

**TOWN OF CHEEKTOWAGA
MEETING NO. 14
JULY 6, 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 6th day of July, 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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Ronald Marten, Building and Plumbing Inspector; James Kisisits, Town Attorney; Salvatore LaGreca, Chairman of Planning Board; Robert Kaczmarek, Supervising Accountant; John Schaller, Assistant Chief of Police; Bill Pugh, Town Engineer; Patricia Wojcik, Director of Senior Services; Jeffrey Ramelb, Director of Employee Relations; and Mark Wegner, Working Foreman-Facilities Department.

I. RESOLUTIONS

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

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

GENERAL FUND

From:	0100-1110-1391	Part-Time Clerical	\$	15,000.00
	0100-7510-3820	Historical Grant		1,125.00
	0100-1910-4711	Contingency		20,100.00
	0100-1440-1492	Seasonal Labor		8,000.00
	0100-7620-1373	Recreation Attendant		18,000.00
	0100-7620-1639	Special Events Supervisor		2,500.00
To:	0100-1110-1309	Clerk to Justice Court	\$	15,000.00
	0100-7510-4475	Historical Consultant		1,125.00
	0100-1910-2501	Other Equipment		20,100.00
	0100-1440-1402	Principal Engineer Asst.		4,000.00
	0100-1440-1404	Senior Engineer Asst.		4,000.00
	0100-7620-1602	Recreation Supervisor		20,500.00

HIGHWAY FUND

From:	0300-5142-3501	Emergency Aid	\$	19,000.00
To:	0300-5142-4433	Stakes, Blades, Steel	\$	19,000.00

PART TOWN FUND

From:	0800-3620-1401	Asst. Building Inspector	\$	44,035.00
	0800-1910-4711	Contingency		7,000.00
To:	0800-3620-1400	Building Inspector	\$	51,035.00

HUD-CDBG FUND

From:	0700-1096-0704	Contingency	\$	2,709.89
	0700-1097-0704	Contingency		5,000.00
	0700-1098-0704	Contingency		990.11
	0700-1098-0722	Rehm Road Water Lines		30,000.00

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HUD-CDBG FUND cont'd.

To:	0700-1096-2400	Cedargrove Recreation Improvements	\$ 2,709.89
	0700-1097-2400	Cedargrove Recreation Improvements	5,000.00
	0700-1098-2400	Cedargrove Recreation Improvements	990.11
	0700-1098-0720	Cedargrove Sewer & Drainage	30,000.00

SPECIAL DISTRICTS FUND

From:	2400-1910-2799	Appropriated Fund Balance	\$ 40,000.00
To:	2400-8124-9990	Transfer to Capital Fund	\$ 40,000.00

CAPITAL FUND

From:	5914-1910-5031	Bond Proceeds	\$2,500,000.00
	5312-1910-5031	Transfers In	40,000.00
	5702-1910-9399	Administration	27,267.86
To:	5914-5141-9901	Highway Improvements	\$1,980,000.00
	5914-5141-9910	Highway Storm Drainage	297,000.00
	5914-5141-9915	Highway Sidewalk Work	198,000.00
	5914-1910-9399	Administrative Expense	25,000.00
	5312-8124-9341	Alpine Pump Station	40,000.00
	5702-1440-9604	Fuel Storage Installation	27,267.86

Upon roll call

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 and Warrants are submitted to the Town of Cheektowaga prior to July 2, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 205,356.67
HIGHWAY FUND	57,297.93
TRUST & AGENCY	14,243.16
PART TOWN FUND	3,887.50
HUD CDBG FUND	53,796.50
HUD HOUSING REHABILITATION FUND	18,193.00
RISK RETENTION FUND	31,884.81
SPECIAL DISTRICTS FUND	642,583.87
CAPITAL FUND	<u>1,075,422.75</u>
	\$2,102,666.19

Upon roll call

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 Jankowiak

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WHEREAS, by resolution dated October 19, 1992, the Town Board enacted a Local Law for Tree Preservation in order to protect and preserve trees on developed and undeveloped lots in the Town of Cheektowaga, AND

WHEREAS, the Town Building Inspections Department and Town Attorney's Office have recommended that the Town's Tree Preservation Law be amended, AND

WHEREAS, a public hearing was held on the 21st day of June, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting a local law known as "A Local Law to amend the Tree Preservation Law", AND

WHEREAS, it is in the public interest to adopt a Local Law to Amend the Tree Preservation Law, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby adopts Local Law No. 1 of the Year 1999, known as "A Local Law to Amend the Tree Preservation Law" and, BE IT FURTHER

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

RESOLVED, that this local law shall be effective upon its filing with the Secretary of State.

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. 4b Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, James H. and Janet M. Cooper have petitioned for the rezoning from MS-Motor Services District to C-Retail Business District of property owned by them and located at 2810

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Union Road, Cheektowaga, New York, which property is more particularly described in the legal description published with the Legal Notice of public hearing on this rezoning, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of May, 1999 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

1. Four (4) 2-1/2" Linden or Crimson King shade trees be planted along the frontage of the property

AND,

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning,

NOW, THEREFORE BE IT RESOLVED, that the application of James H. and Janet M. Cooper for the rezoning from MS-Motor Services District to C-Retail Business District of the property specified in the legal description published in the Legal Notice for the public hearing on this rezoning be and the same is hereby granted subject to the aforementioned condition recommended by the Cheektowaga Planning Board and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 5a Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Laidlaw Transit, Inc. has made application and requested the Rezoning from M1-Light Manufacturing District to MS-Motor Service District for property located at 100 Gruner Road, NOW, THEREFORE BE IT

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RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 19, 1999 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, David L. Manko has made application and requested the Rezoning from RA-Apartment District to NS-Neighborhood Service District for property located at 2911 William Street, NOW, THEREFORE BE IT

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RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 19, 1999 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call

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

NAYES: 0

ABSENT: 0

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Item No. 5c Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, by resolution dated January 21, 1992, Local Law No. 1 of the Year 1992 of the Town of Cheektowaga, entitled, "A Local Law Relating to Zoning" was adopted, AND

WHEREAS, the Building Inspections Department and the Police Department of the Town of Cheektowaga have recommended various amendments to the Local Law Relating to Zoning, AND

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WHEREAS, a draft of such amendments has been prepared and has been forwarded to various other governmental agencies for comment, NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held on the 19th day of July, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law to Amend A Local Law Relating to Zoning," and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution and the attached Notice of Hearing to the Erie County Department of Environment and Planning, the City of Buffalo, and the Towns of West Seneca, Amherst and Lancaster, and the Villages of Sloan and Depew.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 19th day of July, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 99-2 of the Year 1999, entitled "A Local Law To Amend the Local Law Relating to Zoning". A brief description of the contents of Local Law Intro No. 99-2 of the Year 1999 is as follows:

Town of Cheektowaga
Local Law Intro No. 99-2 of the Year 1996

A local law to amend Section 82-23.3 M. entitled "Commercial and/or Unlicensed Vehicles in Residential Districts" to further restrict parking of such commercial and/or unlicensed vehicles, and to clarify certain definitions of what is prohibited.

A copy of the complete text of Local Law Intro No. 99-2 of the Year 1999 shall be on file in the Town Clerk's, where the same may be examined during regular business hours.

Dated: July 6, 1999

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

Richard M. Moleski



Upon roll call

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

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Item No. 6 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 five (5) unmarked police vehicles for the Police Department, which bids were duly received and opened at a public bid opening called for that purpose, AND

WHEREAS, said bid was referred to the Police Department for analysis and tabulation, NOW, THEREFORE BE IT

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RESOLVED, that the contract for the furnishing of five (5) 1998 Ford vehicles be awarded to Delacy Ford, Inc., 3061 Transit Road, Elma, New York 14059; said vendor being lowest bidder meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that funds are available in Account #0100-3120-2303 and #0100-3120-2205 for this purpose.

Upon roll call

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

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

WHEREAS, an award for the purchase of a 1999 Ford Taurus LX for use by the Office of Economics and Community Development was previously made to Geneva Ford Sales, Inc. of Geneva, New York under New York State Contract No. PC54050, NOW, THEREFORE BE IT

RESOLVED, that the Town Board Resolution, dated May 17, 1999, approving said award be and hereby is amended to include the option of a keyless entry system with power locks for the additional cost of \$441.75, said cost to be paid from the Community Development Block Grant Program budget.

Upon roll call

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

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

WHEREAS, a contract was previously awarded to Titan Development, Inc. for the installation of recreation improvements at Community Drive Park in the Cedargrove Heights neighborhood, AND

WHEREAS, certain modifications to said improvements have been recommended by the Consulting Landscape Architect and the Town Director of Community Development as outlined in the attached Change Order report, AND

WHEREAS, said changes have been reviewed with and approved by the Town Facilities Department, AND

WHEREAS, said change pertaining to play area underdrain was initiated during construction contingent upon Town Board approval so as not to impede and interfere with the construction otherwise underway, NOW, THEREFORE BE IT

RESOLVED, that Change Order No. 1 for the Community Drive Park project, in the amount of \$8,645.00, be and hereby is approved and the Supervisor is hereby authorized to sign Change Order No. 1 on behalf 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. 9a Motion By Councilmember Jaworowicz, Seconded by Councilmember Johnson

WHEREAS, Los-Green, Inc., as part of the acceptance of the Losson Green Estates Subdivision, Phase IX, and as a prerequisite to the construction of any buildings in a portion of such subdivision, has submitted to the Town for its acceptance a warranty deed for Elmleaf Drive, AND

WHEREAS, the Town Superintendent of Highways, in the attached letter, dated June 29, 1999, has recommended that such deed be accepted by this Town Board and, BE IT FURTHER

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WHEREAS, David E. Ogiony Development Co., Inc. on behalf of Los-Green, Inc. submitted a maintenance bond for the aforementioned highway; a certified check to be held in escrow by the Town to guarantee installation of street lighting; and a certified check to be held by the Town in escrow to guarantee storm sewer cleaning, NOW, THEREFORE BE IT

RESOLVED, that the Town Attorney be and hereby is directed to file the aforementioned deed 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

* SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, as part of the review process for the development of property located at 465 French Road in the Town of Cheektowaga, the developer was requested to convey a drainage easement over such property to the Town, AND

WHEREAS, ERZ, LLC, the owner of such property, has submitted the requested easement to the Town, AND

WHEREAS, the Town Engineer has reviewed this easement and has recommended that the Town accept same, NOW, THEREFORE BE IT

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RESOLVED, that the aforementioned easement be and hereby is accepted by the Town and, BE IT FURTHER

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

Upon roll call

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

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

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the compatibility of such application with the zoning regulations, Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to the Zoning Law of the Town of Cheektowaga, is required to affirm, modify or reject any recommendations submitted to it by the Planning Board, AND

WHEREAS, an application was submitted by Jerome Izydorczak to construct a 2,520 s.f. storage building at 400 Ellicott Road as a replacement building for a 3,600 s.f. damaged by heavy snows, AND

WHEREAS, the applicant operated and would continue to operate a landscaping business on the premises, AND

WHEREAS, the Planning Board, at its meeting held on June 10, 1999 rendered the determination shown on the attached memo dated June 28, 1999, AND

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

RESOLVED, that this Town Board, determines that the project site plan is acceptable.

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. 10 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 Carmina Silvestri Architects for the construction of a 13,000 s.f. addition to Gary Pools at 2275 Union Road, AND

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WHEREAS, the site will have adequate off-street parking for the business, AND

WHEREAS, the applicant has agreed to install a sidewalk along Innsbruck Drive, pedestrian access to the building and additional landscaping, AND

WHEREAS, the Advisory Committee, at its meeting held on June 30, 1999 rendered the determination shown on the attached memo dated July 1, 1999, AND

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

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

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. 11a Motion By Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 1561 East Delavan Avenue, Cheektowaga, New York, SBL #90.84-2-1 and according to the Assessors' Office is owned by Samuel Tabone, 776 Willow Wood Drive, Lockport, New York 14094, AND

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

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

Upon roll call

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

Item No. 11b Motion By Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 162 McNaughton Avenue, Cheektowaga, New York, SBL #102.39-2-9 and according to the Assessors' Office is owned by Josephine C. Kosmowski, c/o Michael Kosmowski, 103 London Lane, Jacksonville, North Carolina 28546, AND

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

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

Upon roll call

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

Item No. 11c Motion By Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at Princeton Court (East), Cheektowaga, New York, SBL #92.05-1-14 and according to the Assessors' Office is owned by David Glian, 9565 Marten Road, Clarence Center, New York 14032, AND

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

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

Upon roll call

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

Item No. 11d Motion By Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 3870 Union Road, Cheektowaga, New York, SBL #102.08-10-1 and according to the Assessors' Office is owned by Eileen M. Doino, 51 S. Woodside Lane, Williamsville, New York 14221, AND

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

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

Upon roll call

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

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NAYES: 0
ABSENT: 0

Item No. 12 Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, Borden Road, Como Park Boulevard, Losson Road and French Road are highways owned and maintained by the County of Erie Department of Public Works, Division of Highways ("ECDPW"), AND

WHEREAS, there is a need to upgrade the traffic signals on Borden Road at its intersections with Como Park Boulevard, Losson Road and French Road, AND

WHEREAS, this Town Board previously committed town moneys to the County of Erie for the upgrade of traffic signals along Borden Road at Como Park Boulevard, Losson Road and French Road, and

WHEREAS, Federal CMAQ funding for such traffic signal upgrades has also been applied for, AND

WHEREAS, the ECDPW has awarded a bid to Omer Construction for the installation of new traffic signals at these locations, but the work has not yet been done, AND

WHEREAS, due to the delays in the installation of upgraded traffic signals along Borden Road, the Town of Cheektowaga has been compelled to expend Town moneys to repair the signals at Borden Road at Como Park Boulevard and Borden Road at French Road, AND

WHEREAS, it is imperative that the ECDPW push Omer Construction to install the upgraded traffic signals as soon as possible, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby memorializes the ECDPW to take all steps necessary to have Omer Construction install upgraded traffic signals along Borden Road at Como Park Boulevard, Losson Road and French Road as expeditiously as possible and, BE IT FURTHER

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

Upon roll call

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

Item No. 13a Motion By Councilmember Mazur, Seconded by Councilmember Jankowiak

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

WHEREAS, the HSBC Bank (USA) has made application to hold a softball tournament in Stiglmeier Park on August 14, 1999, AND

WHEREAS, this Board has reviewed the application submitted by HSBC Bank (USA), which application has been approved by the Building Department, Facilities Department and Youth and Recreational Services Department, and has no objection to same, AND

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

1. Submittal o plan for sanitary facilities
2. Submittal of site plan
3. Requirement that application be made at least 60 days prior to the date of the special event

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4. Submittal of Security Plan
5. Submittal of Fire Prevention/Emergency Services Plan

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the HSBC Bank (USA) for its softball tournament to be held on August 14, 1999 in Stiglmeier Park.

Upon roll call

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

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

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

WHEREAS, the Cheektowaga Cultural Society has made application to hold its Cultural Weekend in Cheektowaga Town Park on July 10, and 11, 1999, AND

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Cultural Society, which application has been approved by the Highway Department, Facilities Department and Youth and Recreational Services Department, and has no objection to same, AND

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

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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Cultural Society for its Cultural Weekend to be held on July 10 and 11, 1999 in Cheektowaga Town Park.

Item No. 13b cont'd.

Upon roll call

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

Item No. 14 Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, be agreement dated February 7, 1994, Sonwil Distribution Center, Inc. ("Sonwil") obligated itself to the Town to construct an emergency access road consisting of an extension of Airport Drive across railroad tracks, private property and Sonwil's property to connect to Sonwil Drive, AND

WHEREAS, the construction of such emergency access road would occur when the southerly extension of Sonwil Drive comes within 150 feet of the extension easterly of the northerly line of Airport Drive, AND

WHEREAS, it is anticipated that the next parcel developed by Sonwil on Sonwil Drive will activate the requirement that Sonwil construct the emergency access road, AND

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WHEREAS, the Town needs to finalize agreements with the railroad and private property owners so we have all necessary approvals when Sonwil is ready to develop its next parcel,
NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby directs the Town Attorney and Town Engineer to perform the following tasks:

1. Research the ownership of all parcels necessary to complete the construction of the emergency access roadway between the end of Airport Drive and Sonwil Drive.
2. Prepare maps and legal descriptions for the acquisition of any land and/or easement for this emergency access road.
3. Commence discussions with the owners of all properties which need to be acquired to construct the emergency access road.

Upon roll call

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

Item No. 15a 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)/attendants(s), and has recommended that the Town Board issue such licenses.

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the EMS Board concerning the licensing of new/renewal driver(s)/attendant(s) shown on the attached list be and hereby are accepted and approved, for a period to expire upon the expiration of such ambulance driver(s)/attendant(s) Emergency Medical Technician ("EMT") card and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized, empowered and directed to issue new/renewal licenses to the driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

Item No. 15a cont'd.

Upon roll call

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

* SEE NEXT PAGE FOR ATTACHMENT

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Item No. 15b 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.

<u>VEHICLE MAKE & YEAR</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
1999 Ford	AA 7243	531
1999 Ford	AA 7242	526

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga has received \$4,000.00 from Erie County to increase its service to "at risk" youth as a result of savings in the PINS/JD Diversion Program, AND

WHEREAS, the Department of Youth and Recreational Services has determined that children from the single parent families which comprise almost seventeen percent of our total households are, oftentimes, considered to be 'at risk", AND

WHEREAS, the Be-A-Friend Bid Brother/Bid Sister Program, with 27 years of experience in providing positive youth/adult mentoring relationships, can provide all required services necessary to provide six such relationships for said amount, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with Be-A-Friend, Inc. provide said service.

BUDGET LINE ITEM: 7140.4489

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, the Department of Youth and Recreational Services is desirous of (I.) implementing expanded opportunities to gain community and program participant input and (II.) incorporating training and education in its youth program, AND

WHEREAS, the Community Action Partnership (CAP) Inc., a not-for-profit organization with offices at 3409 Genesee Street, Cheektowaga, New York, has the expertise and ability to provide planning, training and consultant services, 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 Community Action Partnership, Inc. to provide said services for a total cost not to exceed the sum of \$12,750.00.

CONTRACT # (BUDGET LINE ITEM) 01-7310-4688

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga has received funding from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, as amended, AND

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WHEREAS, energy conservation and weatherization services for income-eligible persons is an eligible activity under the Community Development Block Grant Program, AND

WHEREAS, Supportive Services Corporation of Western New York has requested funding for assisting in providing energy conservation and weatherization services for income-eligible Town residents, AND

WHEREAS, funding for such services has been included in the Town's 1999 Community Development budget, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with Supportive Services Corporation of Western New York in an amount not to exceed \$6,000 to provide energy conservation and weatherization services for income-eligible Town residents.

