cheektowaga applied to the County of Erie for a regionalism grant for the purpose of the Genesee Street Corridor Enhancement and Gateway Project, AND

WHEREAS, the County of Erie has authorized a regionalism grant in the sum of \$355,280.00, AND

WHEREAS, the project is to be carried out pursuant to an intermunicipal agreement pursuant to Article 5-G of the General Municipal Law with the City of Buffalo and the New York State Department of Transportation, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga is hereby authorized to enter into a grant with the County of Erie for the purpose of carrying out the above referenced intermunicipal project pursuant to Article 5-G of the General Municipal Law and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to enter into an intermunicipal agreement with the City of Buffalo and DOT to carry out the above referenced project funded under the Erie County grant contract.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 23 Moved by Unanimous, seconded by Unanimous to adjourn this meeting in memory of

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Town resident Brownie Durewicz, former President of the local Polish American Congress and member of many charitable organizations. This meeting was adjourned at 8:15 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA

MEETING NO. 4

February 22, 1999

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 22nd day of February, 1999 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
Councilmember Thomas Mazur

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Jim Kirisits, Town Attorney; Sal LaGreca, Chairman of the Planning Board; John Schaller, Assistant Chief of Police; Robert Kaczmarek, Supervising Accountant; Ron Marten, Supervising Building and Plumbing Inspector; Walter Domino, Engineering Department; Pat Woicik, 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:

HUD-CDBG FUND

FROM: 0700-9096-0650 Sloan-Sewer System Analysis \$ 5,657.28

TO: 0700-9096-0655 Sloan-Wrazen Park Recreation \$ 5,657.28

PART TOWN FUND

FROM: 0800-1910-4711 Contingency	\$30,000.00
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TO:	0800-8020-4709 Management Studies	\$30,000.00
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur

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 February 19, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 532,562.03
HIGHWAY FUND	200,054.92
TRUST & AGENCY	19,213.81
PART TOWN FUND	26,082.82
HUD CDBG FUND	157,431.23
RISK RETENTION FUND	131,158.10
SPECIAL DISTRICTS FUND	939,980.74
CAPITAL FUND	<u>83,079.90</u>
	<u>\$2,089,563.55</u>

Item No. 3 cont'd

MEETING NO. 4
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek,
Jankowiak and Mazur
NAYES: 0
ABSENT: 0

Item No. 4a Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

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 Daryl Martin, Architect to re-develop 4611 Genesee Street as a 3,400± square foot restaurant, and

WHEREAS, the project will involve the total demolition of the former restaurant, and

WHEREAS, the applicant, after meeting with various reviewing groups, has revised the plans by adding a sidewalk along Sonwil Drive, curbing in the parking lot, additional parking and a westerly one-way in driveway, and

WHEREAS, the Advisory Committee at its meeting held on January 27, 1999 rendered the determination shown on the attached memo dated January 29, 1998, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

****SEE NEXT PAGE(S) for ATTACHMENT**

Item No. 4b Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee ("EAC") reviews various applications for building

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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 C & S Engineers for the conversion of a dwelling at 3424 Broadway into an office and the demolition of a residence at 33 Ellicott Road to provide additional parking and office space for Armored Motor Service of America, and

WHEREAS, the applicant, after meeting with various reviewing groups, has revised the plans by adding details of the NYSDOT project such as the sidewalk and new right-of-way, and

WHEREAS, the applicant also provided landscaping as required by the Zoning Law, moved the security fence further from Broadway to provide ample stacking for returning trucks and incorporated the drainage for the site on the plan, and

WHEREAS, the Advisory Committee, at its meeting held on January 27, 1999 rendered the determination shown on the attached memo dated January 29, 1999, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 5a 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 baseball and softball equipment, and

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

MEETING NO. 4
February 22, 1999

WHEREAS, Item No. 17, Kwik Cold Ice Packs, are being rejected and are being re-bid, NOW, THEREFORE, BE IT

RESOLVED that the remaining items be and hereby are awarded to the following bidders meeting specifications:

Jim Ludtka 2931 Walden Avenue Depew, New York 14043	Laux Sporting Goods 25 Pineview Drive Amherst, New York 14228
Krazy Shirts 1946 Clinton Street Buffalo, New York 14206	

and BE IT FURTHER

RESOLVED that the costs resulting from the awarding of this bid are funded through 0100-7140-4539 and 0100-7140-4601 accounts for cost centering purposes.

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

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

WHEREAS, bids were duly received and opened at the December 23, 1998 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 11, 1999, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of work uniforms to Town of Cheektowaga employees, as recommended by the Town Engineer, be and the same is hereby awarded to Pine Ridge Enterprises, 8386 North Main Street, Eden, New York 14057.

ITEM I A	Work Pants (sizes to 44)	\$13.40
ITEM I B	Work Pants (sizes 46-50)	15.20
ITEM I C	Work Pants (sizes 52-60)	18.00
ITEM II A	Shirts (long sleeve, sizes up to 17-1/2)	11.80
ITEM II B	Shirts (long sleeve, sizes 18 and up)	13.75
ITEM III A	Chambray Shirts (long sleeve, sizes up to 17-1/2)	10.80
ITEM III B	Chambray Shirts (long sleeve, sizes 18 and up)	12.75
ITEM IV A	Shirts (short sleeve, sizes up to 17-1/2)	11.00
ITEM IV B	Shirts (short sleeve, sizes 18 and up)	12.80
ITEM V A	Chambray Shirts (short sleeve, sizes up to 17-1/2)	9.70
ITEM V B	Chambray Shirts (short sleeve, sizes 18 and up)	11.60
ITEM VI A	Coveralls (long sleeve sizes 36-46, short - x long)	21.60
ITEM VI B	Coveralls (long sleeve sizes 48-50, short - x long)	25.65
ITEM VI C	Coveralls (long sleeve sizes 52-60, regular - tall)	30.00
ITEM VII A	Denim Jeans (sizes to 42)	11.50
ITEM VII B	Denim Jeans (sizes 44-56)	13.25
ITEM VIII A	Bib Overalls (sizes to 44)	19.50
ITEM VIII B	Bib Overalls (sizes 44-60)	22.00
ITEM IX A	Women's Work Pants (sizes 4-28)	11.60
ITEM XII A	Tee Shirts (Sizes S-XL)	5.50
	Tee Shirts (Size XXL)	6.50
	Tee Shirts (Size XXXL)	7.50

Item No. 5b cont'd

said bid being a responsible bidder meeting the requirements of the specifications.

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

MEETING NO. 4
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**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, it is in order that bids be advertised for the furnishing of chemical fertilizers and herbicides in the Town of Cheektowaga, and

WHEREAS, the Town has engaged in an annual Fertilization/Weed Control Program as part of its obligation with an agreement with the New York State Department of Environmental Conservation in the maintenance of all lands associated with the Scajaquada Creek Flood Control Project, NOW, THEREFORE, BE IT

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RESOLVED that this requested be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of chemical fertilizers and herbicides, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 10th day of March, 1999 at 11:00 A.M. Eastern Standard Time, at the Town Hall, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 10, 1999 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga.

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

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: February 22, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 6b Motion by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, the Sanitation Department is in need of two (2) Trucks with 33 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 on the 10th day of March, 1999 at 11:00 A.M, Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

MEETING NO. 4
February 22, 1999



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on March 10, 1999 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of two (2) 1999, Trucks with Thirty-Three (33) 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 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, 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: February 22, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 6c Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

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

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

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

MEETING NO. 4
February 22, 1999

RESOLVED that sealed bids will be received on the 10th day of March, 1999 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 10, 1999 at 11:00 A.M., Eastern Standard Time, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of Sanitary Manhole Frames and Covers for the Sewer Maintenance Department.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Sanitary Manhole Frames and Covers" and submitted to the Town Clerk prior to bid opening.