Upon roll call

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

Item No. 16d Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, the County of Erie allocated moneys in its budget to assist municipalities with the preparation of local land use planning documents which are uniform in content, purpose and planning in order to promote more efficient land use regulation, infrastructure development and private investment, AND

WHEREAS, this Town Board, by resolution dated December 7, 1998, applied for funding from the County of Erie to study escalating development and traffic volumes in the French Road and Transit Road corridors and to update regional master planning within such corridors, AND

WHEREAS, based on a commitment from the County of Erie, this Town Board, by resolution dated June 7, 1999, retained URS Greiner Woodward Clyde to prepare Master Plan corridors studies for Transit Road and French Road, AND

Item No. 16d cont'd.

WHEREAS, the County of Erie has now submitted a Municipal Planning Initiative Agreement to the Town for a grant of \$13,000 toward the aforementioned Master Plan corridor studies, AND

WHEREAS, such agreement also requires the Town to work with the Village of Sloan to address the Town's border with the Village, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned Municipal Planning Initiative Agreement with the County of Erie.

Upon roll call

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

Item No. 16e Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga has sanitary sewer easement which traverses property known as 63 Parwood Trail in the Parwood Patio Homes Subdivision, AND

WHEREAS, a portion of the dwelling on 63 Parwood Trail is located over a portion of the Town's sanitary sewer easement (but not over the actual pipe), AND

WHEREAS, the developer has requested the town to release the portion of the easement on which the dwelling is located, AND

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WHEREAS, the Town Engineer has reviewed this request and has no objection to the requested partial release of the easement provided proper indemnification is given to the Town, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned partial release of easement, and authorizes and directs the Supervisor to execute a partial release of easement document and, BE IT FURTHER

RESOLVED, that this resolution is subject to 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 July 6, 1999, adopted a resolution authorizing the Town of Cheektowaga to release a portion of a sanitary sewer easement over Sublot No. 59 of the Parwood Patio Homes Subdivision. Such easement was previously granted to the Town by Bella Vista Group, Inc. and recorded in the Erie County Clerk's Office on December 10, 1998 in Liber 10943 of Deeds at page 5362.

A copy of such Partial Release of Easement 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.

Item No. 16e cont'd.

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

Dated: July 6, 1999



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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Item No. 16f Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, as part of the development of Losson Green Estates Subdivision-Phase IX, the developer, Los-Green, Inc. conveyed a temporary drainage easement to the Town over certain sublots, AND

WHEREAS, with the acceptance of Elmleaf Lane as a Town highway, there is no longer a need to retain this temporary easement, AND

WHEREAS, Los-Green, Inc. has requested the Town to release this temporary easement, AND

WHEREAS, the Town Engineer has reviewed this request and has no objection to releasing this easement, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned release of easement, and authorizes and directs the Supervisor to execute a release of easement document for same and, BE IT FURTHER

RESOLVED, that this resolution is subject to 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 Hearing 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 July 6, 1999, adopted a resolution authorizing the Town of Cheektowaga to release a temporary

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drainage easement over Sublots Nos. 56 and 57 (Elmleaf Drive) of the Losson Green Estates Subdivision, Phase IX. Such easement was previously granted to the Town by Los-Green, Inc. and recorded in the Erie County Clerk's Office on August 1, 1997 in Liber 10919 of Deeds at Page 4433.

A copy of such Release and Discharge of Easement 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: July 6, 1999



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

BE IT RESOLVED, that the following individuals be and hereby are terminated from the Youth and Recreational Services Department, effective immediately (Seasonal):

Jessica Oddo
David Stoklosa
Amanda Suriani

Upon roll call

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

Item No. 17b 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:

EFFECTIVE

SANITATION DEPARTMENT

Edward Pozdyn, Jr.

Immediately

FACILITIES DEPARTMENT

Mike Full
Felix Lampke
Harry Rogalski
Martin Surowiec
Jason Dauscher
Andrew Dewolf
Jarrett Sinclair

Immediately

"
"
"
"
"
"

TOWN CLERK'S OFFICE - Dog Enumerator Supervisor

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Stephen Koenig

Immediately

Town Clerk's Office - Dog Enumerator
Tracy Bolognese

Immediately

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 18 Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated September 8, 1998, this Town Board created the Stiglmeier Park Steering Committee ("Committee") to oversee proposed future development and Town activities within Stiglmeier Park, AND

WHEREAS, in such resolution, certain individuals were appointed to serve as members and ad-hoc members of such Committee, AND

WHEREAS, Frank Szeffler has resigned as a member of such Committee, AND

WHEREAS, Jeff Liddle has requested that he be removed as a member of such Committee and instead be appointed as an ad-hoc member of the Committee, AND

WHEREAS, Linda Liddle and Rich Wozniak have requested to serve as members of the Committee and the Committee has recommended that this Town Board approve such appointments, NOW, THEREFORE BE IT

Item No. 18 cont'd.

RESOLVED, that this Town Board hereby accepts the resignations of Frank Szeffler and Jeff Liddle as members of the Committee and, BE IT FURTHER

RESOLVED, that Jeff Liddle, XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed as an ad hoc member of the Committee by virtue of his position as Director of the Reinstein Nature Preserve and, BE IT FURTHER

RESOLVED, that the following individuals be and hereby are appointed to serve as members of the Committee for a term effective immediately and terminating on September 8, 2000:

Linda Liddle, XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX

Rich Wozniak, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX

Upon roll call

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

NAYES: 0

ABSENT: 0

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

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

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. Appointments are provisional until such time these individuals pass the Erie County medical physical.

John J. Wanat

James E. Rottger

Dana J. Cadwallader

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX

XXXXXXXXXXXXXXXXXXXX Cheektowaga XXXXX

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Paul A. Nazzarett Jr.	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX
Daniel D. Dorsey	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX
Robert Ziolkowski	XXXXXXXXXXXXXXXX, Depew XXXXX

and, BE IT FURTHER RESOLVED, that these appointments are provisional until the above individuals pass the Erie County medical physical. The said appointments shall become effective July 22, 1999 and are subject to verification of compliance with the Residency Law 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. 19b Motion By Councilmember Mazur, Seconded by Councilmember Jankowiak

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

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

Item No. 19b cont'd

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

RESOLVED, that Thomas Marten of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Motor Equipment Operator-B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call

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

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

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

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

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

RESOLVED, that Dale Galley of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Motor Equipment Operator-B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call

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

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

WHEREAS, a vacancy exists in the position of Traffic Maintenance Worker in the Traffic Maintenance Division of 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

WHEREAS, Casimer M. Kliszak, currently employed as a Motor Equipment Operator-B in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Casimer M. Kliszak of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the position of Traffic Maintenance Worker in the Traffic Maintenance Division of 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.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 19e Motion By Councilmember Jaworowicz, Seconded by Councilmember Mazur

WHEREAS, there is a vacancy on the Cheektowaga Public Library Board as a result of the death of Julia B. Reinstein, AND

WHEREAS, Judith Skretny has expressed an interest in serving on such Board, AND

WHEREAS, the Cheektowaga Public Library Board has recommended that Judith Skretny be appointed to serve on such Board, NOW, THEREFORE BE IT

RESOLVED, that Judith Skretny, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed as a trustee on the Cheektowaga Library Board effective immediately and terminating on December 31, 1999.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town has been requested by the Erie County Department of Personnel to designate an "Appointing Officer" for the Town to perform various functions, including the completion and execution of various personnel forms, personnel changes and reports, AND

WHEREAS, the Office of Employee Relations has been performing these functions and is the proper office in the Town's departmental structure for these functions, NOW, THEREFORE BE IT

RESOLVED, that Jeffrey A. Ramelb, Coordinator of Employee Relations be designated as "Appointing Officer" to perform such functions, and that a copy of this resolution be forwarded to the Commissioner of the Erie County Personnel Department.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town will be conducting a hearing pursuant to Civil Service Law, Section 75, AND

WHEREAS, this hearing is scheduled for Wednesday, July 14, 1999, NOW, THEREFORE BE IT

RESOLVED, that James J. Kirsits or another individual to be designated by the Town Supervisor be designated as Hearing Officer for the Section 75 hearing scheduled for Wednesday, July 14, 1999.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following individual be hired as a Seasonal employee in the Youth and Recreational Services Department, effective immediately:

Item No. 21a

Administrative Interns - 7310.1804

Clerk - \$6.00

Brooke Bodkin

XXXXXXXXXXXXXXXX

Cheektowaga, New York XXXXX

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 21b Motion By Councilmember Mazur, Seconded by Councilmember Swiatek

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

	<u>EFFECTIVE</u>
<u>FACILITIES DEPARTMENT - Laborer - \$6.00 per hour</u>	
Joseph Bentkowski XXXXXXXXXXXXXXXX, Cheektowaga XXXXX	Immediately
Jason Bobowicz XXXXXXXXXXXXXXXX, Depew XXXXX	"
Jason Stucke XXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Denise Jerge XXXXXXXXXXXXXXXX, Depew XXXXX	"
<u>RECYCLING DEPARTMENT - Laborer - \$7.00 per hour</u>	
Donald Bzibziak, Jr. XXXXXXXXXXXXXXXX, Cheektowaga XXXXXX	Immediately
Anthony Tolsa XXXXXXXXXXXX, Cheektowaga XXXXX	6/23/99
<u>TRAFFIC MAINTENANCE - Laborer - \$6.50 per hour</u>	
Sean Glascott XXXXXXXXXXXXXXXX Cheektowaga XXXXX	Immediately
<u>FACILITIES DEPARTMENT - Building Maintenance - Laborer - \$6.00 per hour</u>	
Bryan Serio XXXXXXXXXXXXXXXX, Cheektowaga XXXXXX	Immediately
<u>TOWN CLERK'S OFFICE - Dog Enumerator Supervisor - \$10.00 per hour</u>	
Tracey Bolognese XXXXXXXXXXXXXXXX, Depew XXXXX	7/06/99
<u>TOWN CLERK'S OFFICE - Dog Enumerator - \$6.00 per hour</u>	

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Sarah Popiela

XXXXXXXXXXXXXX, Cheektowaga XXXXX

7/06/99

and, BE IT FURTHER RESOLVED, that Anthony Piatek, XXXXXXXXXXXXX, Cheektowaga, New York XXXXX hired under the Buffalo-Cheektowaga, Tonawanda Consortium, Summer Youth Program will be working as a Dog Enumerator for the Town Clerk's Office, said position established at \$6.00 per hour, of which \$5.15 of the wages will be subsidized by the Consortium, and \$.85 will be funded through the Town Clerk's Office-Dog Enumeration.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 21c Motion 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:

Item No. 21c cont'd.

EFFECTIVE

SANITATION - Laborer - \$6.00 per hour

Daniel Barone XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX 6/24/99

POLICE DEPARTMENT - Dog Control Officer - \$7.00 per hour

John Schuler III XXXXXXXXXXXXXXXXXXXX, Depew XXXXXImmediately

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, funds are presently available under the Buffalo-Cheektowaga, Tonawanda Consortium, Summer Youth Program, AND

WHEREAS, the Summer Youth Program starts on July 6th, 1999, participants work a minimum of 24 hours per week, \$5.15 per hour, unless stated differently, and a termination date not to exceed August 22, 1999, NOW, THEREFORE BE IT

RESOLVED, that the following persons will be hired based on availability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

Tabak, Andrea XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Clinard, Daniel XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Monitor/\$9.00

Miller, Ingram XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Upon roll call

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

NAYES: 0

ABSENT: 0

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

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

Bathhouse 7180.1901
From Bathhouse Attendant (Trainee) to
Bathhouse Attendant (retro to 6/7) - \$5.15
Sarah Jaskowski
Robert Oddo
Angelea Stallone
Amy Szymanski

Lifeguards - 7180.1903
From Level III to Level III (WSI) - \$6.90 (retro to 5/17)
Adam Connor
Caitlin Vanderbush

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek,
Jankowiak, and Mazur
NAYES: 0
ABSENT: 0
Item No. 23 Salary Increase for Position of Clerk to the Supervisor
This item was withdrawn.

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

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Sgt. David Zack to an assessor training program July 11-23, 1999. This training will be held at the Sergeant Assessment Center for the Pennsylvania State Police Department in Hummelstown, Pennsylvania.

WHEREAS, Sgt. Zack was one of twelve Sergeants selected from a nation wide canvas for this opportunity. Following the training Sgt. Zack will participate as an evaluator in an actual promotional assessment center. This training will be invaluable to the department in future development of Assessment Center type evaluations for promotions and special assignments. The Police Department will be responsible for travel expenses amounting to no more than \$75.00. A Cheektowaga Police vehicle will be used for travel to and from this training. NOW, THEREFORE BE IT

RESOLVED, that Chief Chamberlin is authorized to send Sgt. Zack to this training and that the time spent there be authorized as normal duty time. Expense will be charged to 0100-3120-4085.

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.

Item No. 26 Supervisor's Statement of Funds - May, 1999
Received and Filed.

Item No. 27 Minutes of Cheektowaga Public Library Board - May 26, 1999
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 28 Summons & Complaint: Donald Ulatowski vs. the Town of Cheektowaga and Erie County

**MEETING NO. 14
JULY 6, 1999**

Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Bruce Chamberlin, Chief of Police; and Allied Claims Insurance Carrier.
Received and Filed.

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

Item No. 29b Notice of Claim: Shirley A. Thompson vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department; and Allied Claims Insurance Carrier.
Received and Filed.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER MAZUR 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. 30 Motion By Councilmember Jaworowicz, Seconded by Councilmember Mazur

WHEREAS, Blue Cross & Blue Shield of Western New York ("BC/BS") and Community Blue ("CB") have announced that, beginning in August of 1999, they will restrict the locations where its subscribers can fill prescriptions to its "network" drugstores, AND

WHEREAS, BC/BS and CB "network" drugstores include only Rite Aid, Tops and select independent drugstores; as such, participating drugstores will be reduced from more than 300 to about 200, AND

WHEREAS, this restriction will affect 567,000 BC/BS and CB subscribers, AND

WHEREAS, this means that BC/BS and CB subscribers who utilize a non-network drugstore may have to pay for their prescriptions personally, sometimes at great expense to them, AND

WHEREAS, this plan change could have serious impacts on senior citizens and others who need life-sustaining medications and who do not have easy access to network drugstores because of limited transportation or other reasons, AND

WHEREAS, this plan change narrows the network of drugstores which subscribers can use, resulting in reduced freedom of choice and, in effect, tells people where they have to get their prescriptions filled, AND

WHEREAS, the Town of Cheektowaga offers its employees prescription drug insurance through BC/BS and CB, and pays a hefty premium for such coverage, AND

WHEREAS, this Town Board, on behalf of our taxpayers and employees, needs BC/BS and CB to justify this action, NOW, THEREFORE BE IT

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RESOLVED, that this Town Board hereby memorializes BC/BS and CB to provide the following evidence to this Town Board:

1. Proof that subscribers will not be injured by this action;
2. Proof of cost savings to result from this action, and that such cost savings will be turned back to those who pay the premiums and/or the subscribers;
3. Proof that every effort is being made to include as many drugstores as possible into their network so subscribers' freedom of choice is not greatly affected.

And, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to BC/BS, CB.

Item No. 30 cont'd.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER MAZUR TO AMEND THE ABOVE RESOLUTION, ITEM 30, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



AMENDED

WHEREAS, Blue Cross & Blue Shield of Western New York ("BC/BS") and Community Blue ("CB") have announced that, beginning in August of 1999, they will restrict the locations where its subscribers can fill prescriptions to its "network" drugstores, AND

WHEREAS, BC/BS and CB "network" drugstores include only Rite Aid, Tops and select independent drugstores; as such, participating drugstores will be reduced from more than 300 to about 200, AND

WHEREAS, this restriction will affect 567,000 BC/BS and CB subscribers, AND

WHEREAS, this means that BC/BS and CB subscribers who utilize a non-network drugstore may have to pay for their prescriptions personally, sometimes at great expense to them, AND

WHEREAS, this plan change could have serious impacts on senior citizens and others who need life-sustaining medications and who do not have easy access to network drugstores because of limited transportation or other reasons, AND

WHEREAS, this plan change narrows the network of drugstores which subscribers can use, resulting in reduced freedom of choice and, in effect, tells people where they have to get their prescriptions filled, AND

WHEREAS, the Town of Cheektowaga offers its employees prescription drug insurance through BC/BS and CB, and pays a hefty premium for such coverage, AND

WHEREAS, this Town Board, on behalf of our taxpayers and employees, needs BC/BS and CB to justify this action, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby memorializes BC/BS and CB to provide the following evidence to this Town Board:

1. Proof that subscribers will not be injured by this action;

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2. Proof of cost savings to result from this action, and that such cost savings will be turned back to those who pay the premiums and/or the subscribers;
3. Proof that every effort is being made to include as many drugstores as possible into their network so subscribers' freedom of choice is not greatly affected.

And, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to BC/BS, CB, and New York State Department of Insurance.



Item No. 30 cont'd.

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga is a participant in the Buffalo Creek Stream Bank Stabilization Partnership Program created to address stream bank erosion in the Buffalo Creek Watershed, which includes Cayuga Creek, which program is administered through the Erie County Soil and Water Conservation District, AND

WHEREAS, the Town has requested funding assistance under the aforesaid program to implement an erosion control project on Cayuga Creek within Stiglmeier Park, AND

WHEREAS, Erie County Soil and Water Conservation District technicians have determined that best management practices to address streambank erosion along this portion of Cayuga Creek includes sloped rock riprap revetment and vegetative plantings with an estimated project cost of \$35,000 of which \$20,000 is available from the Erie County Regionalism Program and the N.Y.S. Environmental Protection Fund, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby authorizes the Supervisor to execute a Letter of Commitment and agrees to contribute a total of \$15,000 toward the stated Cayuga Creek Erosion Control Project within Stiglmeier Park to be designed and administered by the Erie County Soil and Water Conservation District, prior to the commencement of construction work, utilizing funding which is currently budgeted in Account #0100-8540-4586 and, BE IT FURTHER

RESOLVED, that this Town Board further agrees to provide rights of ingress/egress on Town Park property to the Erie County Soil & Water Conservation District and cooperating agents for the purpose of completing project work.

Upon roll call

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

Item No. 32 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

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WHEREAS, an application was submitted by Frontier Metal Buildings for the construction of a 28,660 s.f. building at 390 Cayuga Road, AND

WHEREAS, the site had been formerly used by Trielectronics, AND

WHEREAS, the former building was removed and the site cleaned of hazardous materials under the guidance of the New York State Department of Environmental Conservation.

Item No. 32 cont'd.

WHEREAS, the applicant has agreed to install improved drainage, pedestrian access to the building and additional landscaping, AND

WHEREAS, the Advisory Committee, at its meeting held on June 30, 1999 rendered the determination shown on the attached memo dated July 2, 1999, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE FOR ATTACHMENT

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Item No. 33 Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak to adjourn this meeting. This meeting was adjourned at 8:25 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 13
July 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 July, 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; Bruce Chamberlin, Chief of Police; Bill Pugh, Town Engineer; Pat Wojcik, Director of Senior Services; Robert Kaczmarek, Supervising Accountant; Jerry Gabryszak, Director of Community Development; Ron Marten, Supervising Building and Plumbing Inspector; Bill Conway, Assessor; Jeff Ramelb, Coordinator of Employee Relations.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed Local Law Intro #99-2 of the Year 1999, entitled "A Local Law to Amend the Local Law Relating to Zoning" of the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said Local Law being as follows:

Town of Cheektowaga

Local Law Intro No. 99-2 of the Year 1999

A local law to amend Section 82-23.3 M. entitled "Commercial and/or Unlicensed Vehicles in Residential Districts" to further restrict parking of such commercial and/or unlicensed vehicles, and to clarify certain definitions of what is prohibited.



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

II. RESOLUTIONS

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

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

<u>SPECIAL DISTRICTS FUND</u>	
FROM: 2500-8125-2305 Low Boy Dump	\$ 5,160.00
2500-8125-4141 Chemicals	7,781.00
2500-8125-4163 Gas-Oil-Grease	15,000.00

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TO:	2500-8125-2505 Other Equipment	\$ 5,160.00
	2500-8125-4438 Sewer Repairs	22,781.00

HUD CDBG FUND

FROM:	0700-1099-0705 Economic Development	\$ 5,000.00
	0700-1098-0704 Contingency	6,009.87
	0700-1097-0701 Planning	5,000.00
	0700-1098-0600 Housing Rehab	110,000.00

TO:	0700-1099-0720 Cedargrove Heights Sewer & Drainage	\$ 5,000.00
	0700-1098-0720 Cedargrove Heights Sewer & Drainage	6,009.87
	0700-1097-0720 Cedargrove Heights Sewer & Drainage	5,000.00
	0700-1098-0720 Cedargrove Heights Sewer & Drainage	110,000.00

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to July 16, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 381,462.95
HIGHWAY FUND	19,884.20
TRUST & AGENCY	4,821.49
PART TOWN FUND	3,040.38
HUD CDBG FUND	83,270.93
HUD HOUSING REHABILITATION FUND	9,132.60
RISK RETENTION FUND	33,174.90
SPECIAL DISTRICTS FUND	526,840.97
CAPITAL FUND	<u>155,235.08</u>
	\$1,216,863.50

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

NAYES: 0

ABSENT: 0

Item No. 5a Motion by Councilmember Jaworowicz, Seconded by Councilmember Jankowiak

WHEREAS, by law, the Superintendent of Highways has the authority to maintain and repair existing sidewalks in the Town with the consent of the Town Board, and

WHEREAS, the Town has a long-standing policy of repairing and/or replacing sidewalks, which have been identified by the Superintendent of Highways for such work, and

WHEREAS, on March 15, 1999, this Town Board passed a resolution directing the publication of a notice to bidders for the replacement of sidewalks in the Town, and

WHEREAS, pursuant to the aforesaid notice to bidders, four bid proposals were received, and thereafter analyzed by the Superintendent of Highways, and

WHEREAS, C & C Contractors, Inc. commenced a special proceeding in the Supreme Court of the State of New York against the Town, claiming that it should be awarded the 1999 sidewalk replacement contract because it was the lowest responsive and responsible bidder, and

WHEREAS, after a hearing held on June 10, 1999, the Hon John H. Doerr, as Judicial Hearing Officer, determined that the resolution of this Town Board dated April 19, 1999, rescinding all bids received and readvertising for new bids was not founded upon a rational basis, and

Item No. 5a cont'd

WHEREAS, the decision of the Judicial Hearing Officer was confirmed by the judgement of the Hon. Peter J. Notaro, J.S.C., NOW, THEREFORE, BE IT

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RESOLVED that the contract for the replacement of sidewalks for the year 1999 awarded to C & C Contractors, Inc. on its bid proposal dated March 26, 1999 at a total bid price of \$112,500.00, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and he hereby is authorized to sign the 1999 Sidewalk Replacement Contract by and between the Town and C & C Contractors, Inc.

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

Item No. 5b Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Shirley-Donlen Storm Drainage Project, which bids were duly received and opened on July 7, 1999 at 11:00 A.M., by the Town Clerk, and

WHEREAS, said bids were referred to the Town Engineer for tabulation, analysis and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering department dated July 13, 1999, and

WHEREAS, said letter recommends the contract for the Shirley-Donlen Storm Drainage Project be awarded to Visone Construction, Inc. for their submission of the lowest bid, NOW, THEREFORE, BE IT

RESOLVED that the bid for the Shirley-Donlen Drainage Project be and hereby is awarded to Visone Construction, Inc., 79 Sheldon Avenue, Depew, New York 14043 for the bid price of \$138,455.00, being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Visone Construction, Inc. for the aforesaid project, and BE IT FURTHER

RESOLVED that funding for said project shall be funded with budgeted C.D.B.G. funds.

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

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

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

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting in fall, 1999. Information for bidders and specifications may be obtained from 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, NOW, THEREFORE, BE IT

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RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, August 11, 1999 at 11:00 AM in the Council Chambers of the Cheektowaga Town Hall.



NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Wednesday, August 11, 1999 at a public bid opening at 11:00 AM, at the Town Hall, located on Broadway, New York for the purpose of furnishing new trees for fall, 1999, tree planting.

Specifications for new trees 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



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 Councilmember Swiatek

WHEREAS, Republic Industries, Inc. has made application and requested the rezoning of property located at 4499 Genesee Street from M1-Light Manufacturing District to MS-Motor Services District NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on August 2, 1999 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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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 Supervisor Gabryszak

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

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

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

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WHEREAS, an application was submitted by the Town of Cheektowaga for the Consolidation of Town Sanitary Sewer Districts 2, 3, 4, 5, 6, 7, 8 and extensions 1 & 2 of district 7, and

WHEREAS, the consolidation will allow the Town to simplify accounting methods, taxing formulas and the budget process, and

WHEREAS, excessive risk exposure to individual taxpayers will be reduced or eliminated by spreading the cost of major repairs or replacements over a larger consolidated district, and

WHEREAS, it is in the public interest to adopt this consolidation proposal, and

WHEREAS, the Advisory Committee at its meeting held on June 2, 1999 rendered the determination shown on the attached memo dated June 3, 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. 8b Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak
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

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WHEREAS, an application was submitted by the Town of Cheektowaga to amend the Tree Preservation Law of the Town of Cheektowaga, and

WHEREAS, the amendments will eliminate the automatic approval of tree removal permits, and

WHEREAS, the amendments will also require the replacement of removed trees for actions not requiring any building permit or other approval, and

WHEREAS, it is in the public interest to adopt these amendments, and

WHEREAS, the Advisory Committee at its meeting held on July 14, 1999 rendered the determination shown on the attached memo dated July 15, 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. 8c 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 the Town of Cheektowaga to amend the Zoning Law of the Town of Cheektowaga, and

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WHEREAS, the amendments will limit the parking of commercial vehicles in residential areas of Town, and

WHEREAS, the amendments will define a commercial vehicle consistent with the Vehicle and Traffic Ordinance of the Town of Cheektowaga, and

WHEREAS, it is in the public interest to adopt these amendments, and

WHEREAS, the Advisory Committee at its meeting held on June 30, 1999 rendered the determination shown on the attached memo dated July 1, 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. 9 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Erie County Soil and Water Conservation District plays an important role in preserving and improving the water quality in watersheds in Erie County including the Buffalo Creek Watershed which is included in the New York State Priority Waterbodies List being considered a high priority watershed in Erie County, and

WHEREAS, in 1998, nine (9) municipalities in the Buffalo Creek Watershed, including the Town of Cheektowaga, have committed financial resources to support the District's efforts to stabilize the streambanks and improve aquatic habitat under Round VI of the NYS Environmental Bond Act, and

WHEREAS, additional funds are available through Round VII of the New York State Environmental Bond Act to continue the work identified in Round VI, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby commits the sum of \$15,000 to support the Erie County Soil and Water Conservation District's application under Round VII of the Non-

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Ag Nonpoint Source Abatement and Control Program of the NYS Environmental Bond Act, and BE IT FURTHER

RESOLVED that such funds may take the form of cash or in-kind contribution as outlined in the Buffalo Creek Streambank Stabilization Partnership Program and be provided by the Town through the Townwide Drainage District Budget only in the event that a project is identified and undertaken within the Town of Cheektowaga for streambank erosion control in the Buffalo Creek watershed (Cayuga Creek) with the understanding that supplemental funds for the project will be provided through grant funds received by the Partnership, and BE IT FURTHER

RESOLVED that that a certified copy of this resolution be submitted to the Erie County Soil & Water Conservation District prior to August 11, 1999 to the attention of:

LuAnn Freeman
Executive Secretary/Treasurer
Erie County Soil & Water Conservation District
50 Commerce Way
East Aurora, New York 14052

so as to be included as part of the grant application process.

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

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

WHEREAS, the Town Board has previously adopted guidelines governing the Town's Housing Rehabilitation Loan Programs funded by Community Development Block Grant funds, and

WHEREAS, in order to continue to provide for the effective administration and implementation of said Program, to assure the achievement program goals and make housing rehabilitation assistance more affordable for lower-income homeowners, the Director of Community Development has recommended the adoption of the attached amendments to said Guidelines which pertain to the interest rate and payment terms, terms pertaining to subordination's, clarifications regarding definitions of income, determination of eligibility, eligible costs and loan approvals, and a requirement for compliance with the Town sewer ordinance, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby adopts the attached amendments to the Community Development Block Grant Housing Rehabilitation Loan Program Guidelines, effective immediately.

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

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

Item No. 11a Authorize Supervisor to Sign a Settlement Agreement with American Ref-Fuel
This item was withdrawn.

Item No. 11b Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, the Town of Cheektowaga wishes to institute a Genesee Street Facade Improvements Grant Program through the Office of Economic and Community Development, and

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

WHEREAS, the primary goal of the Genesee Street Facade Improvements Grant Program is the revitalization of the Genesee Street-Pine Ridge business district and neighborhood and the maintenance of that area's economic and social viability, and

WHEREAS, in order to provide for the effective administration and implementation of said Program and to assure the achievement of Program goals, the Director of Community

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Development has recommended the adoption of guidelines for the Genesee Street Facade Improvements Grant Program, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby adopts the attached Genesee Street Facade Improvements Grant Program Guidelines, said Guidelines to be effective immediately, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign, on behalf of the Town, any agreement, mortgage discharge or other pertinent documents necessary to accomplish the goals and objectives of the Town's Genesee Street Improvements Grant Program.

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

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

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

WHEREAS, the Town Board is committed to pursuing economic development activities in order to preserve existing jobs, create new employment opportunities for Town residents and increase the Town's property tax base, and

WHEREAS, in accordance with these goals, the Town created the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging new industrial development and growth in the Town, and

WHEREAS, use of Community Development Block Grant funds has been approved by the Department of Housing & Urban Development for economic development activities in the Town, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute a subrecipient agreement with the Cheektowaga Economic Development Corporation pertaining to the use and expenditure of Community Development Block Grant funds for the 1999-2000 Program Year, including an additional allocation of up to \$5,000 from the 1999-2000 Program Year budget.

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

Item No. 11d Motion by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) offers a program available to municipalities through which NYSERDA funds up to 50% of engineering and technical evaluation/analysis and feasibility study costs associated with energy conservation as outlined in Program Opportunity Notice (PON) No. 475-99, and

WHEREAS, the Main Pump Station (Plant 5) utilizes an electrically operated mega-therm boiler system which is very energy intensive installed during the original facility construction when a natural gas moratorium was in effect, and

WHEREAS, the Superintendent of the Main Pump Station and Town Engineer have recommended that such a study be performed to investigate opportunities to reduce annual Plant 5 energy costs, and

WHEREAS, the town's portion of the required matching funds for the feasibility study, not to exceed \$13,197.00 are available in the current Main Pump station budget, NOW, THEREFORE, BE IT

RESOLVED that Dennis H. Gabryszak, Supervisor of the Town of Cheektowaga, is hereby authorized and directed to execute the subject funding application for submission to NYSERDA.

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

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

WHEREAS, the Town of Cheektowaga is in the process of implementing a new computer network for Town offices and establishing a Town Wide Area Network ("WAN") and

WHEREAS, in connection with such project, Town representatives discussed the possible utilization of Adelphia Cable Communication's ("Adelphia") cable network for the Town WAN, and

WHEREAS, Hyperion Communications ("Hyperion"), a subsidiary of Adelphia, has submitted a proposal to the Town to provide local telecommunications services to the Town, and

Item No. 11e cont'd

WHEREAS, according to Hyperion's proposal, the Town could save \$50,000± per year by utilizing Hyperion instead of Bell Atlantic, and

WHEREAS, Hyperion's proposal offers the Town other additional advantages, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement and all other documents necessary to engage Hyperion as per its proposal to the Town, to provide the Town with local telecommunications services, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is also authorized and directed to execute all documents necessary to terminate local telecommunications services with Bell Atlantic.

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

Item No. 11f Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

MEETING NO. 13
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WHEREAS, the Alpine Pump Station, located in Town Sanitary Sewer District No. 4 has provided for the continuous pumping and conveyance of wastewater flows to the former Plant No. 5 treatment facility, and to the current Main Pump Station since its construction in 1939, and

WHEREAS, in order for the Alpine Pump Station to continue to operate effectively and efficiently, there is a need to perform major renovation and modernization to the structure and to the electrical and mechanical systems to meet current codes, and

WHEREAS, alternatives also exist identified in a feasibility study which will permit modifications to the downstream routing of force main and gravity sewer systems to provide for a more efficient and economical operation of this facility, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Nussbaumer & Clarke, Inc. as submitted to the Town Engineer and dated May 26, 1999 to perform geotechnical subsurface investigations, topographic survey, easement preparation and design (Tasks No. 1, 1A, 2 & 3) associated with remedial improvements to the Alpine Pump Station facility be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign said consulting engineering services agreement for said Alpine Pump Station Remedial Project on behalf of this Town Board, and BE IT FURTHER

RESOLVED that funding for said professional engineering services in an amount not to exceed \$78,232.00 shall be chargeable to Capital Account No. 5312-8124-9341.

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

Item No. 11g Motion by Councilmember Rogowski, Seconded by Councilmember Johnson

WHEREAS, Grant monies are available from the New York State Office of Parks, Recreation and Historic Preservation through the Recreational Trails Program, and

WHEREAS, the Town of Cheektowaga seeks to construct a comfort station in Stiglmeier Park and install 911 call boxes in conjunction with the Rails to Trails project, 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

Item No. 11g cont'd

York State Office of Parks, Recreation and Historic Preservation for the purpose of securing this grant in an amount not to exceed \$110,000, and BE IT FURTHER

RESOLVED that matching monies in an amount not to exceed \$20,000 are available from budget line item number 0100-7110-4451, 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. 12a Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 45 Ceil Drive, Cheektowaga, New York, SBL# 113.65-2-12 and according to the Assessor's Office is owned by Robert & Andra Arbogast, 45 Ceil Drive, Cheektowaga, New York 14227, and

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

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

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

Item No. 12b Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at the East corner of East Delavan and Marne Road, Cheektowaga, New York, SBL# 90.76-4-30 and according to the Assessor's Office is owned by Andrew Pyszczynski, 200 North El Camino Real #194, Ocean Side, California 92054, and

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

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

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

Item No. 12c Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 27 East End Avenue, Cheektowaga, New York, SBL# 101.28-1-17 and according to the Assessor's Office is owned by Memorial Temple Housing Program, Inc., 800 Sycamore Street, Buffalo, New York 14212, and

Item No. 12c cont'd

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

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

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

Item No. 12d Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 22 Gruner Road, Cheektowaga, New York, SBL# 113.01-1-5 and according to the Assessor's Office is owned by Robert Schultz, 1939 Harlem Road, Buffalo, New York 14227, and

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

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

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

Item No. 12e Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 1937-1941 Harlem Road, Cheektowaga, New York, SBL# 113.01-1-4.1 and according to the Assessor's Office is owned by Mr. & Mrs. Robert Schultz, 1939 Harlem Road, Buffalo, New York 14212, and

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

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

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

Item No. 12f Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at North of 1937-1941 Harlem Road, Cheektowaga, New York, SBL# 113.01-1-3 and according to the Assessor's Office is owned by H & S Auto Parts, Inc., 1939 Harlem Road, Buffalo, New York 14212, and

Item No. 12f cont'd

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

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

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

Item No. 12g Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 24 Homewood Avenue, Cheektowaga, New York, SBL# 114.09-12.211 and according to the Assessor's Office is owned by Theodore Kulbacki, 2 Wendling Court, Lancaster, New York 14227, and

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

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

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

Item No. 13 Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, accessory structure at 27 East End Avenue, Cheektowaga, New York SBL #101.28-1-17 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessor's Office is owned by Memorial Temple Housing Program, Inc., 800 Sycamore Street, Buffalo, New York 14212, and

WHEREAS, these conditions required that the Town of Cheektowaga Building Inspections Department take immediate steps to safeguard and secure the accessory structure overhead door in the vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

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

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

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

BE IT RESOLVED that Julie Gristanti, part-time Exercise Instructor and Valerie Irmmler, Part-time Group Leader be terminated effective immediately, from the Department of Senior Services.