No bidder may withdraw his bid within forty-five (45) days after the actual date of the opening thereof.

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

RICHARD M. MOLESKI
Town Clerk

Dated: February 22, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 6d Motion by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, it is in order that bids be advertised to cover the purchase of Police Vehicles for the Police Department, NOW, THEREFORE, BE IT

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

RESOLVED that sealed bids will be received on the 10th day of March, 1999 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Cheektowaga Council Chambers at the Cheektowaga Town Hall.

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NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on March 10th, 1999 at 11:00 A.M., Eastern Standard Time, at Town Hall, corner of Broadway and Union Roads, for the purchase of police vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at his office in said town. One bid is to be submitted for all Seven (7) vehicles listed in the bid specifications. Vehicles to be traded in will be available for inspection on February 23, 1999 at the Town of Cheektowaga Central Garage, 3175 Union Road, any question regarding this inspection can be directed to Archie Ferdinand at 686-3480.

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: February 22, 1999



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

AFFIDAVIT - NEXT PAGE

****NOTE** - The Notice to Bidders which was published first, on February 25, 1999 indicated that bids would be open at 10:00 A.M. Said time was incorrect. The notice was republished on March 4, 1999 with the correct time of 11:00 A.M.

Item No. 6e 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 various baseball and softball equipment, and

WHEREAS, Item 17, Kwik Cold Ice Packs, necessitated a change in description for classification of type and did not meet specifications, NOW, THEREFORE, BE IT

RESOLVED that they be and hereby are rejected, and BE IT FURTHER

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of said ice packs for the Youth and Recreational Services Department. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk; said Notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

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RESOLVED that sealed bids will be received on March 9, 1999 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, publicly opened and read by the Town Clerk of the Town of Cheektowaga, Erie County, New York on March 9, 1999 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of baseball and softball equipment.

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: February 22, 1999



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the owner of property abutting Nowicki Place Extension (a paper street) in the Town of Cheektowaga as hereinafter more particularly described, has petitioned this Town Board to abandon said avenue as a Town Highway, and

WHEREAS, investigation has indicated no evidence of any use thereof as a town highway at any time and particularly for more than six years last past, and

WHEREAS, all necessary utility easements over such paper street have been obtained, NOW, THEREFORE, BE IT

RESOLVED that said Nowicki Place, more particularly described as follows:

ALL THAT TRACT or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot 4, Township 11, Range 7 of the Holland Land Company's Survey, and further being a street known as Nowicki Place as

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said street is shown on a map filed in the Erie County Clerk's Office under Map Cover 733, being bounded and described as follows:

COMMENCING at the intersection of the east line of Buell Avenue and the north line of Subdivision Lot 28 of the Kosciuszko Village according to map filed in the Erie County Clerk's Office ("ECCO") under Cover No. 733; thence northerly along the east line of Buell Avenue 50.02 feet to the southwest corner of lands conveyed to Concourse Center LLC by deed recorded in the ECCO in Liber 10909 of Deeds at page 8472 (being also the southwest corner of Subdivision Lot 25 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733); thence easterly along the southerly line of Concourse Center LLC by the aforesaid deed (also being the south line of Subdivision Lot 25 and a portion of the south line of Subdivision Lot 26 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733) a distance of 420.26 feet; thence northeasterly at an exterior angle of 154°33'47" and along the southeast line of the lands of Concourse Center LLC by the aforesaid deed (also being a portion of the south line of Subdivision Lot 26 and the southeast line of Subdivision Lot 27 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733), a distance of 314.21 feet; thence easterly at an interior angle of 154°33'47" a distance of 116.41 feet to the north line of the lands or formerly owned by West Shore Railroad; thence southwesterly at an interior angle of 25°26'13" along the northerly line of the lands now or formerly owned by West Shore Railroad a distance of 430.62 feet to the northeast corner of Subdivision Lot 29 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733; thence westerly along the northerly line of Subdivision Lots 28 and 29 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733 (said line also being the northerly line of lands conveyed by Anthony J. Reiller to Concourse Center LLC by deed recorded in the ECCO in Liber 10926 of Deeds at page 3849) a distance of 430.30 feet to the point or place of beginning.

be and the same hereby is abandoned as a Town Highways as provided in Section 205 of the New York State Highway Law and this Town Board shall execute a written consent that the Town Superintendent of Highways file and cause to be recorded in the Town Clerk's Office of this Town, a written description signed by him and by this Town Board of the highway so abandoned, and BE IT FURTHER

RESOLVED THAT THE Supervisor be and hereby is authorized to execute the attached quit claim deed relating to Nowicki Place, and BE IT FURTHER

RESOLVED that the Town Clerk's Office be and hereby is directed to publish the attached Notice of Adoption of Resolution Subject to Permissive Referendum in the Cheektowaga Times.



Item No. 7 cont'd

NOTICE OF ADOPTION OF RESOLUTION

SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, on February 22, 1999, adopted a resolution conveying, by Quit Claim deed, the Town's interest, if any, in an abandoned highway (paper street) known as Nowicki Place described below to the adjoining property owners:

ALL THAT TRACT or parcel of land situate in the Town of Cheektowaga, County of Erie and State of New York being part of Lot 4, Township 11, Range 7 of the Holland Land Company's Survey, and further being a street known as Nowicki Place as said street is shown on a map filed in the Erie County Clerk's Office under Map Cover 733, being bounded and described as follows:

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COMMENCING at the intersection of the east line of Buell Avenue and the north line of Subdivision Lot 28 of the Kosciuszko Village according to map filed in the Erie County Clerk's Office ("ECCO") under Cover No. 733; thence northerly along the east line of Buell Avenue 50.02 feet to the southwest corner of lands conveyed to Concourse Center LLC by deed recorded in the ECCO in Liber 10909 of Deeds at page 8472 (being also the southwest corner of Subdivision Lot 25 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733); thence easterly along the southerly line of Concourse Center LLC by the aforesaid deed (also being the south line of Subdivision Lot 25 and a portion of the south line of Subdivision Lot 26 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733) a distance of 420.26 feet; thence northeasterly at an exterior angle of 154°33'47" and along the southeast line of the lands of Concourse Center LLC by the aforesaid deed (also being a portion of the south line of Subdivision Lot 26 and the southeast line of Subdivision Lot 27 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733), a distance of 314.21 feet; thence easterly at an interior angle of 154°33'47" a distance of 116.41 feet to the north line of the lands or formerly owned by West Shore Railroad; thence southwesterly at an interior angle of 25°26'13" along the northerly line of the lands now or formerly owned by West Shore Railroad a distance of 430.62 feet to the northeast corner of Subdivision Lot 29 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733; thence westerly along the northerly line of Subdivision Lots 28 and 29 of the Kosciuszko Village according to the map filed in the ECCO under Cover No. 733 (said line also being the northerly line of lands conveyed by Anthony J. Reiller to Concourse Center LLC by deed recorded in the ECCO in Liber 10926 of Deeds at page 3849) a distance of 430.30 feet to the point or place of beginning.

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

Dated: February 22, 1999

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, as part of the approval process for the proposed expansion of the Walden Galleria Mall, the Town of Cheektowaga requested the Pyramid Company of Buffalo to install and maintain public sidewalks along a portion of Galleria Drive (on the south side along Walden Galleria Mall property; and on the north side from the NYS Thruway overpass to the Target property), and

WHEREAS, the Niagara Frontier Transportation Authority ("NFTA") owns the property along the north side of Galleria Drive between the Thruway overpass and the Target property, and

WHEREAS, the Town requested an easement from the NFTA in order to allow for the construction of sidewalks over its property, and

WHEREAS, the NFTA offered to grant such easement to the Town conditioned on the Town making annual rental payments to the NFTA in the amount of \$1.60 per linear foot, resulting in an annual cost of approximately \$1,600± for same, and

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WHEREAS, this Town Board feels that installation of sidewalks along Galleria Drive is important for the safety of pedestrians, including NFTA passengers, who walk along Galleria Drive to get from one location to another, and

WHEREAS, this Town Board feels strongly that the NFTA will benefit from the installation of these sidewalks, and that it should grant an easement to the Town without annual rental payments, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally memorializes the NFTA to waive any and all rental charges in connection with the above referenced easement, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Lawrence Meckler, Executive Director of the NFTA; the NFTA Board of Commissioners; and Kevin McCarthy, Real Estate Representative for the NFTA.



Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak to amend the above resolution, and the voting was as follows:

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



Motion by Councilmember Johnson, Seconded by Councilmember Swiatek Supervisor Gabryszak

WHEREAS, as part of the approval process for the proposed expansion of the Walden Galleria Mall, the Town of Cheektowaga requested the Pyramid Company of Buffalo to install and maintain public sidewalks along a portion of Galleria Drive (on the south side along Walden Galleria Mall property; and on the north side from the NYS Thruway overpass to the Target property), and

WHEREAS, the Niagara Frontier Transportation Authority ("NFTA") owns the property along the north side of Galleria Drive between the Thruway overpass and the Target property, and

WHEREAS, the Town requested an easement from the NFTA in order to allow for the construction of sidewalks over its property, and

Item No. 8a cont'd

WHEREAS, the NFTA offered to grant such easement to the Town conditioned on the Town making annual rental payments to the NFTA in the amount of \$1.60 per linear foot, resulting in an annual cost of approximately \$2,700± for same, and

WHEREAS, this Town Board feels that installation of sidewalks along Galleria Drive is important for the safety of pedestrians, including NFTA passengers, who walk along Galleria Drive to get from one location to another, and

WHEREAS, this Town Board feels strongly that the NFTA will benefit from the installation of these sidewalks, and that it should grant an easement to the Town without annual rental payments, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby formally memorializes the NFTA to waive any and all rental charges in connection with the above referenced easement, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Lawrence Meckler, Executive Director of the NFTA; the NFTA Board of Commissioners; and Kevin McCarthy, Real Estate Representative for the NFTA.

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

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

WHEREAS, presently commuters who drive into the City of Buffalo from the suburbs on the I-190 section of the New York State Thruway ("Thruway") are required to pay tolls, and

WHEREAS, as a result of this imposition of tolls, commuters avoid the I-190 section of the Thruway and opt to travel into the City of Buffalo through streets located in the Town of Cheektowaga, and

WHEREAS, this additional commuter traffic is creating traffic congestion problems in the Town of Cheektowaga, especially along Losson Road, Union Road, William Street, Bennett Road and Como Park Boulevard, and

WHEREAS, State Assemblyman Paul A. Tokasz has introduced legislation (A.1434) in the State Legislature that would provide for free commuter passes on the I-190 section of the Thruway, and

WHEREAS, this Town Board feels that this legislation would greatly enhance commuter safety and reduce traffic congestion in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby supports Bill A. 1434 and memorializes the State Assembly, Senate and Governor to approve same, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to State Assemblyman Paul A. Tokasz, Senator William Stachowski, Governor George Pataki and the Chairman of the New York State Thruway Authority.

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

Item No. 9a Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, during the environmental review process for a proposed expansion of Dinaire at 145 Gruner Road, two (2) drainage easements over such property were requested by the Town to facilitate maintenance of an important tributary system, and

Item No. 9a cont'd

WHEREAS, such drainage easements have now been submitted by Dinaire LLC to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts such drainage easements from Dinaire LLC, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to ensure that such drainage easements are properly filed in the Erie County Clerk's Office.

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

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

WHEREAS, as part of the development of 3960 Union Road, a new sanitary sewer line was constructed to serve such property and property lying to the south, and

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WHEREAS, in order to connect the sewers at 3960 Union Road with the property to the south, an easement is needed from Lease N Save, Inc., and

WHEREAS, a sanitary sewer easement has been submitted to Lease N Save, Inc.,
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.

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

Item No. 10 Endorsement of modified Work and Grant Agreement Amendments to Buffalo Airfield Inc.
This item was withdrawn.

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

WHEREAS, the New York State Council on the Arts Technical Assistance Program for Museums is accepting applications for eligible projects for funding through the Regional Council of Historical Agencies, and

WHEREAS, the Town's Historical Museum is in need of grant monies to develop new programs and activities, and

WHEREAS, the Town's Museum may apply for a 100% grant not to exceed \$1,500 for consultant fees, NOW, THEREFORE, BE IT

RESOLVED that Lisa-Marie DeMont, Records Inventory Clerk, be authorized and directed to complete the application materials to be submitted to the Regional Council of Historical Agencies, and BE IT FURTHER

RESOLVED that Dennis H. Gabryszak as Supervisor of the Town of Cheektowaga is hereby authorized and directed to execute all documents pertaining to the application of this grant.

Item No. 11a cont'd

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

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

WHEREAS, the Town of Cheektowaga seeks grant monies to support activities in conjunction with the Annual Polish-American Festival, and

WHEREAS, grant monies are available through the New York State Council on the Arts for such purposes, NOW, THEREFORE, BE IT

RESOLVED that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Council on the Arts for the purpose of securing this grant, and BE IT FURTHER

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

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

Item No. 11c Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$8,100 to purchase computer and copying equipment for the Cheektowaga Justice Court, and

WHEREAS, grant monies are available via Erie County Legislator Raymond Dusza through the Erie County Public Benefit Funding Program, NOW, THEREFORE, BE IT

RESOLVED that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Public Benefit Funding Program for the purpose of securing this grant, and BE IT FURTHER

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

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

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

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$2,000 to purchase equipment for the Senior Citizen Center, and

WHEREAS, grant monies are available via Erie County Legislator Raymond Dusza through the Erie County Public Benefit Funding Program, NOW, THEREFORE, BE IT

RESOLVED that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Public Benefit Funding Program for the purpose of securing this grant, and BE IT FURTHER

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

Item No. 11d cont'd

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

Item No. 11e Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak
Councilmember Jankowiak
Councilmember Rogowski

WHEREAS, in connection with the proposed Rails to Historic Rails Multi-Use/Bicycle Trail, the Town is proposing to install 911 call boxes at various locations along such trail, and

WHEREAS, the cost for purchasing and installing such 911 call boxes is estimated at \$30,000, and

WHEREAS, Local Initiative Program grant moneys in the amount of \$20,000 may be available through Assemblyman Paul A. Tokasz's office for such boxes, NOW, THEREFORE, BE IT

RESOLVED that Grantmakers Advantage, Inc. the Town's grants consultant, be and hereby is authorized and directed to complete the necessary application, forms, etc. to be submitted to the Legislative Program for the purpose of securing \$20,000 (or, if more moneys are made available, \$30,000) for the cost of installing the 911 call boxes, and BE IT FURTHER

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

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

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

BE IT RESOLVED that the Supervisor be and hereby is authorized to execute the 1999 Family Support Contract in the amount of \$26,076.00 on behalf of the Cheektowaga Youth and Recreational Services Department and the New York State Office of Mental Retardation and Developmental Disabilities.

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

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

WHEREAS, the Youth and Recreation Department's Dartwood Travel Club program is desirous of renting camping facilities known as Camp Turner located in Allegany State Park, for the period of May 21, 1999 - May 23, 1999, and

WHEREAS, Camp Turner is willing to rent such facilities to the town provided that the Town executes a Campsite Use Agreement for the rental of said property, totaling \$300. (Line Item 7140.4491) and

WHEREAS, the cost for said program is offset by the user fees collected from the participants, and

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

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement with Camp Turner for the renting of the aforementioned property.