Item No. 14a cont'd

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

Item No. 14b Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

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

<u>FACILITIES DEPARTMENT</u>	<u>EFFECTIVE</u>
Linda Haungs	Immediately
<u>COUNCIL OFFICE</u>	
Lisa Zakrzewski	"

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

Item No. 15a Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

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

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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, Daniel Miller, currently employed as a Laborer's Aide in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Daniel Miller, of XXXXXXXXXXXXX, Cheektowaga, XXXXX be and hereby is appointed to the temporary position of Light Motor Equipment Operator - B in the Recycling 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. 15b Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

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

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

WHEREAS, John Balbuzoski, currently employed as a Laborer's Aide in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that John Balbuzoski, of XXXXXXXXXXXXX, Cheektowaga, XXXXX be and hereby is appointed to the position of Light Motor Equipment Operator - B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Item No. 15b cont'd

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

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Item No. 15c Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

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

WHEREAS, Shawn Surdej, currently employed as a Light Motor Equipment Operator - B in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Shawn Surdej of XXXXXXXXXXXXX, Cheektowaga, XXXXX be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

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Item No. 15d Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

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

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

WHEREAS, Greg McManus, currently employed as a Light Motor Equipment Operator-B in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Gregory McManus of XXXXXXXXXX, Cheektowaga, XXXXX be and hereby is appointed to the temporary position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the following Youth and Recreation employees be transferred as indicated (seasonal), effective as indicated:

Sports Rotation - 7140.1645

From Recreation V to Recreation Supervisor I - \$6.40

(effective 7/12)

Craig Mahalic

Item No. 16 cont'd

From Lifeguards - (Level I) - 7180.1903 to Sports Rotation - 7140.1645 -

Recreation Attendant II - \$5.40 (effective 7/19)

Lori Whittman

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the following individuals be hired as seasonal employees in the Youth and Recreation Services Department, effective immediately

LaCrosse - 7140.1625

Recreation Instructor IV - \$6.15

Chris Galley

Dale Wesoloski

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

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

NAYES: 0

ABSENT: 0

Item No. 17b Motion 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 on a calendar year, in the various departments

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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

ACCOUNTING DEPARTMENT - Clerk -- \$7.00 per hour

Barbara Bahny	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX	Immediately
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TOWN CLERK'S OFFICE - Dog Enumerator - \$6.00 per hour

Kelly Caretto	XXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX	7/29/99
Renee Caretto	XXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX	"

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

Item No. 18 Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

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

EFFECTIVE

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Andrea Zawadzki	XXXXXXXXXXXX, Chktg., NY XXXXX	Immediately
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur
NAYES: 0
ABSENT: 0

Item No. 19 Salary adjustment for Clerk to the Supervisor, part-time
This item was withdrawn.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Minutes of Meeting - Cheektowaga Planning Board - May 13, 1999
Received and Filed.

Item No. 21 Office of Emergency Services - Quarterly report from April to June, 1999
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 22 NYSDOT - Designation of Restricted Highway - Portion of Transit Road and Portion of Genesee Street
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members; Highway Department; Traffic Safety Commission.
Received and Filed.

Item No. 23 Summons - New Creation Fellowship of Buffalo vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Assessor's Office; Building Inspector.
Received and Filed.

Item No. 24a Notice of Claim - Helen J. Felker vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation Department.

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Received and Filed.

Item No. 24b Notice of Claim - Catherine Cravotta 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. 24c Notice of Claim - Lisa Zito vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.
Received and Filed.

Item No. 24d Notice of Claim - Michael DiGiacomo vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.
(Also, copy was put in Complaint Book)
Received and Filed.

Item No. 24e Notice of Claim - Deborah L. Oattes/Koeppel vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Recycling Department
Received and Filed.

Item No. 24f Notice of Claim - John Liberati 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.

V. SUSPENSION OF RULES

Motion by Councilmember Jankowiak, Seconded by Councilmember Mazur
to suspend the rules to include the following items.

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

Item No. 25 Motion by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, previously, this Town Board authorized funding for a storm sewer trunkline to be constructed on Harlem Road as part of the NYS DOT project for the Reconstruction of Harlem Road between William Street and Clinton Street ("PIN 5268.29.102"), and

WHEREAS, in order to construct such trunkline, the Town obtained easements from the owners of 33 Crisfield Avenue and a parcel to the east of 33 Crisfield Avenue, and

WHEREAS, the DOT has notified the Town that it will be relocating the fence on the NYSTA property southerly to a point on the NYSTA boundary line with 33 Crisfield Avenue and the Crisfield Avenue r-o-w, and

WHEREAS, the Highway Department feels that the relocation of this fence will impede snow removal and other services it performs at the end of Crisfield Avenue, and

WHEREAS, the Town Engineer and the Town Highway Superintendent also feel that this fence location will impede the Town in obtaining access to the storm sewer pipeline on the 33 Crisfield property for maintenance purposes, and

WHEREAS, the NYSTA has agreed to replace the existing fence at its pre-existing location provided the Town and the owners of 33 Crisfield execute Occupancy Permits for same, NOW, THEREFORE, BE IT

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RESOLVED that the Town Board hereby authorizes and directs the Supervisor to execute an Occupancy Permit with the NYSTA and other papers necessary to effect said Occupancy Permit for the land north of the terminus of Crisfield Avenue, and BE IT FURTHER

RESOLVED that the Town Board based on the benefit to the Town, hereby supports the Occupancy Permit application of the owners of 33 Crisfield Avenue to have the fence replaced in its pre-existing location, and BE IT FURTHER

RESOLVED that the Town shall remit the following payments to the NYSTA for the following referenced Occupancy Permit application fees as follows:

	<u>Amount</u>	<u>Account Number</u>
Occupancy Permit for Area at end of Crisfield Avenue	\$750	5706-5141-9701
Occupancy Permit for Area north of 33 Crisfield Avenue	\$750	5826-1440-9801

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

NAYES: 0

ABSENT: 0

Item No. 26 Motion by Unanimous, Seconded by Unanimous
to adjourn with a moment of silence for John F. Kennedy Jr., his wife and sister-in-law.
Time Meeting Adjourned: 8:35 PM.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 16
AUGUST 2, 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 2nd day of August, 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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Salvatore LaGreca, Chairman of Planning Board; William Conway, Town Assessor; Robert Kaczmarek, Supervising Accountant Patricia Wojcik, Director of Senior Services; John Schaller, Assistant Chief of Police; Walter Domino, Engineering Department; and Mark Wegner, Working Foreman-Facilities Department.

I. RESOLUTIONS

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

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

GENERAL FUND

From:	0100-3310-1437	Sign Maintenance Men	\$10,000.00
To:	0100-3310-1492	P/T Seasonal Traffic Maintenance	\$10,000.00

Upon roll call

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 and Warrants are submitted to the Town of Cheektowaga prior to July 30, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$228,124.24
HIGHWAY FUND	90,254.95
TRUST & AGENCY	12,921.53
PART TOWN FUND	2,182.35
HUD CDBG FUND	64,243.71
RISK RETENTION FUND	29,359.69
SPECIAL DISTRICTS FUND	95,867.38
CAPITAL FUND	<u>85,880.75</u>
	\$608,834.60

Upon roll call

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

Item No. 4 Adopt Local Law No. 2 of the Year 1999 entitled, "A Local Law to Amend Local Law Relating to Zoning"

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This item was withdrawn.

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

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 70 of the Laws of 1999, which authorizes local municipalities to provide a retirement incentive for certain Town employees, AND

WHEREAS, Chapter 70 of the Laws of 1999 requires the Town of Cheektowaga to enact a local law to provide such early retirement incentive, AND

WHEREAS, this Town Board is interested in receiving input on the adoption of such a local law, NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held on the 16th day of August, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 99-3 of the Year 1999 entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga", and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Public Hearing in the CHEEKTOWAGA TIMES, the official Town newspaper.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 16th day of August, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the following proposed Local Law:

Local Law Intro No. 99-3

A Local Law enacting a retirement incentive program as authorized by Chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga

- Section 1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 70, Laws of 1999
- Section 2. The commencement date of the retirement incentive program shall be August 17, 1999
- Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit shall be 30 days in length
- Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.
- Section 5. This act shall take effect immediately.

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

Item No. 5a cont'd.

Dated: Cheektowaga, New York
August 2, 1999

MEETING NO. 16
AUGUST 2, 1999

Richard M. Moleski
Town Clerk



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Richard Young has made application and requested the Rezoning from C-Retail Business District to CM-General Commercial District for property located at 412-440 Shanley Street, NOW, THEREFORE BE IT

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RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on August 16, 1999 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

Final Order Consolidating Sewer Districts Nos. 2, 3, 4, 5, 6, 7, and 8 and All Extensions Into a Single Consolidated Sewer District

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Standby Emergency Generator Removal, Installation and Modification at Town Hall, which bids were duly received and opened on July 14, 1999 at 11:00 A.M. by the Town Clerk, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated July 22, 1999, AND

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WHEREAS, said report recommends that the contract for the Standby Emergency Generator Removal, Installation and Modification be awarded to Tunney Electric, Inc., 8565 Roll Road, Clarence Center, New York 14032 for their low bid price of \$32,707.00, and, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute said agreement with Tunney Electric, Inc. and, BE IT FURTHER

RESOLVED, that funding for said project shall be chargeable to Account #5710-7110-9705.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, a contract was previously awarded to Titan Development, Inc. for the installation of recreation improvements at Community Drive Park in the Cedargrove Heights neighborhood, AND

WHEREAS, certain modifications to said improvements have been recommended by the Consulting Landscape Architect and the Town Director of Community Development as outlined in the attached Change Order report, AND

WHEREAS, said changes have been reviewed with and approved by the Town Facilities Department, AND

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WHEREAS, said changes have also been recommended by the Cedargrove Neighborhood Action Committee, AND

WHEREAS, said changes pertaining to treatment of asphalt surface areas were initiated during construction contingent upon Town Board approval so as not to impede and interfere with the construction otherwise underway, NOW, THEREFORE BE IT

RESOLVED, that Change Order No. 2 for the Community Drive Park project, in the amount of \$1,335.54 be and hereby is approved and the Supervisor is hereby authorized to sign Change Order No. 2 on behalf of the Town of Cheektowaga, the cost of said Change Order to be paid with Community Development Block Grant funds.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, the contract for Modifications and Upgrading of Town-owned Fuel Storage and Dispensing Facilities was awarded by Town Board Resolution dated August 3, 1998 to Orchard Earth and Pipe Corporation, 550 Charles Avenue, Syracuse, New York 13209 for a total approved bid price of \$595,529, AND

WHEREAS, Nussbaumer & Clarke, Inc., project consulting engineers, and the Town Engineer have advised that the contract has been completed in accordance with contract requirements, AND

WHEREAS, Nussbaumer & Clarke, Inc. and the Town Engineer have further recommended the approval of Change Order No. 1 which provides for the adjustment to contract item

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quantities incorporated into the project as outlined in the change order document, NOW, THEREFORE BE IT

RESOLVED, that Change Order No. 1 in the amount of \$55,736.00 as an addition to the contract of Orchard Earth and Pipe Corporation be and hereby is approved and, BE IT FURTHER

RESOLVED, that this Town Board hereby accepts the completed project as recommended by the Town Engineer and hereby authorizes the Town Supervisor to execute Change Order No. 1 of the contract acceptance documents.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, the Town of Cheektowaga is the owner of a parcel of land located on the south side of Genesee Street, west of 4499 Genesee Street (S.B.L. #92.04-1-6.1), AND

WHEREAS, Republic Industries, Inc. has made application to rezone 4499 Genesee Street and adjacent properties in the vicinity from M1-Light Manufacturing District to MS-Motor Services District, AND

WHEREAS, one of the properties sought to be rezoned is the aforementioned Town-owned property, AND

WHEREAS, the Town will be entering into a lease with Republic Industries for the use of the Town-owned land for a parking lot, NOW, THEREFORE BE IT

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RESOLVED, that this Town Board hereby authorizes Republic Industries to apply to rezone the above referenced Town-owned property as indicated above.

Upon roll call

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

Item No. 10 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 Hugh McPherson to construct a 4,500 s.f. building on a vacant site known as 70 Innsbruck Drive, AND

WHEREAS, the building will be used as a printing facility, AND

WHEREAS, the applicant, after meetings with various reviewing bodies, has revised the site plan to incorporate a 5 foot sidewalk, pedestrian access, a wider driveway and curbing at the entrance, AND

WHEREAS, the Advisory Committee, at its meeting held on July 28, 1999 rendered the determination shown on the attached memo dated July 29, 1999, AND

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

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

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 11 Motion By Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 1551 Harlem Road, Cheektowaga, New York, SBL #113.54-8-8.1 and according to the Assessors' Office is owned by George and Alexandra Ladas, 2435 Seneca Street, Buffalo, New York 14210, AND

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

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

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga wishes to institute a Commercial Rehabilitation Loan Program through the Office of Economic and Community Development, AND

WHEREAS, said Program is funded with federal Community Development Block Grant funds from the Department of Housing and Urban Development, AND

WHEREAS, the primary goal of the Commercial Rehabilitation Loan Program is the revitalization of the Walden Avenue and Genesee Street-Pine Ridge business district and neighborhood and the enhancement of those areas' economic and social viability, AND

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

RESOLVED, that the Town Board hereby establishes the Commercial Rehabilitation Loan Program and adopts the attached Commercial Rehabilitation Loan Program Policy Guidelines, and BE IT

FURTHER RESOLVED, that the Supervisor be and hereby is authorized to sign, on behalf of Town, any agreement, mortgage discharge or other pertinent documents necessary to accomplish the goals and objectives of the Town's Commercial Rehabilitation Loan Program, and BE IT

FURTHER RESOLVED, that Community Development funds in the amount of \$75,000 be transferred to the Commercial Rehabilitation Loan Program account pursuant to the attached budget transfer form.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 13 Memorialize New York State Legislature to Authorize Use of Photography/Cameras for Red Light Enforcement
This item was withdrawn.

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

WHEREAS, Cleveland Drive is an Erie County highway maintained by the Erie County Department of Public Works, Division of Highways ("ECDPW"), AND

WHEREAS, the ECDPW will be resurfacing Cleveland Drive in the summer of 1999, AND

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that the ECDPW stripe Cleveland Drive east of the NYS Thruway to Cayuga Road with a bi-directional center turn lane, AND

WHEREAS, the ECDPW has agreed to do the requested striping on Cleveland Drive provided this Town Board makes such request NOW, THEREFORE BE IT

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RESOLVED, that this Town Board hereby requests the ECDPW to stripe Cleveland Drive from the NYS Thruway ramps east to Cayuga Road with a bi-directional center turn lane and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 15a Motion By Councilmember Mazur, Seconded by Councilmember Rogowski

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

WHEREAS, the United Parcel Service has made application to hold a softball/volleyball tournament fundraiser for United Way at Stiglmeier Park on August 28, 1999, AND

WHEREAS, this Board has reviewed the application submitted by United Parcel Service, which application has been approved by the Facilities Department and Youth and Recreational Services Department, and has no objection to same, AND

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

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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the United Parcel Service for its softball/volleyball tournament to be held on August 28, 1999 in Stiglmeier Park.

Item No. 15a cont'd.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

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

WHEREAS, the Buffalo AFL-CIO Council and United Way of Buffalo & Erie County have made application to hold their annual Labor Day Parade on August 29, 1999 on Harlem Road between Walden Avenue and Cheektowaga Town Park, AND

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WHEREAS, this Board has reviewed the application submitted by the Buffalo AFL-CIO Council and United Way of Buffalo & Erie County, which application has been approved by the Police Department and has no objection to same, AND

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

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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Buffalo AFL-CIO Council and United Way of Buffalo and Erie County for their annual Labor Day Parade to be held on August 29, 1999 beginning at 1:00 P.M. and, BE IT FURTHER

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

Upon roll call

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



Item No. 16 Authorize Supervisor to Sign Settlement Agreement - American Ref-Fuel
This item was acted upon as the last item of this meeting.



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

BE IT RESOLVED, that the following individuals be and hereby are terminated from the Youth and Recreation Department, effectively immediately (Seasonal/ Part-Time)

Item No. 17a cont'd.

Nicholas Adriane
Tracy Armstrong
Matthew Arnold
Chad Baker
Melissa Barnhard
Michael Barnhard
Natalie Barnhard
Jarod Bucki
Travis Burkett
Michael Cercone
Stacy Connor
Kristin Drzymala
Costanza German
Gregory Grimes
Joe Halter
Tony Hunger
Julie Isch
Denise Jarvis
Christine Kempa

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Kari Kowalski
Nicole Kozma
Kim Mahoney
Mary Beth May
Roger McGill
Rebecca Miller
Jay Naperalski
Emilee Norris
Amy Owens
Janelle Patterson
Michael Pawlowski
Leslie Reeb
Richard Rusiniak
Lisa Santamaggio
April Scherer
Scott Schriener
Tom Strachan
Mark Strobele
Scott Szarzynski
Karol Szymczuk
Katie Taber
Scott Wahler
Cheryl Wazny
Rachel Williams
Katie Zaczkowski
Erie Zenicki

Upon roll call

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

Item No. 17b Motion By Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

RECYCLING DEPARTMENT

Jim Manwarren
XXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Item No. 17b cont'd.

Immediately

EFFECTIVE

SANITATION DEPARTMENT

Greg Saxe
XXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX

Immediately

POLICE DEPARTMENT

Kristin Wendel
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX

Immediately

Upon roll call

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

Item No. 18 Motion By Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

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

EFFECTIVE

TOWN CLERK'S OFFICE - Dog Enumerator, \$6.00 per hour

Anthony Zaenglein

Immediately

XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX

and, BE IT FURTHER RESOLVED, that Pamela Bahny, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX, currently employed Part-Time in the Personnel Department, be and hereby is hired as a Seasonal employee in that department at a rate of \$7.00 per hour, effective immediately.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following Youth and Recreation employee be transferred as indicated, effectively immediately:

From Seasonal to Part-Time

From Recreation Attendant VI to Recreation Attendant VII - \$6.75

Noreen Brezowski

Upon roll call

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

NAYES: 0

ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Building Permits
Received and Filed.

Item No. 21 Minutes of Cheektowaga Traffic Safety Commission - June 15, 1999
Received and Filed.

Item No. 22 Deloitte & Touche - Single Audit Reports - Year Ended December 31, 1998
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 23a Notice of Claim: Michael and Sharon Zimmer vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department; and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23b Notice of Claim: Keith R. Carter, by Karen L. Wagner, parent of minor vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Chief of Police; and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23c Notice of Claim: Nancy Georgic, as parent and guardian of Valerie Feind vs. the Town of Cheektowaga

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Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Facilities Department; and Allied Claims Insurance Carrier.
Received and Filed.



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER JANKOWIAK TO ADJOURN THIS MEETING AND GO INTO EXECUTIVE SESSION AT 7:30 P.M. AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER SWIATEK TO RECONVENE THIS MEETING AT 7:54 P.M. AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



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

WHEREAS, on or about May 10, 1988, the Town entered into a long-term Solid Waste Disposal Agreement with the Occidental Chemical Corporation for the disposal of mixed municipal solid waste at its Energy From Waste (EFW) Facility in Niagara Falls, New York, AND

Item No. 16 cont'd.