Item No. 11g cont'd

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

Item No. 11h Motion by Councilmember Jaworowicz, Seconded by Councilmember Jankowiak

WHEREAS, the New York State Department of Transportation ("DOT") will be reconstructing Broadway in the near future, and

WHEREAS, the Town of Cheektowaga owns the right-of-way for Shores Alley on the north side of Broadway, and

WHEREAS, by resolution dated December 7, 1998, this Town Board authorized and directed the Supervisor to execute DOT documents wherein the Town would be paid \$2,150.00 for acquisition of a portion of Shores Alley and other Town-owned property on the south side of Broadway, and

WHEREAS, the DOT has not notified the Town that the Town is entitled to an additional \$200.00 for a Stop sign within the Shores Alley right-of-way, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an Agreement of Adjustment with the DOT for the DOT's acquisition of the Stop sign on Shores Alley.

MEETING NO. 4
February 22, 1999

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

Item No. 11i Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town, in its 1999 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 sign agreements and their accounting report from the 1997 funding to the Town, NOW, THEREFORE, BE IT

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

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

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Friends of the Woods, Ltd.	\$ 700.00
Cheektowaga Patriotic Commission	\$10,000.00
Cheektowaga Community Chorus	\$ 6,000.00

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 1999 Town budget, subject to audit and approval of a properly signed Town voucher.

Item No. 11i cont'd

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

**SEE NEXT PAGE(S) for ATTACHMENT

MEETING NO. 4
February 22, 1999

Item No. 12 Motion by Councilmember Mazur, 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

POLICE DEPARTMENT - Dog Warden - \$6.00 per hour

Vicky Manos XXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately

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

Item No. 13 Hiring of seasonal employees - various departments
This item was withdrawn.

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

BE IT RESOLVED that the following Youth and Recreation employees be and hereby are transferred, effective as indicated:

Recreation Instructor Aid to Youth - 7140.1615
\$11.44 - (retro to 1/18/99)
Cathy Giles (part-time)

MEETING NO. 4
February 22, 1999

From Part-time to Seasonal
(effective 2/22/99)
Noreen Brezowski

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

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

WHEREAS, the New York State Government Finance Officer's Association (NYS-GFOA) is holding its Annual Conference on March 23rd through March 26th, 1999 in Albany, New York, and

WHEREAS, the conference shall cover such topics as Public Cash Management, Y2K considerations, contingencies, and disclosures, the new Government accounting Standards Board Financial Reporting Model; all topics necessary and mandated for the Town accreditation, and

WHEREAS, Supervising Accountant Robert Kaczmarek, Accountant A. Lynn Nenni, and Junior Accountant Kathleen Travers are requesting attendance at this conference in order to prepare themselves for the new requirements being placed on the Town, NOW, THEREFORE, BE IT

RESOLVED that the Town Board deems it appropriate for Town personnel to be in attendance at this conference to assure that the Town will be prepared for the next millennium, NOW, THEREFORE, BE IT

RESOLVED that the Supervising Accountant Kaczmarek, Accountant Nenni, and Junior Accountant Travers are hereby authorized to attend this conference, and that all cost not to exceed \$1,700.00 are to be reimbursed from the following budget account number 0100-1315-4088.

Item No. 15a cont'd

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

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

WHEREAS, the North Carolina State University is sponsoring an Administrative Management Forum focusing on Marketing Strategies for the New Millenium at Oglebay Park, Wheeling, West Virginia from Sunday, March 21, 1999 through Thursday, March 25, 1999, and

WHEREAS, 73% of the Recreation budget comes from user fees, it is the department's goal to sustain or increase that revenue source in the future, NOW, THEREFORE, BE IT

RESOLVED that Kenneth J. Kopacz, Executive Director of the Department of Youth and Recreational Services, be reimbursed the necessary transportation, meals and lodging expenses to attend said meeting at a cost not to exceed \$475.00 (estimate - Line Item No. 01-7140-0004-4191); travel, \$165 (estimate - Line Item No. 01-1910-0004-4083); and training fees not to exceed \$325.00 (Line Item No. 01-7310-0004-4681).

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

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

MEETING NO. 4
February 22, 1999

WHEREAS, there is a severe traffic congestion problem at the intersections of William Street at Union Road and Losson Road at Union Road in part as a result of vehicles traveling to and from the Thruway interchange on William Street, and

WHEREAS, William Street, Losson Road, Bennett Road, Como Park Boulevard and connecting roads are also experiencing heavy traffic conditions as a consequence of the William Street Thruway Interchange, and

WHEREAS, there is a need to relieve traffic congestion in this area, and to identify alternatives to provide traffic relief in this corridor, and

WHEREAS, through Congressman Jack Quinn, \$3,000,000 in Federal funding (Transportation Equity Act for the 21st Century) has been made available to help alleviate traffic congestion in this corridor, and

WHEREAS, prior to utilizing this Federal funding, it is necessary to engage a consultant to prepare a traffic report which evaluates and prioritizes projects that could reduce traffic congestion in this corridor, and

WHEREAS, URS Greiner Woodward Clyde ("URS Greiner") is familiar with the William/Losson corridor, and had, in 1997, prepared a William/Losson Corridor Study for the Town of Cheektowaga, and

WHEREAS, URS Greiner has submitted a Traffic Improvements Impact Study Proposal to the Town for the William/Losson corridor wherein it states that it will perform a set of planning tasks to prioritize a series of alternatives developed for the William/Losson Corridor, and prepare an evaluation matrix for the review and approval of the Town of Cheektowaga at a cost of \$25,000 - \$30,000, and

WHEREAS, Erie County Legislators Raymond Dusza and Gregory Olma have committed \$5,000 in County funding to assist the Town with this study, and

Item No. 16 cont'd

WHEREAS, the Town will seek reimbursement for the cost of preparing the Traffic Improvements Impact Study out of the Federal Transportation Equity Act funds, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby retains URS Greiner, as per the attached proposal, to perform a Traffic Improvements Impact Study for the William/Losson Corridor at a cost not to exceed \$30,000, and BE IT FURTHER

RESOLVED that moneys for this study shall be appropriated from budget line item number 0800-8020-4709.

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

NAYES: 0

ABSENT: 0

****SEE NEXT PAGE(S) for ATTACHMENT**

MEETING NO. 4
February 22, 1999

II. DEPARTMENTAL COMMUNICATIONS

Item No. 17a Minutes of Meeting - Cheektowaga Planning Board - January 14, 1999
Received and Filed.

Item No. 17b Minutes of Meeting - Cheektowaga Traffic Safety Commission - January 19, 1999
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 18a NYS DOT - Designation of Restricted Highway - Portion of Walden Avenue 1500 ft west of Bflo East City Line to 1500 ft east of NYS Thruway
Copies were sent to: Dennis H. Gabryszak, Supervisor; Cheektowaga Town Board Members; Cheektowaga Traffic Safety Commission; Highway Department.
Received and Filed.

Item No. 18b NYS DOT - Designation of Restricted Highway - Broadway from Union Rd to Dick Rd.
Copies were sent to: Dennis H. Gabryszak, Supervisor; Cheektowaga Town Board Members; Cheektowaga Traffic Safety Commission; Highway Department.
Received and Filed.

Item No. 19a Notice of Claim - Rev. Thomas L. Gibson 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. 19b Notice of Claim - Nancy Milbrand 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.