WHEREAS, upon information and belief, the aforesaid EFW Facility was acquired by the American Ref-Fuel Company of Niagara, L.P., and such acquisition included the assignment of the aforesaid Solid Waste Disposal Agreement, AND

WHEREAS, various disputes and disagreements have arisen between the Town and American Ref-Fuel concerning the implementation, implication and/or interpretation of various provisions of the aforesaid Solid Waste Disposal Agreement, AND

WHEREAS, on or about December 10, 1998, American Ref-Fuel commenced a lawsuit against the Town for "breaches of contract and for anticipatory breaches resulting in compensatory and punitive damages" in millions of dollars, AND

WHEREAS, Councilmember Jankowiak, as Chairman of the Sanitation/Recycling Committee, has scrutinized the Town's Solid Waste Disposal Agreement with the view of ensuring not only adherence to the provisions of the contract, but also clarification of those provisions relating to the formula, cost factors and rates of compensation payable by the Town, AND

WHEREAS, Councilmember Jankowiak and Supervisor Dennis H. Gabryszak have held face-to-face meetings with officials from American Ref-Fuel with the view of resolving any and all disputes and disagreements, as well as on other matters of mutual interest to the parties, AND

WHEREAS, officials from American Ref-Fuel have informed the Town that the EFW Facility is in compliance with federal and state environmental laws, rules and regulations, AND

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WHEREAS, all of the member of this Town Board have been involved in the resolution of the differences between the Town and American Ref-Fuel; and, in addition, they have been fully informed of a proposed agreement setting the pending litigation,

NOW, THEREFORE BE IT RESOLVED, that this Board hereby approves of the Settlement Agreement by and between the Town and the American Ref-Fuel Company of Niagara, L.P. and, BE IT FURTHER

RESOLVED, that on behalf of this Town Board, the Supervisor be and he hereby is authorized to sign such Settlement Agreement to the Solid Waste Disposal Agreement of 1988, after such agreement has first been approved as to form by the Town Attorney and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is authorized to present the Settlement Agreement to the Hon. James B. Kane, Jr., Justice, Supreme Court, for the approval of the Court in the settlement of the lawsuit of American Ref-Fuel Company v. Town of Cheektowaga under Index No. I 1998-11178.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 24 Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak to adjourn this meeting. This meeting was adjourned at 8:00 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 16, 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 16th day of August, 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; Bruce Chamberlin, Chief of Police; Bill Pugh, Town Engineer; Pat Wojcik, Director of Senior Services; Jerry Gabryszak, Director of Community Development; Ron Marten, Supervising Building and Plumbing Inspector; Bill Conway, Assessor; Jeff Ramelb, Coordinator of Employee Relations; Sal LaGreca, Planning Board Chairman; Mark Wegner, Foreman-Facilities Department.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed Local Law Intro #99-3 of the Year 1999, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga" of the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said Local Law being as follows:

Town of Cheektowaga

Local Law Intro No. 99-3 of the Year 1999

- | | |
|------------|---|
| Section 1. | The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 70, Laws of 1999 |
| Section 2. | The commencement date of the retirement incentive program shall be August 17, 1999 |
| Section 3. | The open period during which eligible employees may retire and receive the additional retirement benefit shall be 30 days in length. |
| Section 4. | The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law. |
| Section 5. | This act shall take effect immediately. |



Motion by Councilmember Rogowski, Seconded by Councilmember Swiatek to amend the Notice of Public Hearing to change the date of August 17, 1999 to **October 3, 1999** and to change the open period from 30 days to **90** days in length.

Item No. 2 cont'd

MEETING NO. 17
August 16, 1999

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

These changes were approved and will be incorporated into the final adoption of Local Law #3.



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

II. RESOLUTIONS

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

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

GENERAL FUND

FROM:	0100-1910-4711 Contingency	\$35,000.00
	0100-1415-3500 State Archive Grant	45,512.00
TO:	0100-3310-2303 Traffic Vehicle	\$35,000.00
	0100-1415-1600 Clerical Assistance	35,600.00
	0100-1415-4500 Supplies & Equipment	5,700.00
	0100-1415-4003 Travel	64.00
	0100-1415-8000 Employee Benefits	4,148.00

HUD-CDBG FUND

FROM:	0700-1098-0705 Economic Development	\$5,000.00
	0700-1099-0704 Contingency	4,133.27
	0700-1098-0706 Housing Counseling	866.73
	0700-1098-0661 Sr. Services Wheelchair Transportation	3,000.00
	0700-1098-1675 Handicapped Accessible Voting Machines	125.00
	0700-1099-0679 Summer Day Camp	1,053.17
	0700-1097-0706 Housing Counseling	125.00
	0700-1099-0704 Contingency	866.73
TO:	0700-1098-0720 Cedargrove Heights Drainage & Sewer	\$5,000.00
	0700-1099-0720 Cedargrove Heights Drainage & Sewer	\$4,133.27
	0700-1098-0720 Cedargrove Heights Drainage & Sewer	866.73
	0700-1098-0665 Senior Citizen Van	3,000.00
	0700-1098-0665 Senior Citizen Van	125.00
	0700-1099-0665 Senior Citizen Van	1,053.17
	0700-1097-0665 Senior Citizen Van	125.00
	0700-1099-0665 Senior Citizen Van	866.73

HIGHWAY FUND

FROM:	0300-5141-1421 Auto Mechanic Helper	\$158,162.23
TO:	0300-5141-1442 Auto Mechanic	\$158,162.23

CAPITAL FUND

FROM:	5702-1910-9399 Bond Underwriting Expense	\$2,732.00
TO:	5702-1440-9604 Upgrade to Town Fuel Storage Facilities	\$2,732.00

Item No. 3 cont'd

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

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NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to August 13, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 486,025.12
HIGHWAY FUND	220,473.23
TRUST & AGENCY	12,595.88
PART TOWN FUND	6,192.49
HUD CDBG FUND	90,865.59
RISK RETENTION FUND	71,800.28
SPECIAL DISTRICTS FUND	309,073.71
CAPITAL FUND	50,113.71
	<u>\$1,247,140.01</u>

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

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

WHEREAS, the contract for the furnishing of equipment and operators for the installation and repair of sanitary/storm sewers in Cedargrove Heights in the Town of Cheektowaga was previously awarded by Town Board resolution dated June 7, 1999 to Nichols, Long & Moore Construction Corporation, and

WHEREAS, the Town Engineering Department has recommended that storm drainage improvements be installed on Brookhaven Drive as an addition to the scope of work items previously assigned under this contract, NOW, THEREFORE, BE IT

RESOLVED that payment for said equipment and operators for proposed storm sewer improvements on Brookhaven Drive shall be chargeable to the Community Development Block Grant Budget, in an amount not to exceed \$40,000.



Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak 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 Supervisor Gabryszak

WHEREAS, the contract for the furnishing of equipment and operators for the installation and repair of sanitary/storm sewers in Cedargrove Heights in the Town of Cheektowaga was previously awarded by Town Board resolution dated June 7, 1999 to Nichols, Long & Moore Construction Corporation, and

Item No. 5 cont'd

WHEREAS, the Town Engineering Department has recommended that storm drainage improvements be installed on Brookhaven Drive as an addition to the scope of work items previously assigned under this contract, NOW, THEREFORE, BE IT

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RESOLVED that the maximum payment to Nichols, Long & Moore Construction Corporation for the cost of equipment and operators for the installation & repair of sanitary/storm work under the existing contract be increased by \$40,000.

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

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

WHEREAS, by resolution dated January 21, 1992, Local Law No. 1 of the Year 1992 of the Town of Cheektowaga, entitled "A Local Law Relating to Zoning" was adopted, and

WHEREAS, the Building Inspections Department and the Police Department of the Town of Cheektowaga have recommended various amendments to the Local Law Relating to Zoning, and

WHEREAS, a draft of such amendments has been prepared and has been forwarded to various other governmental agencies for comment, and

WHEREAS, a public hearing was held on the 19th day of July, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law to Amend A Local Law Relating to Zoning", and

WHEREAS, this Board feels it is in the public interest to adopt such local law, NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 2 of the Year 1999, entitled "A Local Law to Amend the Local Law Relating to Zoning" be and the same is hereby adopted, and BE IT FURTHER

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

RESOLVED that Local Law No. 2 of the Year 1999 shall be effective immediately upon its filing with the Secretary of State.

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

Item No. 7 Bond Resolution authorizing purchase & Installation of Traffic Signals

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 8 Order calling for public hearing - Installation and improvement of Facilities of Sanitary Sewer District No. 5

*SEE NEXT PAGE(S) FOR ATTACHMENT

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AFFIDAVIT - NEXT PAGE

Item No. 9a 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

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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 Laidlaw Transit, Inc. to rezone 100 Gruner Road from M1-Light Manufacturing District to MS-Motor Service District, and

WHEREAS, the rezoning was requested to place the bus storage lot, a legal non-conforming use, into a proper zoning district and to allow for the construction of an office/minor repair garage, and

WHEREAS, the applicant has agreed to install a five foot wide sidewalk along Gruner Road, pedestrian access to the building and concrete curbing at the entrance driveway, and

WHEREAS, the Town Engineer has agreed to install a five foot wide sidewalk along Gruner Road, pedestrian access to the building and concrete curbing at the entrance driveway, and

WHEREAS, the Town Engineer has reviewed the drainage with the applicant's engineer and is satisfied with the proposal, and

WHEREAS, the Advisory Committee at its meeting held on June 30, 1999 rendered the determination shown on the attached memo dated July 1, 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. 9b 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

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WHEREAS, an application was submitted by Seneca Creek Development to rezone a vacant 2.91 acre parcel of property known as 2911 William Street, and

WHEREAS, the change in zoning from RA-Apartment District to NS-Neighborhood Service District was requested to construct an 84 bed assisted living facility, and

WHEREAS, the applicant has had the proposal reviewed by URS Greiner Woodward Clyde, author of the William/Losson Corridor Study commissioned by the Town of Cheektowaga, and

WHEREAS, URS Greiner Woodward Clyde has concluded that the proposal would have no greater impact than an apartment use and would recommend that the use of the property be limited to the proposal as shown, and

WHEREAS, the Town Engineer has reviewed the drainage with the applicant's engineer and is satisfied with the proposal, and

WHEREAS, the applicant has attended numerous meetings, including meeting with nearby residents, and

WHEREAS, the applicant has agreed to a number of conditions including providing new landscaping, security lighting, an emergency-only gate between Brookfield and the three phase development and consolidating of curb cuts on the north side of William Street, and

WHEREAS, the Advisory Committee at its meeting held on June 30, 1999 rendered the determination shown on the attached memo dated July 1, 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. 10 Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by this Town at a public bid opening for the purchase of new trees for the Town's fall 1999 planting season, by the Cheektowaga Highway Department. As a result of advertisement, therefore, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to Schichtel's Nursery, 7410 Peters Road, Springville, New York 14141, said bidder being the lowest responsible bidder, meeting specifications as set forth in the tabulation attached hereto and made a part hereof, and BE IT FURTHER

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the Sewer Maintenance Department is in need of one Air Compressor,
NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one Air Compressor for the Sewer Maintenance Department. Information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 1st day of September, 1999 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

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NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on September 1, 1999 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of one (1) Air Compressor for the Sewer Maintenance Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: August 16, 1999



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, suburban firefighters in the Town of Cheektowaga and throughout Erie County have a long and proud history of providing top-of-the-line, cost effective fire protection services to local taxpayers, and

WHEREAS, our suburban fire companies are volunteer in nature and staffed with dedicated men and women who give tirelessly to their community by providing the highest quality fire protection and emergency services, and

WHEREAS, because our suburban fire companies are totally volunteer, taxpayers have benefited greatly over many decades by not having to pay salaries and benefits to these volunteers, and

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WHEREAS, City Comptroller Joel Giambra has called for 200 paid Buffalo firefighters to be sent to suburban communities, and for suburban communities to reimburse the City of Buffalo for the cost of those 200 firefighters, and

WHEREAS, the cost to suburban taxpayers for this proposal has been estimated at \$15 million, or a 7% property tax hike for all suburban property owners, including homeowners in Cheektowaga, and

WHEREAS, this proposal is based upon the assumption that the City of Buffalo has too many firefighters and can afford to contract out 200 of its members to those suburban communities where staffing problems exist, and

WHEREAS, the proposed elimination of 200 firefighters in the City would cut the Buffalo work force by 25% and could seriously jeopardize public safety in the City of Buffalo, and

WHEREAS, the Erie County Legislature voted unanimously, and in Bi-partisan fashion, to adopt a resolution on June 3, 1999, rejecting the City Comptroller's proposal to shift 200 City firefighters to the suburbs and charge suburban taxpayers \$15 million for services now provided by our dedicated volunteers, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby joins the Erie County Legislature in rejecting the City Comptroller's proposal because it jeopardizes fire protection for City residents while forcing suburban property owners to pay for services once performed by volunteers, and BE IT FURTHER

RESOLVED that this Board commends Cheektowaga County Legislators Gregory Olma, Raymond Dusza, William Pauly and Michael Ranzenhofer for opposing and voting against the City Comptroller's proposal, and BE IT FURTHER

RESOLVED that certified copies of this resolution be sent to the Erie County Legislature, City Comptroller Joel Giambra, County Executive Dennis Gorski, Buffalo Mayor Anthony Masiello, Erie County Emergency Services Commissioner Michael Walter, and volunteer fire companies within the Town of Cheektowaga, and all Town and Village Boards within the County of Erie.

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

Item No. 13 Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, research conducted by the National Highway Traffic Safety Administration ("NHTSA") demonstrates that the majority of motor vehicle crashes that resulted in injury were caused by motorists running red lights and other traffic controls, and

WHEREAS, the Insurance Institute for Highway Safety reports that, during peak travel times, a motorist runs a red light every five (5) minutes, and that motorists running red lights cause approximately 260,000 crashes per year, and

Item No. 13 cont'd

WHEREAS, the American Trauma Society has reported that such crashes annually have resulted in more than 300,000 injuries and over 2,000 deaths and, in addition, these crashes cost Americans an estimated seven billion dollars in damaged property and lost time, and

WHEREAS, traditional traffic law enforcement techniques often require an officer to follow the offender through a red light, making such enforcement difficult and dangerous to law enforcement personnel and law-abiding motorists, bicyclist and pedestrians in urban areas, and

WHEREAS, there is State legislation (Section 1111-B of the Vehicle & Traffic Law) currently in effect which authorizes only the city of New York to utilize cameras/photography as an enforcement tool regarding red lights, and

WHEREAS, such State legislation is scheduled to expire on December 31, 1999, and

WHEREAS, there are several other communities throughout the United States which have incorporated photography into their enforcement programs, and

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WHEREAS, the Town of Cheektowaga and other municipalities outside of New York City are not authorized by State Legislation to use photography to enforce the running of red lights, and

WHEREAS, the Insurance Institute for Highway Safety has studied various red light camera programs throughout the United States to determine the efficacy of this new enforcement method; in Oxnard, California, for example, red light violations dropped a total of 42% after cameras were introduced at nine intersections, and

WHEREAS, the International Association of Chiefs of Police supports the use of red light cameras at intersections for more efficient and effective traffic law enforcement, and the adoption of legislation necessary to effect the use of such cameras, and

WHEREAS, the Cheektowaga Traffic Safety Commission has reviewed the subject of red light cameras and has recommended this Town Board support legislation to authorize towns in New York State to enact such legislation (written recommendation is forthcoming), NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the New York State Legislature to amend the existing legislation or to enact new legislation to authorize all municipalities in New York State to use photography/cameras for red light enforcement, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Governor George Pataki and to all members of the Western New York delegation of the New York State Legislature.

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

Item No. 14 Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

WHEREAS, Lawrence and Monica Kensy have offered the Town of Cheektowaga the gift of a 1991 Ford Temp automobile, and

WHEREAS, such automobile fills a need for additional vehicles to supplement the town car pool, and

WHEREAS, the Town Law of the State of New York allows for municipalities to accept gifts that are beneficial to the community, NOW, THEREFORE, BE IT

RESOLVED that this Town Board accepts the gift of this 1991 Ford Temp automobile, (Vehicle ID Number 2FAPP35X1MB125598) and authorizes and directs the Supervisor to execute any and all documents necessary to effectuate this gift, and BE IT FURTHER

Item No. 14 cont'd

RESOLVED that this Town Board expresses its gratitude to Lawrence and Monica Kensy for their generosity and public spirit.

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 Johnson

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

WHEREAS, the Polish American Arts Festival Committee has made application to hold the annual Polish American Arts Festival in Cheektowaga Town Park from August 20-22, 1999, and

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WHEREAS, this Board has reviewed the application submitted by the Polish American Arts Festival Committee, which application has been approved by the Building Inspections, Highway, Facilities, Youth & Recreational Services and Police Departments, and has no objection to same, and

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

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Polish American Arts Festival Committee for the Polish American Arts Festival to be held in Cheektowaga Town Park from August 20-22, 1999.

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

WHEREAS, the Federation of German-American Society, Inc. has made application to hold its annual German-American Festival in Cheektowaga Town Park on September 4-5, 1999, and

WHEREAS, this Board has reviewed the application submitted by the Federation of German-American Society, Inc. which application has been approved by the Police, Building Inspections, Highway, Facilities and Youth & Recreational Services Departments, and has no objection to same, and

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

Item No. 15b cont'd

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Federation of German-American Society, Inc for its German-American Festival to be held on September 4-5 in Cheektowaga Town Park.

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

Item No. 16a Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

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WHEREAS, the Governor's Traffic Safety Committee has made National Highway Safety and Federal Highway funds available to the County of Erie for funding Erie County's Comprehensive Traffic Safety Plan, and

WHEREAS, the County of Erie has agreed to pay the Town of Cheektowaga \$8,100.00 for the Town Police Department to perform a component of its Traffic Safety Plan, for the period of October 1, 1998 through September 30, 1999, and

WHEREAS, the Town Police Department has been performing the components of the County's Traffic Safety Plan and will continue to do so, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Agreement with the County of Erie on behalf of the Town.



Motion by Councilmember Johnson, Seconded by Councilmember Mazur 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 Jankowiak

WHEREAS, the Governor's Traffic Safety Committee has made National Highway Safety and Federal Highway funds available to the County of Erie for funding Erie County's Comprehensive Traffic Safety Plan, and

WHEREAS, the County of Erie has agreed to pay the Town of Cheektowaga \$8,100.00 for the Town Police Department to perform a component of its Traffic Safety Plan, and

WHEREAS, the Town Police Department has been performing the components of the County's Traffic Safety Plan and will continue to do so, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Agreement with the County of Erie on behalf of the Town.

Item No. 16a cont'd

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the Town of Cheektowaga previously received a grant from the County of Erie for the purpose of the Genesee Street Corridor Enhancement and Gateway Project ("Project"), and

WHEREAS, such grant required to Town to serve as the lead government in performance of the Project with the City of Buffalo, and to enter into a municipal Cooperation Agreement with the City of Buffalo, and

WHEREAS, the Town Attorney's Office has drafted a Municipal Cooperation Agreement for this Project, which agreement has been signed by the City of Buffalo, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Municipal Cooperation Agreement with the City of Buffalo for the project.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the Senior Services Department utilizes a publisher/printer to print its monthly newsletter for distribution to senior citizens in the town, and

WHEREAS, the Senior Services Department was contacted by Liturgical Publications, Inc. offering to publish/print such newsletter and provide revenue and computer hardware and software to the Senior Services Department in exchange for the right to publish/print such newsletter and to receive advertising revenue therefrom, and

WHEREAS, the offer from Liturgical Publications, Inc. is far more beneficial to the town than the prior arrangement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Monthly Publishing Service Agreement with Liturgical Publications, Inc..

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, this Town Board previously approved an Agency Agreement with Fleet National Bank for the investment of governmental securities through a three party repurchase agreement, and

WHEREAS, Fleet National Bank has notified the Town that it has replaced Swiss Bank Corp. with Merrill Lynch, Pierce, Fenner & Smith, Inc. as the third party to the agreement, and

WHEREAS, this change to the Agency Agreement is acceptable to this Town Board,
NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the above referenced change to the Agency Agreement, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a new Agency Agreement with Fleet National Bank in accordance with the above.

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

NAYES: 0

ABSENT: 0

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

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

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

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WHEREAS, the Community Development Office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property located at 235 Griffith St. in an amount not to exceed \$43,000, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes the supervisor to execute a housing rehabilitation loan agreement with the owner of the property located at 235 Griffith St., Sloan, New York, for a housing rehabilitation loan not to exceed \$43,000.

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

Item No. 17 Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 56 Meaford Drive, Cheektowaga, New York, SBL# 79.20-9-17 and according to the Assessor's Office is owned by John E. Wright and Wife, 56 Meaford Road, Buffalo, New York 14215, and

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

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

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

Item No. 18 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>FACILITIES DEPARTMENT</u>	<u>EFFECTIVE</u>
Lucas McCuiston	Immediately
Jason Bobowicz	"
Michael Stachewicz	"

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

Item No. 19a Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

<u>SENIOR SERVICES - Van Driver \$6.50 per hour</u>	<u>EFFECTIVE</u>
Richard E. Mazur	XXXXXXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX Immediately

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

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

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

Pre-K (Wee Three) - 7140.1664
Recreation Attendant V - \$6.15

Denise Hefferman XXXXXXXXXXXXXXXXXXXXXXXX
Sandra Suwalski XXXXXXXXXXXXXXXXXXXXXXXX

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

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

BE IT RESOLVED that Joel La Combe of XXXXXXXXXXXXXXXXXXXX, Sloan, New York XXXXX be hired as part-time Physical Fitness Instructor in the Cheektowaga Department of Senior Services at \$15.00 per hour for a total of 10 hours per week, effective September 2, 1999.

Budget Code: 0100-7620-1639

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

Item No. 20 Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Chris Kulinski XXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately
Earl Nolan XXXXXXXXXXXXXXXX, Cheektowaga, XXXXX "

MAIN PUMP STATION - Laborer - \$6.00 per hour

Jason Ducato XXXXXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately

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



Motion by Councilmember Jankowiak, Seconded by Councilmember Mazur to dispense with the reading of the names on Item No. 21, and the voting was as follows:

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



MEETING NO. 17
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Item No. 21 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following Youth and Recreation employees be and hereby are upgraded/transferred as indicated (increases effective 9/13/99):

From Seasonal to Part-time
(effective 8/23)

Stephanie Gerace	Craig Mahalic
Kathleen Gibbs	Jill Marie Matuszewski
Jessica Graser	Randy Matuszewski
Mindy Greenauer	Amy Lynn McGill
Adam Kehrer	Erin O'Brien
Elena Kehrer	Nicole Pidanick
Andrea Ketterl	Jill Zarazinski
Stephanie King	

Pre-K - 7140.1664
Senior Recreation Supervisor IX - \$8.90

Mary Beth Seivert
(seasonal - effective 9/13-12/19 - revert to part-time status - 12/20)

Pre-K - 7140.1664
Senior Recreation Supervisor VIII - \$8.65/
Recreation Attendants - 7140.1612 (Aerobics)
Senior Recreation Supervisor IX - \$8.90

Laila Desjardins
(part-time - effective 8/23-9/12; seasonal, effective 9/13-12/19;
revert to part-time status - 12/20)

Item No. 21 cont'd

Pre-K - 7140.1664
(seasonal - effective 9/13 - 12/19 - revert
to part-time status 12/20)

Recreation Instructor - IX - \$7.40
Connie Stewart

Recreation Instructor V - \$6.40
Barbara Odrobina
Ann Sheldon

Part-Time
Pre-K - 7140.1664
(effective 9/13)

Recreation Leader IV - \$6.90

Joy Donnelly-Smith

Recreation Attendants - 7140.1612
Recreation Instructor V - \$6.40

Valerie Mrzyglad

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

NAYES: 0

ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Program Coordinator in the Youth and Recreational Services Department, and

WHEREAS, this Town Board is interested in filling said position, and

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WHEREAS, Ellen Fischer, currently employed as Project Director under the Suburban Wellness coalition Grant for the Cheektowaga Action Partnership, meets all the necessary qualifications of said position, NOW, THEREFORE, BE IT

RESOLVED that Ellen Fischer of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Program Coordinator in the Youth and Recreational Services Department, on a provisional basis pending the establishment of a valid Civil Service examination list for said position, effective September 1, 1999, at an annual salary of \$36,639.24.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Minutes of Meeting - Cheektowaga Planning Board - July 8, 1999
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 24 NYSDOT - Designation of Restricted Highway - Portion of Union Road
Copies were sent to: Dennis Gabryszak, Supervisor; Town Board Members; Highway Department; Traffic Safety Commission.
Received and Filed.

Item No. 25a Notice of Claim - Kathleen Berkel vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Police Department; Facilities Department.
Received and Filed.

Item No. 25b Notice of Claim - Florence Dynarski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Facilities Department; Youth and Recreational Services.
Received and Filed.

Item No. 25c Notice of Claim - Joseph B. Secord vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.
Received and Filed.

Item No. 25d Notice of Claim - Lisa Egan 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. 25e Notice of Claim - Russell, Jr. & Cynthia Alessi vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.
Copy also filed in Complaint Book.
Received and Filed.

Item No. 26a Notice of Petition - New Penn Motor Express vs William R. Conway, Assessor and the Town of Cheektowaga
Received and Filed.

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- Item No. 26b** Notice of Petition - Coolidge Equities, Ltd. Vs William R. Conway, Assessor and the Town of Cheektowaga (#99-6536)
Received and Filed.
- Item No. 26c** Notice of Petition - Coolidge Equities, Ltd. Vs William R. Conway, Assessor and the Town of Cheektowaga (#99-6535)
Received and Filed.
- Item No. 26d** Notice of Petition - Coolidge Allied, LLC vs William R. Conway, Assessor and the Town of Cheektowaga
Received and Filed.

V. SUSPENSION OF RULES

Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek to suspend the rules to include the following three (3) items, and the voting was as follows:

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

- Item No. 27a** Motion by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, the Town of Cheektowaga is a participant in the Buffalo Creek Stream Bank Stabilization Partnership Program created to address stream bank erosion in the Buffalo Creek Watershed, which includes Cayuga Creek, which program is administered through the Erie County Soil and Water Conservation District, and

WHEREAS, the town has requested funding assistance under the aforesaid program to implement an erosion control project on Cayuga Creek within Stiglmeier Park, and

WHEREAS, Erie County Soil and Water Conservation District technicians have determined that best management practices to address streambank erosion along this portion of Cayuga Creek includes sloped rock riprap revetment and vegetative plantings with an estimated project cost of \$35,000 of which \$20,000 is available from the Erie County Regionalism Program and the N.Y.S. Environmental Protection Fund, with the Town's matching contribution being \$15,000 which monies have been budgeted in Account No. 0100-8540-4586, and

WHEREAS, the Erie County Soil and Water Conservation District, which agency has recommended an appropriate erosion protection technique, under the terms of an agreement will design, bid and administer a construction contract to implement this erosion control project, which also necessitates execution of a temporary easement to gain access to Cayuga Creek at Stiglmeier Park, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized and directed to execute the aforesaid agreement with the Erie County Soil and Water Conservation District for the implementation of this erosion control project, and a temporary easement with said agency enabling ingress and egress to the project area along Cayuga Creek for the purpose of completing the project.

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

- Item No. 27b** Motion by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, the contract for installation of storm drainage improvements within Cedargrove Heights, Community Drive Storm Trunk Line - Phase I, awarded by Town Board resolution dated August 17, 1998 to Visone Construction, Inc., in the amount of \$153,007.50 has been substantially completed in accordance with the contract requirements, and

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WHEREAS, the Town Engineer and the project consulting engineer, Nussbaumer & Clarke, Inc., have recommended approval of Change Order No. 1 (final) for the aforesaid project, which provides for final adjustment to contract item quantities to those actually incorporated into the project, as outlined in the change order document dated July 27, 1999, NOW, THEREFORE, BE IT

RESOLVED that Change Order No. 1 (final) for the Community Drive Storm Sewer Trunk Line - Phase I Project in the amount of \$10,954.00 as a deduction to the contract of Visone Construction, Inc., 79 Sheldon Avenue, Depew, New York 14043 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) and the owner's acceptance statement for the completed project on behalf of this Town Board.

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

Item No. 28 Motion by Councilmember Swiatek, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga receives Community Development Block Grant and HOME Program funds annually from the U.S. Department of Housing and Urban Development, and

Item No. 28 cont'd

WHEREAS, said funds have been utilized by the Town for many types of projects, including housing rehabilitation, neighborhood improvements in the Walden Avenue, Cedargrove Heights and Pine Hill areas, police foot-patrols, facade improvements, acquisition of senior citizen vans, capital improvements such as storm drainage projects, recreation improvements and commercial rehabilitation and economic development loans, and

WHEREAS, Community Development Block Grant and HOME Program funds have had a positive impact on the Town of Cheektowaga and have played an important role in serving as the foundation for the Town's neighborhood preservation efforts, particularly in the Town's border neighborhoods, and in helping to improve the Town's housing stock and stabilize property values throughout the Town, and

WHEREAS, the President has presented his budget to Congress and the Housing of Representatives and the Senate will consider and vote on appropriations bills for the Department of Housing and Urban Development, which will contain funding for the Community Development Block Grant and HOME Programs for fiscal year 2000, and

WHEREAS, it is the sense of this Town Board that continuation of Community Development Block Grant and HOME Program funding is of critical importance in order to enable the Town to continue its efforts at neighborhood preservation and stabilization, to help maintain the Town's housing and to improve the quality of life for Town residents, particularly elderly persons who are often those most at risk and in need of assistance, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby memorializes the Congress of the United States to continue to provide funding for the Community Development Block Grant and HOME Programs at the level requested by the President of the United States for Fiscal Year 2000, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to send certified copies of this resolution to Senators Daniel Patrick Moynihan and Charles Schumer, the Honorable Jack Quinn and Department of Housing and Urban Development Secretary Andrew Cuomo.

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

Item No. 29 Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek

MEETING NO. 17
August 16, 1999

to adjourn the meeting in memory of Ceil Kurdziel, who was very active in Senior Citizen activities.

Time Meeting Adjourned: 8:00 PM

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 18
August 25, 1999

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 25th day of August, 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; Bill Conway, Assessor; Jeff Ramelb, Coordinator of Employee Relations; Robert Kaczmarek, Supervising Accountant.

Item No. 2 Adoption of Local Law #3 of 1999 entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga.



Motion by Councilmember Jaworowicz, Seconded by Councilmember Mazur
to go into executive session.

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



Item No. 3 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak
to adjourn the meeting to Monday, August 30th , 1999 at 6:00 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
ADJOURNED SPECIAL MEETING NO. 19
August 30, 1999

Item No. 1 At an adjourned special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 30th day of August, 1999 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember Patricia A. Jaworowicz
Councilmember Thomas Mazur

Also present were: Richard M. Moleski, Town Clerk; Jim Kirisits, Town Attorney; Bill Conway, Assessor; Jeff Ramelb, Coordinator of Employee Relations; Robert Kaczmarek, Supervising Accountant.

Item No. 2 Motion by Councilmember Rogowski, Seconded by Councilmember Swiatek

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 70 of the Laws of 1999, which authorizes local municipalities to provide a retirement incentive for certain Town employees, and

WHEREAS, Chapter 70 of the Laws of 1999 requires the Town of Cheektowaga to enact a local law to provide such early retirement incentive, and

WHEREAS, a public hearing was held on the 16th day of August, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 99-3 of the Year 1999, entitled "A Local Law enacting a retirement incentive program as authorized by chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga", and

WHEREAS, at such public hearing, the public was given an opportunity to comment on such proposed local law, and

WHEREAS, this Town Board feels it is in the Town's interest to adopt such local law,
NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 3 of the Year 1999, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga, which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED that eligible employees under this retirement incentive are limited to those 16 employees shown on the attached list of Members Eligible for the 1999 Retirement Incentive Program, and BE IT FURTHER

RESOLVED that the Town Clerk shall file one (1) certified copy of this local law in his office, one (1) certified copy with the Secretary of State and one (1) certified copy with the New York State and Local Retirement Systems, Employees' Retirement System, together with the necessary affidavit and list of members eligible, and BE IT FURTHER

RESOLVED that Local Law No. 3 of the Year 1999 shall take effect immediately, upon filing with the Secretary of State.

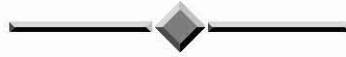


Motion by Unanimous, Seconded by Unanimous
to amend the above resolution, and the voting was as follows:

Item No. 2 cont'd

ADJOURNED SPECIAL MEETING NO. 19
August 30, 1999

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



Motion by Unanimous, Seconded by Unanimous

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 70 of the Laws of 1999, which authorizes local municipalities to provide a retirement incentive for certain Town employees, and

WHEREAS, Chapter 70 of the Laws of 1999 requires the Town of Cheektowaga to enact a local law to provide such early retirement incentive, and

WHEREAS, a public hearing was held on the 16th day of August, 1999 at 7:00 P.M., at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 99-3 of the year 1999, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga", and

WHEREAS, at such public hearing the public was given an opportunity to comment on such proposed local law, and

WHEREAS, this Town Board feels it is in the town's interest to adopt such local law,
NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 3 of the Year 1999, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga", which is attached hereto and made a part hereof, be and the same is here enacted, and BE IT FURTHER

RESOLVED that eligible employees under this retirement incentive are limited to these 18 employees shown on the attached list of Members Eligible for the 1999 Retirement Incentive Program, and BE IT FURTHER

RESOLVED that the Town Clerk shall file one (1) certified copy of this local law in his office, one (1) certified copy with the Secretary of State and one (1) certified copy with the New York State and Local Retirement Systems, Employees' Retirement System, together with the necessary affidavit and list of members eligible, and BE IT FURTHER

RESOLVED that Local Law No. 3 of the Year 1999 shall take effect immediately, upon filing with the Secretary of State.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 3 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek to adjourn the meeting.
Time Adjourned: 6:06 PM.

ADJOURNED SPECIAL MEETING NO. 19
August 30, 1999

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 20
SEPTEMBER 7, 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 7th day of September, 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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Salvatore LaGreca, Chairman of Planning Board; William Conway, Town Assessor; Robert Kaczmarek, Supervising Accountant Patricia Wojcik, Director of Senior Services; John Schaller, Assistant Chief of Police; William Pugh, Town Engineer; Jerome Gabryszak, Director of Community Development; Jeffrey Ramelb, Coordinator of Employee Relations; and Ronald Marten, Building Inspector.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss the increase and improvement of facilities of Sanitary Sewer District No. 5, in the Town of Cheektowaga. The Supervisor directed the Town Clerk to present proof that such notice has been duly published and posted; and upon the order of the Supervisor such proof was filed.

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

II. RESOLUTIONS

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

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

GENERAL FUND

From:	0100-1430-4013	Reference Library	\$ 1,000.00
	0100-1910-4711	Contingency	3,000.00
	0100-1430-1125	Coordinator of Employee Relations	20,000.00
	0100-3120-3820	State Aid	85,895.13
	0100-3120-2205	Grant Line	9,228.00

To:	0100-1430-4001	Office Supplies	\$ 1,000.00
	0100-1410-4111	Publishing Notice	3,000.00
	0100-1430-2501	Office Equipment	20,000.00
	0100-3120-2206	Local Law Enforcement Block Grant	85,895.13
	0100-3120-2206	Local Law Enforcement Block Grant	9,228.00

Upon roll call

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

NAYES: 0

ABSENT: 0

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

**MEETING NO. 20
SEPTEMBER 7, 1999**

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to September 3, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 390,442.93
HIGHWAY FUND	75,092.46
TRUST & AGENCY	20,349.67
PART TOWN FUND	6,475.55
HUD CDBG FUND	101,599.71
RISK RETENTION	53,645.42
HUD HOUSING REHABILITATION FUND	18,017.00
SPECIAL DISTRICTS FUND	307,524.04
CAPITAL FUND	<u>519,001.56</u>
	\$1,492,148.34

Upon roll call

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

Item No. 5a Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Laidlaw Transit, Inc. has petitioned for the rezoning from M1-Light Manufacturing District to MS-Motor Services District of property owned by Cottrell Bus Service, Inc. and located at 100 Gruner Road, Cheektowaga, New York, which property is more particularly described in the legal description published with the Legal Notice of public hearing on this rezoning, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of July, 1999 at 6:30 P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

WHEREAS, the Cheektowaga Planning Board has reviewed such application and has recommended approval thereof subject to the condition that only minor maintenance work be performed on the premises, restricted storage only is allowed and no oil changes or lifts be allowed on the premises, AND

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning,

NOW, THEREFORE BE IT RESOLVED, that the application of Laidlaw Transit, Inc. for the rezoning from M1-Light Manufacturing District to MS-Motor Service District of the property specified in the legal description published in the Legal Notice for the public hearing on this rezoning be and the same is hereby granted subject to the aforementioned conditions recommended by the Cheektowaga Planning Board.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, David L. Manko has petitioned for the rezoning from RA-Apartment District to NS-Neighborhood Services District of property owned by Seneca Creek Development Corp. and located at 2911 William Street, Cheektowaga, New York, which property is more particularly

**MEETING NO. 20
SEPTEMBER 7, 1999**

described in the legal description published with the Legal Notice of public hearing on this rezoning, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of July, 1999 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning,

NOW, THEREFORE BE IT RESOLVED, that the application of David L. Manko for the rezoning from RA-Apartment District to NS-Neighborhood Services District of the property specified in the legal description published in the Legal Notice for the public hearing on this rezoning be and the same is hereby granted, and, BE IT FURTHER

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

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 6 Bond: Increase and Improvement of Facilities of Sanitary Sewer District No. 5

AFFIDAVIT - NEXT PAGE

* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 20
SEPTEMBER 7, 1999

Item No. 7 Motion By Councilmember Jankowiak, Seconded by Councilmember Mazur
Councilmember Johnson

WHEREAS, it is in order that bids be advertised to cover the purchase of Police Undercover 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 Traffic Maintenance 1999 or 2000 Step Van, said notice to be published in the CHEEKTOWAGA TIMES AND, BE IT FURTHER

MEETING NO. 20
SEPTEMBER 7, 1999

RESOLVED, that sealed bids will be received on the 15th day of September 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.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on September 15th, 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 this office in said Town. Any questions regarding this inspection can be directed to Sgt. David Przepiora, Monday through Friday, 7:00 A.M. to 3:00 P.M. at (716) 686-3580.