MEETING NO. 4
February 22, 1999

- Item No. 19c** Notice of Claim - John Weinreber 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. 19d** Notice of Claim - Dominic Palmeri vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Senior Services.
Received and Filed.
- Item No. 19e** Notice of Claim - Lynnette Luksch 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. 19f** Notice of Claim - Gable Claims Management/Nancy's Coffee Cafe vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Building Inspector.
Received and Filed.
- Item No. 19g** Notice of Claim - Chester L.. Miller 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. 19h** Notice of Claim - Charles R. Gallant vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; William Wielinski, Director of Facilities; Mark Wegner, Working Foreman, Facilities Department.
Received and Filed.
- Item No. 19i** Notice of Claim - Donald & Linda Rachow 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. 19j** Notice of Claim - Walter Gawron 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. 19k** Notice of Claim - Sue Fox vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; William Wielinski, Director of the Facilities Department.
Received and Filed.
- Item No. 19l** Lynn A. Yapple 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. 19m** Jennifer Alessio vs Town of Cheektowaga

MEETING NO. 4
February 22, 1999

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department. Received and Filed.

IV. SUSPENSION OF RULES

Motion by Councilmember Johnson, Seconded by Councilmember Swiatek to suspend the rules to include the following item, and the voting was as follows:

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

Item No. 20 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

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

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

Item No. 20 cont'd

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

WHEREAS, an application had been submitted by Bergmann Associates on behalf of Uniland Development Company ("Developer") to develop approximately 50 acres of a 61.5 acre site as "Airborne Business Park" with approximately 600,000 gross square feet of office and light industrial facilities, and

WHEREAS, a Negative Declaration was issued for the project by the Cheektowaga Town Board at their regular meeting of September 8, 1998, and

WHEREAS, the developer has submitted detailed site plans for the first segment of the project at 80 Holtz Road, and

WHEREAS, the developer will demolish the two existing buildings on the site and construct a two story 54,000 s.f. office building, and

WHEREAS, this segment of the project will be 5,000 s.f. smaller than originally proposed, and

WHEREAS, the stormwater drainage plans have been approved in concept by the Town Engineer and he is reviewing the details which are subject to his approval as well as all necessary easements, and

WHEREAS, the developer reasserts all the commitments, e.g. contributing to the installation of a future Aero/Holtz traffic signal system, all traffic improvements at the Genesee Street entrance, providing a paved bike path along Ellicott Creek, installation of sidewalks along the public rights-of-way fronting the project site, providing an easement along Ellicott Creek, etc. that were made in advance of the September 8, 1998 Negative Declaration for the entire Airborne Business Park, and

WHEREAS, the Advisory Committee at its meeting held on February 17, 1999 rendered the determination shown on the attached memo dated February 18, 1999, 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, reaffirms the Negative Declaration issued September 8, 1998 for the overall plan, and specifically for the plans for 80 Holtz Road, that the project will not have a significant effect on the environment and finds the site plans acceptable.

MEETING NO. 4
February 22, 1999

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 21 Motion by Supervisor Gabryszak, Seconded by Unanimous
to adjourn the meeting in memory of Past Chief of Police, Theodore DeFedericis.
Time Meeting Adjourned: 8:10 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 4
MARCH 1, 1999

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of March, 1999 at 7:00 o'clock P.M. there were:

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

ABSENT: Supervisor Dennis H. Gabryszak

Also present were: Richard M. Moleski, Town Clerk; Ronald Marten, Building and Plumbing Inspector; William Conway, Assessor; Bruce Chamberlin, Chief of Police; William Pugh, Town Engineer; Mark Wegner, Working Crew Chief; James Kirisits, Town Attorney; Christopher J. Kowal, Highway Superintendent; Patricia Wojcik, Director of Senior Services; and Robert Kucewicz, Mayor of the Village of Depew.

I. RESOLUTIONS

Item No. 2 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

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

			<u>1998</u>
<u>SPECIAL DISTRICTS FUND</u>			
From:	1500-8160-9131	Bond Principal	\$ 10,946.99
	1500-8160-8975	Retirement Buyout	45,000.00
	1500-1910-2799	Appropriated Fund Balance	153,429.00
To:	1500-8160-8157	TCEA Health & Welfare	\$ 55,946.99
	1500-8160-4469	Landfill Costs	153,429.00

Upon roll call

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

Item No. 3 Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to February 26, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 62,214.01
HIGHWAY FUND	22,740.41
TRUST & AGENCY	3,126.52
PART TOWN FUND	2,094.81
HUD CDBG FUND	253.49
HUD HOUSING REHABILITATION	11,590.00
RISK RETENTION FUND	14,824.22
SPECIAL DISTRICTS FUND	32,862.61
CAPITAL FUND	174.00
	<u>\$149,880.07</u>

Upon roll call

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

Item No. 4a Bond: Highway Improvements

MEETING NO. 5
MARCH 1, 1999

*SEE NEXT PAGE FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 4b Bond: Drainage Improvements

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 5
MARCH 1, 1999

AFFIDAVIT - NEXT PAGE

Item No. 4c Bond: Reconstruction of Sidewalks

*SEE NEXT PAGE FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

MEETING NO. 5
MARCH 1, 1999

Item No. 5 Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Debbie A. Dueringer has made application and requested the Rezoning from RA-Apartment District to NS-Neighborhood Services District for property located at 2845 William Street, NOW, THEREFORE BE IT

MEETING NO. 5
MARCH 1, 1999

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 15, 1999 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 6 Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the furnishing of clothing for various Youth and Recreation programs, AND

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

MEETING NO. 5
MARCH 1, 1999

RESOLVED, that the following items are being rejected or no bid was received.

Item 1A-1G (rejected; to be re-bid)
Item 3 (rejected; to be re-bid)
Item 4B-4F (rejected; to be re-bid)
Item 5A (rejected; to be re-bid)
Item 10A-B (no bid received; re-bid)
Item 11A (rejected; to be re-bid)
Item 12A (rejected; to be re-bid)
Item 15A (rejected; to be re-bid)
Item 16A (no bid received; to be re-bid)
Item 17A (no bid received; to be re-bid)

BE IT FURTHER RESOLVED that the remaining items be and hereby are awarded to the following bidders meeting specifications for the 1999, 2000 and 2001 calendar years:

Pine Ridge
8386 North Main Street
Eden, New York 14057

Apple Imprints
2330 Bailey Avenue
Buffalo, New York 14211

Competition Teamwear
4184 Seneca Street
West Seneca, New York 14224

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

Upon roll call

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

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof for the furnishing of clothing for various programs in the Youth and Recreational Services Department for the 1999, 2000 and 2001 calendar years, AND

WHEREAS, some of the items were not bid on or did not meet specifications, BE IT

RESOLVED, that the Town Clerk be directed to publish Notice to Bidders for the furnishing of said clothing. Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk; said Notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

RESOLVED, that sealed bids will be received on March 16, 1999 at 11:00 a.m., Eastern Standard Time at a public bid opening to be held in the Council Chambers in Cheektowaga Town Hall.



Item No. 7 cont'd.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 16, 1999 at 11:00 a.m., Eastern Standard Time at Town Hall, corner of Broadway and Union Road for the purchase of clothing for use in various Youth and Recreation programs.

MEETING NO. 5
MARCH 1, 1999

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

Bid prices will be in effect for the calendar years 1999, 2000, and 2001.

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

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

Richard M. Moleski
Town Clerk

DATED: March 1, 1999



Upon roll call . . .

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town of Cheektowaga owns a 1994 White/GMC Sanitation Automatic Packer truck which is surplus to the needs of the Town, AND

WHEREAS, the Town has received inquiries from various parties who are interested in purchasing this vehicle, AND

WHEREAS, it would be in the Town's best interests to publicly offer this vehicle for sale via sealed bids, NOW, THEREFORE BE IT

MEETING NO. 5
MARCH 1, 1999

RESOLVED, that the Town will accept sealed bids from interested parties for the purchase of the above referenced packer truck until March 11, 1999 at 11:00 a.m., at which time they will be publicly opened by the Town Clerk in the Town Hall Council Chambers and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Sale in the CHEEKTOWAGA TIMES..