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.



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, this Town Board previously approved an Investment Policy as the comprehensive investments policy of the Town, AND

WHEREAS, Appendix A of such Investment Policy provides that the Town's Highway Savings and Checking accounts were with Marine Midland Bank, AND

WHEREAS, the Town's Supervising Accountant has recommended that the Town transfer these accounts to Chase Manhattan Bank, NOW, THEREFORE BE IT

**MEETING NO. 20
SEPTEMBER 7, 1999**

RESOLVED, that this Town Board hereby amends Appendix A of the aforesaid Investment Policy to provide that the Town Highway checking and savings accounts are to be placed with Chase Manhattan Bank, effective immediately.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, pursuant to the Clean Water/Clean Air Bond Act of 1996, being Chapter 413 of the Laws of New York of 1996, the New York State Environmental Facilities Corporation (the "Corporation") through the Financial Assistance to villages, towns and cities with a population of less than one million, for small business environmental compliance assistance projects which enhance the quality of the air or waters of the State through compliance with environmental laws and regulations, or to remedy or prevent environmental deficiencies; AND

WHEREAS, the governing body of the Town of Cheektowaga (hereinafter, the "Municipality"), after due consideration, has determined that participation in the FAB Program is desirable in the public interest;

NOW, THEREFORE BE IT RESOLVED, BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA AS FOLLOWS:

1. The filing of an application, or applications, with the Corporation for financial assistance under the FAB Program in the form required by the Corporation is hereby authorized, including all understandings and assurances contained in said application.

2. The individual holding the following office is directed and authorized as the official representative of the Municipality to identify entities that will participate in the FAB Program, to execute and deliver said application(s), to execute and deliver any other documents necessary for participation in the FAB Program, to provide such additional information as may be required, and to take all actions on behalf of the Municipality as may be required in order to effectuate the intent and purpose of this resolution: Supervisor Dennis H. Gabryszak.

3. The corporation is hereby authorized, on behalf of the Municipality to deliver payments made pursuant to the FAB Program directly to the entities identified above, or such further entities as may from time to time be named by the individual identified in paragraph 2 above.

4. A certified copy of this resolution shall be prepared and delivered to the Corporation as part of said application.

5. This resolution shall take effect immediately.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga, as a member of the Amherst-Cheektowaga-Tonawanda HOME Investment Partnership Program Consortium, the Town received HOME Program funds through the Town of Amherst for housing rehabilitation and a first-time home-buyers program, AND

WHEREAS, additional funding is recommended for the first-time homebuyers program in order to meet the need generated by said program, AND

WHEREAS, the Director of Community Development has recommended the Town request the Amherst-Cheektowaga-Tonawanda HOME Consortium to reallocate funds in an amount of

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up to \$150,000 to the Town's first-time homebuyers program from its housing rehabilitation program allocation within the HOME Consortium budget, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby requests the Town of Amherst, as lead community for the Amherst-Cheektowaga-Tonawanda HOME Consortium, to reallocate transfer an amount of up to \$150,000 to the Town's First-Time Homebuyers Program within the HOME Consortium budget.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Villa Maria Academy High School has requested to use the Town soccer field behind the Police and Court Building for its soccer games on the following referenced dates:

Friday, September 10, 1999 at 4:00 P.M.
Saturday, September 18, 1999 at 11:00 A.M.
Thursday, September 30, 1999 at 4:00 P.M.
Monday, October 4, 1999 at 4:00 P.M.
Monday, October 25, 1999 at 4:00 P.M.

Tuesday, September 14, 1999 at 4:00 P.M.
Tuesday, September 28, 1999 at 4:00 P.M.
Saturday October 2, 1999 at 11:00 A.M.
Tuesday, October 19, 1999 at 4:00 P.M.

AND,

WHEREAS, Villa Maria Academy has also requested permission to utilize Stiglmeier Park on Thursday, September 30, 1999 and Thursday, October 21, 1999 for its cross-country track meets, AND

WHEREAS, the Department of Youth and Recreational Services and Facilities Department have reviewed these requests and has no objection to same, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby authorizes the aforementioned utilization of the soccer field behind the Police and Court building and Stiglmeier Park by Villa Maria Academy High School on the above referenced dates.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the compatibility of such application with the zoning regulations, Town Master Plan and neighborhood character, AND

Item No. 12a cont'd.

WHEREAS, the Town Board, pursuant to the Zoning Law of the Town of Cheektowaga, is required to affirm, modify or reject any recommendations submitted to it by the Planning Board, AND

WHEREAS, an application was submitted by Amigone Ventures Inc. for the expansion of the parking lot for the existing Amigone Funeral Home at 569 Cleveland Drive, AND

WHEREAS, the expansion of the parking lot involved the demolition of a house at 567 Cleveland Drive, AND

WHEREAS, the Planning Board, at its meeting held on July 8, 1999 rendered the determination shown on the attached memo dated August 5, 1999, AND

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

RESOLVED, that this Town Board, determines that the project site plan is acceptable.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the compatibility of such application with the zoning regulations, Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board pursuant to the Zoning Law of the Town of Cheektowaga, is required to affirm, modify or reject any recommendations submitted to it by the Planning Board, AND

WHEREAS, an application was submitted by George Ladas with a revised site plan for 1551 Harlem Road, the former Seneca Texas Hots, AND

WHEREAS, the revisions include improved on-site traffic movements and elimination of one driveway to Harlem Road, AND

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WHEREAS, the Planning Board, at its meeting held on July 8, 1999 rendered the determination shown on the attached memo dated August 5, 1999, AND

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

RESOLVED, that this Town Board, determines that the revised project site plan is acceptable.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 13 Cleanup of Property Located at 49 Sugnet Avenue
This item was withdrawn.

Item No. 14 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.

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<u>VEHICLE MAKE & YEAR</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
1999 Ford	AA 5167	351
1999 Ford	AA 5166	522
1999 Ford	AA 5164	531
1999 Ford	AA 5165	564
1999 Ford	AA 5168	517

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, grant monies are available from the New York State Office of Mental Retardation and Development Disabilities, AND

WHEREAS, the Town of Cheektowaga Department of Youth, Parks, and Recreational Services Adapted Recreation Program seeks grant monies to purchase and install a fence to surround the playground adjacent to the Alexander Street Community Center, 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 Office of Mental Retardation and Development Disabilities 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 to the acquisition of said funding.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 15b Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, New York State Electric & Gas Corporation has requested an easement from the Town of Cheektowaga over Town-owned property located at 171 Central Boulevard to erect a pole and anchor, AND

Item No. 15b cont'd.

WHEREAS, the Town Engineer and Superintendent of the Wastewater Pump Station have reviewed this matter and have no objection to the granting of this easement, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby authorizes and directs the Supervisor to execute NYSEG's easement form and, BE IT FURTHER

RESOLVED, that this resolution is subject to 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 Subject to Permissive Referendum in the CHEEKTOWAGA TIMES.



NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

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NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on September 7, 1999, adopted a resolution authorizing the Town of Cheektowaga to grant an easement over Town-owned property located at 171 Central Boulevard in the Town to New York State Electric & Gas Corporation.

A copy of such easement is on file in the Town Clerk's Office where the same may be examined 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: September 7, 1999

Richard M. Moleski
Town Clerk



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

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

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

WHEREAS, the Community Development Office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property located at 219 Lackawanna Street in an amount not to exceed \$35,000, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement with the owner of the property located at 219 Lackawanna Street, Sloan, New York, for a housing rehabilitation loan not to exceed \$35,000.

Upon roll call

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

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

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

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

WHEREAS, the Community Development Office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property located at 150 Seminole Parkway in an amount not to exceed, \$28,470, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement with the owner of the property located at 150 Seminole Parkway, Cheektowaga, New York, for a housing rehabilitation loan not to exceed \$28,470.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 16 Motion 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

DOG CONTROL OFFICE

Jason Scott XXXXXXXXXXXXXXXXXXXX, Depew XXXXXX Immediately

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 17a 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 Town of Cheektowaga Employees Association:

EFFECTIVE

D.A.R.E. PROGRAM - Clerk - \$6.00 per hour

Cynthia Trapper XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX Immediately

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 17b Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, Jamie Holtz, a participant in the Canisius Earning Excellence Program (CEEP) for the Fall of 1999, has requested an internship with the Town of Cheektowaga Justice Court, AND

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WHEREAS, said salary for this position has been established at \$8.00 per hour, of which \$4.00 of the student's 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 XXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX, be and hereby is hired as a Fall Intern in the Justice Court retroactive from August 20, 1999 to and including January 6, 2000, out of Justice Court Budget #0100-1110-1492.

Upon roll call

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

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

WHEREAS, the New York State Assessor's Association is conducting a seminar on Assessment Administration at Kutsher's Hotel, Monticello, New York on September 14 through September 17, 1999, AND

WHEREAS, said seminar is administered by the New York State Board of Real Property Services for Assessors to obtain continuing education credits, AND

WHEREAS, expenses are not to exceed \$700.00 and reimbursement of part of the expenses will be made by the New York State Board of Real Property Services, NOW, THEREFORE BE IT

RESOLVED, that William R. Conway, Assessor, be and hereby is authorized to attend said seminar on September 14 through September 17, and BE IT

FURTHER RESOLVED, that the registration fee and all other reasonable expenses, not to exceed \$700.00, incurred by William R. Conway be paid by the Town from budget line account #0100-1355-4082.

Upon roll call

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

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

WHEREAS, the New York State Office of Court Administration will be holding a continuing Judicial Education program in Buffalo, New York on October 10-13, 1999, AND

WHEREAS, Town Justices Thomas E. Kolbert and Ronald E. Kmiotek have requested permission to attend said Judicial Education program, AND

WHEREAS, basic and advanced certification courses will be given at said program and will be used toward satisfying the judicial education requirements for Town Justices, NOW, THEREFORE BE IT

RESOLVED, that Town Justices Thomas E. Kolbert and Ronald E. Kmiotek be and hereby are authorized to attend the aforementioned continuing Judicial Education program and, BE IT FURTHER

RESOLVED, that all necessary and reasonable expenses for attending such program be reimbursed to said Town Justices from Budget Line item Number 0100-1110-4082, not to exceed \$500.00

Upon roll call

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

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Item No. 18c Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, the National Center for Continuing Education is offering an intensive one-day seminar on "How to Use the Internet for Legal Research" in Rochester, New York on October 1, 1999, AND

WHEREAS, Deputy Town Attorney Kevin G. Schenk has requested permission to attend this seminar, AND

WHEREAS, this seminar will provide state-of-the-art information about how to use the Internet and other on-line services for legal research access to the courts and government agencies, AND

WHEREAS, the attendance of Kevin Schenk at this seminar will be valuable to the Town, NOW, THEREFORE BE IT

RESOLVED, that Kevin G. Schenk be and hereby is authorized to attend the aforesaid seminar and, BE IT FURTHER

RESOLVED, that the Town shall pay the registration fee for such seminar, \$395, and reimburse Kevin Schenk for mileage in attending this seminar, out of 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. 18d Motion By Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, the New York State Water Environment Association (NYWEA) is sponsoring a one (1) day conference covering topics relating to the operation and maintenance of sanitary sewer collection facilities including Elimination Rainfall Induced Infiltration/Inflow, Optimization of Sewer System Overflows and USEPA Regulations, Residential Backflow Prevention-Case Study, Pump Maintenance and Hazards Awareness, which topics are relevant to responsibilities related to the Town's operation of its sanitary sewer systems, AND

Item No. 18d cont'd.

WHEREAS, this conference is a very beneficial continuing education opportunity to enhance and support the Town's program of effective management of its sewer district facilities, NOW, THEREFORE BE IT

RESOLVED, that Larry Golas, Superintendent of the Main Pump Station, Allan Blachowski, Principal Engineer Assistant, Mark Christel, Senior Engineer Assistant and William Pugh, Town Engineer be and hereby are authorized to attend said conference on September 14, 1999 at the Buffalo Marriott Hotel in Amherst, New York at a cost of \$95.00 per attendee and are further authorized to utilize a Town vehicle for travel to and from said conference and, BE IT FURTHER

RESOLVED, that funding for said conference shall be chargeable to Account Nos: 2500-8135-4087 and 0100-1440-4088.

Upon roll call

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

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

WHEREAS, the New York State Emergency Management Association (NYSEMA) will be holding its annual meeting on September 13, 1999 in Syracuse, New York, AND

WHEREAS, the New York State Disaster Conference will be held on September 14-15, 1999 in Syracuse, New York, AND

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WHEREAS, Earl Loder, the Town's Disaster Coordinator, has requested permission to attend these conferences, AND

WHEREAS, the State Emergency Management office (SEMO) will pay 50±% of the cost for Mr. Loder to attend these conferences, AND

WHEREAS, SEMO requires the Town's Disaster Coordinator to attend these conferences in order for the Town to receive matching funds, NOW, THEREFORE BE IT

RESOLVED, that Earl Loder be and hereby is authorized to attend the aforementioned conferences and to utilize his Town vehicle to go to and from such conferences and, BE IT FURTHER

RESOLVED, that the Town's costs for Mr. Loder to attend these conferences, in an amount not to exceed \$300.00, shall be appropriated from budget line item number 0100-1220-4008.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the office of Court Administration will be conducting a Seminar for Town Court Clerks on October 10, 11 and 12, 1999 in Fallsview, New York, AND

WHEREAS, the Cheektowaga Town Justices have requested permission for two court clerks, Sandra Stapleton and Rose Marie Paa to attend this seminar, AND

WHEREAS, said seminar would provide such court clerks with up-to-date information on recordkeeping, criminal disposition reporting, new legislation, small claims and civil matters, NOW, THEREFORE BE IT

Item No. 18f cont'd.

RESOLVED, that court clerks, Sandra Stapleton and Rose Marie Paa be and hereby are authorized to attend such seminar and, BE IT FURTHER

RESOLVED, that the reasonable and necessary expenses for attending such seminar shall be reimbursed to said court clerks out of budget line number 0100-1100-4082, not to exceed \$500.00

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga has initiated a Facada Improvements program for the revitalization of Walden Avenue between Harlem Road and Buffalo City-line, AND

WHEREAS, in conjunction with said project, the Town has previously engaged the services of Mussachio Architects for professional services related to the Walden Facade Improvements Program, AND

WHEREAS, the Town wishes to continue to utilize the services of said firm for the Walden Facade Improvements Program, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute a contract modification and extension, pursuant to said architect's proposal dated August 31, 1999, in an amount not to exceed \$10,000 with Mussachio Architects, 30 North Forest

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Road, Williamsville, New York 14221, for the Walden Facade Improvements program, said extension and modification effective for the period ending September 1, 2000, and BE IT

FURTHER RESOLVED, that said contract costs be paid from Community Development Block Grant funds.

Upon roll call

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

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

WHEREAS, C & S Engineers, Inc. was previously retained by the Cheektowaga Economic Development Corporation (CEDC) and Ciminelli Development Company under the auspices of the Walden Commerce Exchange Joint Venture to prepare a preliminary engineering design and feasibility analysis for infrastructure improvements for the Walden Commerce Exchange Project, AND

WHEREAS, this Town Board has previously approved issuance of municipal bonds to finance infrastructure improvements associated with the development of the Walden Commerce Exchange, including highway construction, storm sewer improvements, street lighting, water line extension and sanitary sewer extension, AND

WHEREAS, in order to proceed with public bidding of the aforesaid Walden Commerce Exchange improvements it is necessary to develop final design drawings, bid documents and finalize review and approval of project design elements requiring outside agency approval, NOW, THEREFORE BE IT

Item No. 19b cont'd.

RESOLVED, that the proposal of C & S Engineers, Inc., as submitted to the Town Engineer and dated June 23, 1999, which provides for the development of final design plans and specifications for infrastructure improvements, and bid phase services including agency coordination, be and hereby is approved and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign said consulting agreement for the preparation of the aforesaid design plans and bid documents and, BE IT FURTHER

RESOLVED, that funding for professional services in an amount not to exceed \$28,500 is to be chargeable to Account #5915-1440-9916 and Community Development Block Grant CDBG funds as appropriate.

Upon roll call

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Building Permits
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 21a Notice of Order: Orders the Installation of Traffic Control Signal 566 on Genesee Street, Route 952A, SH 1212, at its Intersection with Ellwood Place and Toelsin Road.
Received and Filed.

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- Item No. 21b Notice of Order: Orders the Removal of a Stop Sign on Toelsin Road at its Intersection with Genesee Street.
Received and Filed.
- Item No. 21c Notice of Order: Orders the Removal of Signal 240 Located on Genesee Street at Beryl Drive.
Received and Filed.
- Item No. 22 Summons and Complaint: Burton G. Denning, Jr. and Susan Denning vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 23a Notice of Claim: Ken Pepke vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 23b Notice of Claim: Diana M. Koczon-Seifert vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 23c Notice of Claim: Ernelle Ponivas vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 23d Notice of Claim: Rita Jankowski vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 23e Notice of Claim: David J. Borynski vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 23f Notice of Claim: Diane Nowak vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 23g Notice of Claim: Eugene Czajkowski vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 23h Notice of Claim: Joseph Bosiacki vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.