NOTICE OF SALE

1994 WHITE/GMC SANITATION AUTOMATIC PACKER

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga will accept sealed bids for the sale of the following referenced Town-owned vehicle:

1994 WHITE/GMC Sanitation Automatic Packer
Cummins 91 L-10 260 Engine (260 HP)
Mileage: 56,232
HEIL - Formula 7000 Automatic Packer
Air Conditioning

until Thursday, March 11, 1999 at 11:00 a.m. Said sealed bids shall be placed in an envelope marked "Bid for Sanitation Packer" and delivered to the Town Clerk at 3301 Broadway, Cheektowaga, New York 14227 prior to March 11, 1999 at 11:00. The Town Clerk will then publicly open such bids.

The Town reserves the right to reject bids if the purchase price is not acceptable to the Town.

The vehicle may be viewed at the Cheektowaga Central Garage, 3175 Union Road, Cheektowaga, New York 14227 during regular business hours.

Questions concerning this vehicle should be directed to the Central Crew Chief at (716) 686-3439.

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

Dated: March 1, 1999

Richard M. Moleski
Town Clerk



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1999 to the Erie County Board of Elections, AND

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly Voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, AND

WHEREAS, there are 40 Elections Districts in the Town of Cheektowaga located in 111 polling places, all of which provide proper accessibility, NOW, THEREFORE BE IT

MEETING NO. 5
MARCH 1, 1999

RESOLVED, that the attached list of Town of Cheektowaga polling places for 1999 be approved for submittal to the Erie County Board of Elections.



MOTION BY COUNCILMEMBER SWIATEK, SECONDED BY COUNCILMEMBER JANKOWIAK TO AMEND THE ABOVE RESOLUTION, ITEM 9, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1999 to the Erie County Board of Elections, AND

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly Voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, AND

WHEREAS, there are 111 Elections Districts in the Town of Cheektowaga located in 40 polling places, all of which provide proper accessibility, NOW, THEREFORE BE IT

RESOLVED, that the attached list of Town of Cheektowaga polling places for 1999 be approved for submittal to the Erie County Board of Elections.

Upon roll call

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

* SEE NEXT PAGE FOR ATTACHMENT

Item No. 10 Motion By Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, the Town, in its 1999 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 1997 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

MEETING NO. 5
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RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreements with the following referenced cultural and not-for-profit organizations for the following respective amounts:

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Historical Association	\$1,200.00
Cheektowaga Community Symphony Orchestra	8,000.00

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 1999 Town budget, subject to audit and approval of a properly signed Town voucher.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 11a Motion By Councilmember Rogowski, Seconded by Councilmember Mazur

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

Lifeguards - 7180.1903

Level III - \$6.65

(effective immediately)

Elizabeth Sinski	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Basketball - 7140.1654

Recreation Instructor - \$5.90

(retro to 2/22)

Jay Paradowski	XXXXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendants (TGIF) - 7140.1614

Recreation Attendant II - \$5.40

Scott Gretch	XXXXXXXXXXXX	XXXXX
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Upon roll call

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

Item No. 11b Hiring of Part-Time Employees in Various Departments
This item was withdrawn.

Item No. 11c Hiring of Seasonal Employees in Various Departments
This item was withdrawn.

Item No. 12 Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, the New York State Office of Real Property Services will be holding a course on the Fundamentals of Exemption Administration on March 11-12, 1999 at the Orchard Park Town Hall, AND

WHEREAS, this course is designed to increase the assessment administrator's familiarity with the Assessor's Manual, and to show assessors and staff how to find the most current and accurate information concerning the law and relevant data about exemptions, AND

WHEREAS, the Town Assessor, Real Property Appraiser and Assistant Field Assessor have requested permission to attend this course, AND

WHEREAS, there is no cost to the Town for this course, NOW, THEREFORE BE IT

RESOLVED, that the following Assessor's Office staff persons be and hereby are authorized to attend the above referenced course, and to utilize a Town vehicle to travel to and from such course:

William R. Conway

Kevin J. Gawel

Dennis G. Krystofowicz

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 13 Building Permits
Received and Filed.

Item No. 14 Minutes of Cheektowaga Public Library Board - January 27, 1999
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 15 Notice of Claim: Carmelo Milone vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

MEETING NO. 5
MARCH 1, 1999



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

Upon roll call

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



IV. SUSPENSION OF RULES

Item No. 16 Motion By Councilmember Jankowiak, Seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at Creekside Drive, Cheektowaga, New York, SBL #124.30-1-11.1 and according to the Assessors' Office is owned by Nicholas Giangualano, 1555 Broadway Street, Cheektowaga, New York 14212, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by removing the 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 debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon roll call

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

Item No. 17 Motion By Councilmember Rogowski, Seconded by Councilmember Mazur to adjourn this meeting. This meeting was adjourned at 7:45 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 15, 1999**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of March, 1999 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
Councilmember Thomas Mazur

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Jim Kirsits, Town Attorney; Sal LaGreca, Chairman of the Planning Board; John Schaller, Assistant Chief of Police; Walter Domino, Engineering Department; Pat Wojcik, Director of Senior Services; Bill Conway, Town Assessor; Mark Wegner, Working Foreman-Facilities Department

I. RESOLUTIONS

ITEM No. 7 was taken out of order, and acted upon first.



Item No. 7 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek
Councilmember Jankowiak
Councilmember Jaworowicz

WHEREAS, Buffalo Airfield, Inc. operates as a private owner a public use airport at 4500 Clinton Street, West Seneca, New York, and a part of such airport is located in the Town of Cheektowaga, and

WHEREAS, such airport is located adjacent to and is surrounded by densely populated residential neighborhoods, and

WHEREAS, area residents are very concerned about increased air traffic and noise at this airport, and are opposed to any action which would make Buffalo Airfield a more viable airport, and

WHEREAS, it appears that Buffalo Airfield is in conflict with surrounding land uses in the area, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby goes on record in opposition to any and all actions which would have the effect of making Buffalo Airfield more viable for increased air traffic, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the FAA, DOT, Town of West Seneca and to the Federal and State legislators serving the Town of Cheektowaga.

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

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

MEETING NO. 6
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BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to March 12, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 641,166.71
HIGHWAY FUND	197,880.43
TRUST & AGENCY	5,203,666.82
PART TOWN FUND	6,071.51
HUD CDBG FUND	1,110.40
RISK RETENTION FUND	54,980.47
SPECIAL DISTRICTS FUND	408,703.18
CAPITAL FUND	<u>10,804.95</u>
	\$6,524,384.57

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of manhole frames with self-sealing covers and manhole frames with vented covers, which bids were duly received and opened at the March 10, 1999 public bid opening, and

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

WHEREAS, bids were reviewed by Allan Blachowski, Principal Engineer Assistant, and it is recommended that the award be made to the lowest responsible bidder meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of manhole frames and covers be and hereby is awarded to:

Syracuse Casting Sales Corp.
P.O. Box 1821
Cicero, NY 13039
(315) 699-2601

<u>ITEM</u>	<u>QUANTITY</u>	<u>DELIVERED UNIT BID PRICE</u>
Frame with 24" diameter	25	\$133.50
self-sealing cover (set)	50	\$128.00
	75	\$127.90
	100	\$124.00

Neenah Foundry Company
P.O. Box 729
Neenah, WI 54957
(920) 725-7000

Frame with 24" diameter	25	\$130.00
vented cover (set)	50	\$125.00
	75	\$125.00
	100	\$120.00

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

Item No. 3b Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, bids were received on March 10, 1999 for the application of chemical fertilizers and herbicides, and

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WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated March 10, 1999, NOW, THEREFORE, BE IT

RESOLVED that the contract for the application of chemical fertilizers and herbicides for the year of 1999 be awarded to Turf Tec of Western New York, Inc., 5096 Lockport Road, Lockport, New York 14094 at the following total and unit bid prices:

ITEM 1	Nitrogen Fertilization Creek Areas	\$5,783.00
ITEM 2	Chemical Trimming Areas	\$1,422.00
ITEM 3	Retention Basins	\$2,540.00
ITEM 4	Nitrogen Fertilizer	.0029/sq.ft.
ITEM 5	Weed Control	.0036/sq.ft.
ITEM 6	Chemical Trimming	.0070/sq.ft.
ITEM 7	Weed & Feed Law Areas	.0039/sq.ft.
ITEM 8	Chemical Trimming of Fence Lines	\$ 51.50
ITEM 9	Grass Growth Regulator	\$ 875.50
ITEM 10	Brush Control	\$3,435.00
	Total bid for Items 1, 2 and 3	\$9,745.00

and BE IT FURTHER

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 3c Motion by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of seven (7) 1999 police vehicles for the Police Department, which bids were duly received and opened at a public bid opening called for that purpose, and

MEETING NO. 6
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WHEREAS, said bid was referred to the Police Department for analysis and tabulation, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of seven (7) 1999 police vehicles be awarded to Delacy Ford, Inc., 3061 Transit Rd., Elma, NY 14059; said vendor being lowest bidder meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that funds are available in account #0100-3120-2303 for this purpose.

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

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

WHEREAS, the Town of Cheektowaga has budgeted Community Development Block Grant funds for recreation improvements in the Cedargrove Heights neighborhood and wishes to proceed with the installation of said improvements, and

WHEREAS, plans and specifications for this project have been prepared by the Town's landscape architect consultant, Frank T. Brzezinski and approved as to form by the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is hereby directed to publish a Notice to Bidders in connection with said project in the BUFFALO NEWS, the CHEEKTOWAGA TIMES and the BUFFALO CHALLENGER, and BE IT FURTHER

RESOLVED that sealed proposals will be received by the Town of Cheektowaga on the 30th day of March, 1999 at 11:00 A.M. Local Time at Cheektowaga Town Hall, Town Clerk's Office, 3301 Broadway Avenue at Union Road, Cheektowaga, NY 14227, at which time and place they will be publicly opened and read aloud.



NOTICE TO BIDDERS

Sealed bids for Community Drive Park are invited and will be received, publicly opened and read on behalf of the Town of Cheektowaga on **March 30, 1999 at 11:00 A.M.** in Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, New York 14227 for the installation of a new playstructure and related recreation improvements and site work at Community Drive Park. Specifications and Plans for the project may be examined at Cheektowaga Town Hall, 3301 Broadway Avenue at Union Road, Cheektowaga, New York and a copy may be obtained upon payment of \$35.00 per set for the project as a deposit to guarantee the safe return thereof.

Any bidder for the project furnishing the required bid security, other than the successful bidder, who returns such copy in good condition within thirty (30) days following the receipt of bids for the project for which such bidder shall have submitted a bid, or the rejection of the bid of such bidder, will be refunded the full amount of the deposit, including the successful bidder.

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.

This contract will be funded wholly with federal Community Development Block Grant funds and as such, is subject to all federal rules and regulations pertinent thereto, including but not limited to Executive Order No. 11246. The requirements for bidders and contractors under this order which concerns non-discrimination in employment are explained in the specifications.

Item No. 4a cont'd

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga Town Hall, Cheektowaga, New York 14227 and marked as "Proposal for Community Drive Park".

Each proposals 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

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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 furnish a performance bond acceptable to the Town in an amount equal to the contract award. 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.

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 not to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

The work shall be completed within 90 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

BY ORDER OF RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga
March 15, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 4b 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 REPLACEMENT OF SIDEWALKS IN VARIOUS LOCATIONS IN THE TOWN OF CHEEKTOWAGA by the 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 thru Friday, and BE IT FURTHER

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RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at 11:00 A.M. on March 30, 1999.



NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

Sealed proposals will be received and considered by the Cheektowaga Town Board on Tuesday, March 30, 1999 at a public bid opening at 11:00 A.M., at the Town Hall located on Broadway in the Town of Cheektowaga, NY for the replacement of sidewalks in various locations in the Town of Cheektowaga.

Specifications for sidewalks may be obtained at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York between the hours of 9:00 AM and 4:30 PM, Monday through Friday.

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.

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

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Dated: March 15, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 4c 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 TOPSOIL by the Cheektowaga Highway Department and various departments in the Town.

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 thru 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 March 30, 1999.



NOTICE TO BIDDERS
TOWN OF CHEEKTOWAGA, NEW YORK

Sealed proposals will be received and considered by the Cheektowaga Town Board on Tuesday, March 30, 1999 at a public bid opening at 11:00 A.M., at the Town Hall located on Broadway in the Town of Cheektowaga, NY for the purpose of furnishing TOPSOIL for use by various departments 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 AM and 4:30 PM, Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Dated: March 15, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 5 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Benderson Development Co. Inc./James A. Rumsey (agent) has made application and requested the rezoning of property located at 760 Dick Road from RA- Apartment District to C-Retail Business District, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 5, 1999 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

MEETING NO. 6
March 15, 1999

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the contract for the construction of traffic signal improvements at the intersection of Pine Ridge Road and Doat Street was awarded by Town Board Resolution dated August 3, 1998 to Omer Construction Company, Inc. in the amount of \$35,951.00 and has been substantially completed in accordance with the contract requirements, and

WHEREAS, the Town Engineer and Project Consulting Engineer, EMS Consulting, have recommended the approval of Change Order No. 1 (Final) for the aforesaid traffic signal improvements project which provides for the final adjustment to contract item quantities to those actually incorporated into the project, and for the addition of one (1) concrete pull box and for necessary modifications to the traffic signal standard to avoid conflict with overhead utility lines as outlined in the Change Order document, and in the letter of the Town Engineer dated March 10, 1999, NOW, THEREFORE, BE IT

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RESOLVED that Change Order No. 1 for the aforementioned project in the amount of \$1,941.50 as an addition to the contract of

Omer Construction Company, Inc.
621 Aero Drive, Cheektowaga, New York 14225

be and hereby is approved, and BE IT FURTHER

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

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

Item No. 8a Motion by Councilmember Mazur, 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 attached list of vehicles, 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.



LIST OF AMBULANCE VEHICLES

Owner - LaSalle Ambulance, Inc. d/b/a Rural/Metro Medical Services

<u>VEHICLE: MAKE & YEAR</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
1998 Ford	AA 5160	250
1991 Ford	AA 4049	251
1992 Ford	AA 4688	253
1998 Ford	AB 8577	255
1998 Ford	AA 7219	256
1995 Ford	AA 7238	258
1993 Ford	AA 2976	350
1998 Ford	AA 8579	511
1995 Ford	AA 7234	512
<u>Item No. 8a cont'd</u>		
1994 Ford	AA 2990	515
1994 Ford	AA 3006	516
1998 Ford	AA 5159	518
1997 Ford	AA 8571	519
1993 Ford	AA 2979	520
1995 Ford	AA 7236	521
1993 Ford	AA 1243	523
1990 Ford	AB 8576	524
1995 Ford	AA 7237	525
1995 Ford	AA 7239	527
1994 Ford	AA 2975	528
1994 Ford	AA 4355	529
1995 Ford	AA 7233	530
1998 Ford	AB 8578	532
1995 Ford	AA 7224	533

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1994 Ford	AA 3021	534
1993 Ford	AA 4800	535
1994 Ford	AA 4819	536
1997 Ford	AA 8573	537
1993 Ford	AA 4699	538
1993 Ford	AA 1244	539
1994 Ford	AA 3020	540
1995 Ford	AA 7235	541
1993 Ford	AA 4809	542
1998 Ford	AA 5161	543
1994 Ford	AA 2986	544
1995 Ford	AA 7232	545
1994 Ford	AA 4025	548
1997 Ford	AB 8572	554
1997 Ford	AB 8470	565
1995 Ford	AA 7223	580
1995 Ford	AA 7222	581
1995 Ford	AA 7221	582
1997 Ford	AA 7218	583
1997 Ford	AA 7217	584
1998 Ford	AB 8575	586

Owner - Town's Ambulance Service, Inc. d/b/a Rural/Metro Medical Services

<u>VEHICLE: MAKE & YEAR</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
1995 Ford	AA 4368	553
1994 Ford	AA 7210	555
1997 Ford	AA 7215	557
1994 Ford	AA 4373	560
1995 Ford	AA 7211	561
1993 Ford	AA 4370	562
1995 Ford	AA 7212	563
1993 Ford	AA 4369	566
1997 Ford	AA 7216	568
1997 Ford	AB 8574	585



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

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

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

NOW, THEREFORE, BE IT RESOLVED that the recommendations of the EMS Board concerning the licensing of new/renewal driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, for a period to expire upon the expiration of such ambulance driver(s)/attendant(s) Emergency Medical Technician ("EMT") card, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue new/renewal licenses to the driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.



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TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>Name</u>	<u>Address</u>	<u>EMT Expires</u>
*Barrett, Ronald J.	XXXXXXXXXXXXX. Buffalo, NY XXXXX	8/31/01
*Gonter, Joseph M.	XXXXXXXXXXXXX, Buffalo, NY XXXXX	3/31/02



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

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

WHEREAS, the Governor's 1999-2000 proposed budget for the Office of Children and Family Services cuts funding for Youth Development and Delinquency Prevention (YDDP) programs by \$1.2 million and Special Delinquency Prevention (SDPP) programs by \$1 million, and

WHEREAS, the Town of Cheektowaga, which receives state aid through the YDDP category, could face cuts in funding for the First Offender and Troubled Youth Counseling Program and School Intervention Service, as well as Youth Bureau administrative salaries, if not restored by the Legislature, and

WHEREAS, five hundred Cheektowaga youth and their families, who would be served by our two programs, will be impacted by these cuts, NOW, THEREFORE, BE IT

RESOLVED that the Town Board authorizes the Supervisor, on behalf of the entire Town Board, to sign a joint letter with the Chairman of the Cheektowaga Youth Board and the Executive Director of the Department of Youth and Recreational Services calling on Senator William Stachowski and Assemblyman Paul Tokasz to inform Senator Stephan Saland and Assemblyman Roger Green, Chairmen of the Senate and Assembly Childcare Committees, of the necessity of the New York State Legislature to restore the Governor's cuts and increase funding for important youth development and delinquency prevention programs, and BE IT FURTHER

RESOLVED that a copy of this resolution be included with said letter.

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

Item No. 9b Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 14 Donlen Drive, Cheektowaga, New York, and

WHEREAS, the owner of said property has applied for a mortgage loan from Ameriquest Mortgage Co. for the purpose of refinancing existing mortgage debt and other non-secured debt, and

WHEREAS, Ameriquest Mortgage Co. has conditioned approval of the mortgage on the subordination of the Town's mortgage to that of Ameriquest Mortgage Co., and

WHEREAS, the Community Development Director has reviewed the request and has recommended approval of the subordination under a waiver of subordination guidelines governing debt to value ratio in order to facilitate continued affordable homeownership for the current owner, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Ameriquest Mortgage Co., 200 Whiteplains Road, Tarrytown, New York 10591 in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 14 Donlen Drive, Cheektowaga, New York, pursuant to the recommendation of the Town

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Director of Community Development, said subordination conditioned on a paydown of 2,500 against the Town's housing rehabilitation loan.

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

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

WHEREAS, the Town of Cheektowaga seeks grant monies in from the New York State TEA-21 Transportation Enhancements Program for the purpose of streetscaping Harlem Road from Cleveland Drive to north of Kensington Road, and

WHEREAS, the Town of Amherst seeks to be a partner in this project as a portion of the project area is located within the Town of Amherst, and

WHEREAS, the Town of Cheektowaga will serve as lead agency for this project as the majority of the project area is located within the Town's jurisdiction; NOW, THEREFORE, BE IT

RESOLVED that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Transportation for the purpose of securing this grant, and BE IT FURTHER

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

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

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

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$5,000 to plant trees along Town right-of-ways; NOW, THEREFORE, BE IT

RESOLVED that matching funds in an amount not to exceed \$5,000 are available from Account #0300-5140-4291, and BE IT FURTHER

RESOLVED that Dennis H. Gabryszak, as Supervisor of the Town of Cheektowaga is hereby authorized and directed to file an application for funds in an amount not to exceed \$5,000 and **Item No. 9d cont'd**

upon approval of said request to enter into and execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to this municipality for the Fall 1999 right-of-way tree planting project.

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

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

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$5,000 to plant trees in Town parklands; NOW, THEREFORE, BE IT

RESOLVED that matching funds in an amount not to exceed \$5,000 are available from Account #0100-7110-4451, and BE IT FURTHER

RESOLVED that Dennis H. Gabryszak, as Supervisor of the Town of Cheektowaga is hereby authorized and directed to file an application for funds in an amount not to exceed \$5,000 and upon approval of said request to enter into and execute a project agreement with the New York State

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Department of Environmental Conservation for such financial assistance to this municipality for the Fall 1999 parkland tree planting project.

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

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

BE IT RESOLVED that the following Youth and Recreation employees be and hereby are terminated, effective immediately:

Angela Krzemien
Cheryl Ostempowski
Melisa Penski

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

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

BE IT RESOLVED that the following Youth and Recreation employees be and hereby are transferred as indicated:

From Part-time to Seasonal
(effective April 5th - 9th, 1999 - reverts to part-time status effective April 10th)

Breanne Blachura
Amie Godzich
Christina Karlinski
Mindy Keiser
Heather Menchini
Victor Nosal
Paula Panasiewicz
Brian Pane
Daniel Quigley

Item No. 11 cont'd

From Seasonal to Part-time
(effective immediately)

Mindy Greenauer
Jill Marie Matuszewski
Jill Zarazinski

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

Item No. 12 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, a temporary vacancy exists in the position of Senior Clerk in the Police 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

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WHEREAS, Audrey Owens, currently employed as a part-time Clerk in the Police Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Audrey Owens of XXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of temporary Senior Clerk in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

Item No. 13 Motion by Councilmember Mazur, 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

POLICE DEPARTMENT - MATRON - \$10.42 per hour

Margaret Viscuso XXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX Immediately

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

Item No. 14 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Madison County Virginia Sheriff's Department is hosting their annual K-9 Training Seminar. The seminar will be held in Madison Virginia March 22-27, 1999, and

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Officer Daniel Smith and "Breston" to this training seminar. Officer Smith and "Breston" have been requested to go instruct a portion of this seminar. Officer Smith will be using the K-9 vehicle for transportation to

Item No. 14 cont'd

and from this seminar. The Police Department will be responsible for the expense of gasoline and tolls, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send Officer Smith and "Breston" to this seminar and that the time he spends at this training be authorized as normal duty time. The expense will be charged to line 0100-3120-4085.

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 15 Supervisor's Statement of Funds
Received and Filed.

Item No. 16a Minutes of Cheektowaga Planning Board - February 11, 1999
Received and Filed.

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Item No. 16b Minutes of Cheektowaga Traffic Safety Commission - February 16, 1999
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 17 Notice of Claim - Safeco Property & Casualty Ins. co. as subrogee of Frontline Solutions, Inc. vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation/Recycling Department.
Received and Filed.

Item No. 18 Motion by Supervisor Gabryszak, Seconded by Unanimous
to adjourn the meeting.
Time Adjourned: 7:45 P.M.

RICHARD M. MOLESKI
Town Clerk