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- Item No. 24a Notice of Petition: API Basco, Inc., c/o American Precision Industries vs. the Assessor, Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24b Notice of Petition: Patricia Apa vs. the Assessor and the Board of Assessment Review.
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24c Notice of Petition: Ames Department Stores, Inc. vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24d Notice of Petition: Buffalo Inn Associates, c/o Richfield Hospitality Services, Inc.; RHM Operating, LLC vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24e Notice of Petition: Cello-Pack Corporation vs. the Assessor and the Board of Assessment Review
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24f Notice of Petition: Chase Bank vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24g Notice of Petition: Calspan Corporation vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24h Notice of Petition: Carrols Corp. vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24i Notice of Petition: Carrols Corp. vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24j Notice of Petition: Garden Gate Manor vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga.
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24k Notice of Petition: General Mills Restaurant, Inc. vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24l Notice of Petition: Robert Mariacher vs. the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.

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- Item No. 24m Notice of Petition: May Department Stores Company, d/b/a Kaufmann's Department Store vs. the Assessor and the Board of Assessment Review
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24n Notice of Petition: May Department Stores Company, d/b/a Lord & Taylor vs. the Assessor and the Board of Assessment Review
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24o Notice of Petition: Musarra Realty Holding Company, Ltd., Musarra Management and Investment Company, Ltd., Arthur F. Musarra, Arthur F. Musara and Eva M. F. Musarra, Arthur FPA DuC Musarra, Claudette R. M. Musarra, Diane M. F. Musarra Schwach, DMFS Trust; and Arthur F. Musarra and Trustees DMFS Trust vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga.
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24p Notice of Petition: National car Rental vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24q New York State Electric & Gas Corporation vs. the Board of Assessment Review and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24r Notice of Petition: Niagara Frontier Transportation Authority vs. the Assessor and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24s Notice of Petition: Niagara Mohawk Power Corporation vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24t Notice of Petition: G.G. Zent Corp. and Gary and Gail F. Silberstein vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24u Notice of petition: Prime Hospitality Corp. vs. the Assessor and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24v Notice of Petition: Quebecor Printing Buffalo, Inc. (Arcata Graphics Buffalo GMTA Corp.) vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24w Notice of Petition: Reichold Chemicals vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.

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- Item No. 24x Notice of Petition: Rite Aid of New York vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24y Notice of Petition: Christine Robb vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24z Notice of Petition: TOK Properties, Inc. vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24aa Notice of Petition: US Foodservice vs. the Assessor, the Board of Assessment Review, and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24bb Notice of Petition: Betteann Umof vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga
Copies were sent to: Assessor's Office
Received and Filed.
- Item No. 24cc Notice of Petition: James V. Welch vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Copies were sent to: Assessor's Office
Received and Filed.



MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER MAZUR 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



V. SUSPENSION OF RULES

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

WHEREAS, by resolution dated August 30, 1999, this Town Board approved Local Law No. 3 of the Year 1999, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 70, Laws of 1999, for the eligible employees of the Town of Cheektowaga", AND

WHEREAS, in said resolution, this Town Board approved a list of 18 employees who are eligible to participate in the retirement incentive program, AND

WHEREAS, it now appears that other Town employees are interested in retiring under the aforesaid Retirement Incentive Program, AND

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WHEREAS, the Town will still realize at least a 50% savings if these additional employees retire under the Retirement Incentive Program, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby amends the aforesaid list of employees eligible for the 1999 Retirement Incentive Program of the Town of Cheektowaga by adding thereto the following names:

Louis Costrino
Ronald Marten
Linda Porter
Frank Klima
Kenneth Maksymik

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is direct to forward an amended list of Members Eligible for the 1999 Retirement Incentive Program to the New York State and Local Retirement System.

Item No. 25 cont'd.

Upon roll call

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

Item No. 26 Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, a seasonal supervisor in the Pre-K Program has notified the Youth and Recreational Services Department that she is resigning to accept a full-time position,

BE IT RESOLVED, that the following employee be and hereby is elevated as a seasonal Recreation Leader in the Youth and Recreation Department effective immediately:

Pre-K - 7140.1664

Level IV - \$7.15

Nicole J. Pidanick XX

Upon roll call

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

Item No. 27 Motion By Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, a Notice to Bidders was published for the receipt of bids for the purchase of one (1) air compressor for the Sewer Maintenance Department, which bids were duly received and opened on September 1, 1999 at 11:00 A.M. by the Town Clerk, AND

WHEREAS, said bids were refereed to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated September 2, 1999, AND

WHEREAS, said letter recommends that the bid for the purchase of the air compressor be awarded to ADMAR Supply Company, Inc., 1394 Military Road, Tonawanda, New York 14217-1318 for their low bid price of \$8,990.00 and, BE IT FURTHER

RESOLVED, that funds for said purchase are budgeted in Account #2500-8125-02-2505.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, Theodore B. Kulbacki has made application and requested the rezoning from R-Residential District and NS-Neighborhood Services District to RSC-Residential Senior Citizen Housing District for property located at 5074 Transit Road, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on September 20, 1999 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway, at the corner of Union Road.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

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Item No. 29 Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, pursuant to the Environmental Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee ("EAC") reviews various applications for building permits, rezonings, special permits, etc. and renders it 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 New Penn Motor Express, Inc. to redevelop 6640 Transit Road, AND

WHEREAS, the project will involve the demolition of the 10,000 s.f. Stott Davis truck terminal and construction of a 21,763 s.f. truck terminal, AND

WHEREAS, the applicant has maintained freshwater wetlands located on the site, included extensive landscaping to improve the aesthetics visible to the motoring public and provided concrete curbing within the parking lot, AND

WHEREAS, the New York State Thruway Authority required a number of items including a 6' fence, illumination analysis and elimination of a minor encroachment, all of which the applicant has agreed to, AND

WHEREAS, the Advisory Committee, at its meeting held on July 28, 1999 rendered the determination shown on the attached memo dated July 29, 1999, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 20
SEPTEMBER 7, 1999

Item No. 30 Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, a vacancy exists in the title of Traffic Signal Technician 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

WHEREAS, John Duggan, Jr., has applied for the position and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that John Duggan, Jr. of XXXXXXXXXXXXXXXXXXXX, Hamburg, XXXXX, be and hereby is appointed provisionally to the position of Traffic Signal Technician in the Police Department, at a rate of \$16.624 per hour, pending the results of the civil service examination, and in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association and, BE IT

FURTHER RESOLVED, that John Duggan, Jr.'s appointment shall become effective by October 1, 1999, and will establish residency in the Town of Cheektowaga within 6 months of his starting date.

Upon roll call

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

Item No. 31 Motion By Councilmember Swiatek, Seconded by Councilmember Jaworowicz
Councilmember Jankowiak

WHEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Police Club, Inc. requires that any modification of the terms thereof be "in writing", AND

WHEREAS, Councilmember Jeff Swiatek, as Chairman of the Labor Committee has successfully negotiated a temporary suspension of section 3.07 of the aforesaid agreement, covering the front desk assignment of sergeants, so that the Town might complete the training of civilian replacements for such sergeants,

NOW, THEREFORE BE IT RESOLVED, that the Supervisor be and he hereby is authorized to sign a Memorandum of Agreement relating to the temporary suspension of section 3.07 of the collective bargaining agreement between the Town and the Cheektowaga Police Club, Inc.

Upon roll call

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

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Item No. 32 Motion By Supervisor Gabryszak, Seconded by Unanimous to adjourned this meeting in memory of Frank Lojacono, long time resident of Cheektowaga, and Peter Wojtaszek, a former trustee of the Village of Sloan. This meeting was adjourned at 8:25 P.M.

TOWN OF CHEEKTOWAGA
MEETING NO. 21
September 20, 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 20th day of September, 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; Bruce Chamberlin, Chief of Police; Bill Pugh Town Engineer; Ron Marten, Supervising Building and Plumbing Inspector; Jeff Ramelb, Coordinator of Employee Relations; Sal LaGreca, Planning Board Chairman; Robert Kaczmarek, Supervising Accountant; Bruce Chamberlin, Chief of Police.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss the matter of "Increase and Improvement of Facilities of Sanitary Sewer District No. 5, in the Town of Cheektowaga, in the County of Erie, New York pursuant to Section 202-b of the Town Law". hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; See Item No. 5 for decision.

II. RESOLUTIONS

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

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

GENERAL FUND

FROM:	0100-7140-1651 Theater	\$ 725.00
	0100-7140-1651 Theater	265.00
	0100-7140-1651 Theater	\$4,960.00
	0100-7140-1648 Arts & Crafts Rotation	140.00
	0100-7140-1631 Cedargrove Camp	2,190.00
	0100-7310-4687 Child & Family Services	4,965.00
	0100-7310-4677 Catholic Charities - Drop Out	1,350.00
	0100-1410-1391 Part Time Clerical	3,000.00
	0100-1355-4411 Petition Filing Refunds	150.00
TO:	0100-7140-1625 Lacrosse	\$ 725.00
	0100-7140-1633 Softball	265.00
	0100-7140-1636 Soccer	\$4,960.00
	0100-7140-1645 Sports Rotation	140.00
	0100-7140-1646 Sports Camp	2,190.00
	0100-7310-2501 Office Equipment	4,965.00
	0100-7310-2501 Office Equipment	1,350.00
	0100-1410-1491 Dog Enumerators Clerical	3,000.00
	0100-1355-4082 Conferences & Seminars	150.00

Item No. 3 cont'd

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PART TOWN FUND

FROM: 0800-3620-1391 Part Time Clerical	\$ 32,140.00
TO: 0800-3620-1374 Building & Zoning Clerk	\$ 32,140.00

SPECIAL DISTRICTS FUND

FROM: 1500-9950-9901 Transfers Out	\$730,921.00
TO: 1500-8160-4469 Landfill Costs	\$730,921.00

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to September 17, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 976,739.88
HIGHWAY FUND	280,390.59
TRUST & AGENCY	1,245.00
PART TOWN FUND	19,359.26
HUD CDBG FUND	92,866.17
HUD RENTAL REHABILITATION FUND	5,608.00
RISK RETENTION FUND	19,773.10
DEBT SERVICE FUND	777,233.00
HUD HOUSING REHABILITATION FUND	16,460.19
SPECIAL DISTRICTS FUND	3,866,646.12
CAPITAL FUND	86,715.87
	<u>\$6,143,037.18</u>

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

Item No. 5 Resolution and Order after Public Hearing - Increase & Improvement of Facilities of Sanitary Sewer District #5.

**SEE NEXT PAGE(S) for ATTACHMENT

AFFIDAVIT - NEXT PAGE

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

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various applications for building permits, rezonings, special permits, etc. and renders its

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recommendation concerning the compatibility of such application with the zoning regulations, Town Master Plan and neighborhood character, and

WHEREAS, the Town Board, pursuant to the Zoning Law of the Town of Cheektowaga, is required to affirm, modify or reject any recommendations submitted to it by the Planning Board, and

WHEREAS, an application was submitted by Don Parrino with a revised site plan for 777 Aero Drive, corner of Rein Road, and

WHEREAS, the revisions include improved on-site traffic movements, additional green area and the elimination of the driveway to Aero Drive, and

WHEREAS, the Planning Board, at its meeting held on August 12, 1999 rendered the determination shown on the attached memo dated September 2, 1999, and

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

RESOLVED that this Town Board, determines that the revised project site plan is acceptable.

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

NAYES: 0

ABSENT: 0

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

Item No. 7 Motion by Councilmember Mazur, Seconded by Councilmember Johnson

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

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WHEREAS, the Cheektowaga Central School Senior Student Council has made application to hold its Homecoming Parade on September 24, 1999 from 6:00 - 8:00 p.m., beginning on South Creek Drive to Nagel Drive to Zoerb Avenue to Union road to Cheektowaga Central, and

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Central High School Senior Student Council, which application has been approved by the Police Department, and has no objection to same, and

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

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Cheektowaga Central H.S. Senior Student Council for its Homecoming Parade to be held on September 24, 1999 and BE IT FURTHER

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

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

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

WHEREAS, the Town has previously approved an agreement with Be-A-Friend Program, Inc. which is scheduled to expire on September 30, 1999, and

WHEREAS, funds authorized under the current agreement have not yet been fully utilized, and

WHEREAS, Be-A-Friend Program, Inc. has requested an extension for time of the existing agreement in order to complete the services provided for therein, and

WHEREAS, the Director of Community Development has recommended an extension of said agreement for a period of one year from the date of original expiration, NOW, THEREFORE, BE IT

RESOLVED that the Agreement between the Town of Cheektowaga and Be-A-Friend Program, Inc., dated October 1, 1997, be and hereby is extended to September 30, 2000, said action authorizing an extension for time only, and BE IT FURTHER

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

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

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

WHEREAS, the County of Erie Department of Environment and Planning ("ECDEP") periodically holds household hazardous waste collection days in different locations in Erie County, and

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WHEREAS, on these household hazardous waste collection days, Erie County residents are allowed to bring their household hazardous wastes to the specified site for disposal at no cost to them, and

WHEREAS, these household hazardous waste collection days provide a safe environmentally friendly way to dispose of these hazardous wastes, and

WHEREAS, the ECDEP and the Erie County Environmental Education Institute, Inc. ("ECEEI") have agreed to hold a Household Hazardous Waste Collection Event on **Saturday, October 23, 1999 from 9:00 A.M. to 2:00 P.M.** at the Cheektowaga Sanitation Garage, and

WHEREAS, the ECDEP has requested the Town to execute the attached Memorandum of Understanding with the ECEEI in order to hold this event, and

WHEREAS, this Board feels that this event will be of benefit to the taxpayers of the Town of Cheektowaga and to the environment, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Memorandum of Understanding with the ECEEI, and BE IT FURTHER

RESOLVED that the Town's costs for participating in this project shall be appropriated from budget line item 1500-8160-4467, and BE IT FURTHER

RESOLVED that the Town Highway Superintendent be and hereby is directed to make arrangements for 15 Town employees to help with traffic control and the collection of wastes for this event as per this agreement.

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

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

Item No. 8c Authorize Supervisor to sign Municipal Cooperative Agreement
This item was withdrawn.

Item No. 9 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Police Department is requesting authorization to dispose of obsolete computer equipment. They have migrated over the past few years to PC Server based equipment.

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Several attempts have been made to find an after market re-seller to purchase equipment, but have been unsuccessful, NOW, THEREFORE, BE IT

RESOLVED that the Police Department is authorized to dispose of the attached list of equipment.

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

NAYES: 0

ABSENT: 0

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

Item No. 10 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

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hereby are accepted and approved, for a period to expire upon the expiration of such ambulance driver(s)/attendant(s) Emergency Medical Technician ("EMT") card, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is authorized, empowered and directed to issue new/renewal licenses to the driver(s)/attendant(s) set forth on the annexed schedule, pursuant to the terms of this resolution.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Motion by Councilmember Jankowiak, Seconded by Councilmember Mazur
to dispense with the reading of the names for Item 11A and 11B, and the voting was
as follows:

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

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Item No. 11a 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:

Ruben Acosta	Christopher Meszaros
Michael Boland	Allison Montroy
Jeff Brado	Scott Morris
Todd Bush	Rebecca Murray
Suzanne Brucz	Amy Owens
Jeff Brych	Michael Pawlowski
Alissa Cianflone	Christopher Pew
Kyle Eich	Robert Proehl
Amy Erhardt	Paul Ray
Erin Finn	Larry Roedl
Paul Gasiewicz	Lea Rusiniak
Robert Gladwell	Erik Reinhemer
Nicholas Goff	Nichole Ritzenhaler
Donna Griesse	Lisa Robida
Jason Helmbrecht	David Schiess
Julie Isch	Tammy Schumacher
Jilliam Jasinski	Sara Sinclair
Jocelyn Jones	Joanna Stein
Anthony Kalisz, III	Michael Tyszka
Derrick Kowal	Amy Trzaska
Jeremy Kowal	Amy Wojdyla
John Kulesz	Maria Vannelli
Angela Kilger	Jennifer Wagner
Katherine Lewis	Amy Wetmore
Samantha McManus	Samantha Wood
Jonathan Menczynski	Adam Zakrzewski

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

Item No. 11b 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>SENIOR SERVICES</u>	<u>EFFECTIVE</u>
Richard Mazur	Immediately
 <u>FACILITIES DEPARTMENT</u>	
Joshua Bauer	Immediately
John Boloszio	"
Patrick Nagy	"
Adam Nagy	"
Denise Jerge	"

Item No. 11b cont'd

<u>RECYCLING DEPARTMENT</u>	
Jeffrey Speaker	08/21/99
Daniel Barone	08/28/99
Thomas Porto	08/21/99
William Cobb	08/28/99

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

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ABSENT: 0

Item No. 12a Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, a temporary vacancy exists in the position of Account Clerk-Typist in the Facilities Department, and

WHEREAS, a 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, Amy Wielinski, currently employed as a part-time Clerk in the Facilities Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Amy Wielinski of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of temporary Account Clerk-Typist in the Facilities Department in accordance with the terms and conditions of the town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective September 13, 1999.

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

Item No. 12b Appointment to position of Network Coordinator in Police Department
This item was withdrawn.
(See item No. 24, under Suspension of Rules)

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

WHEREAS, the term of William B. Giambra as a member of the Board of Assessment Review of the Town of Cheektowaga will expire on September 30, 1999, and

WHEREAS, William B. Giambra has performed his duties as a member of the Board of Assessment Review in an exemplary manner, and

WHEREAS, this Board is desirous of retaining William B. Giambra as a member of the Board of Assessment Review, NOW, THEREFORE, BE IT

RESOLVED that William B. Giambra of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is reappointed as a member of the Board of Assessment Review of the Town of Cheektowaga for a term ending September 30, 2004.

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

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

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

Rink Personnel - 7140.1611

Recreation Attendant V - \$6.15

Kenneth Swain XXXXXXXXXXXXXXXXXXXX

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

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NAYES: 0
ABSENT: 0

Item No. 14b Motion 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:

		<u>EFFECTIVE</u>
<u>POLICE DEPARTMENT - Clerk \$6.00 per hour</u>		
Jennifer Anne Jankowski	XXXXXXXXXXXXXXXXXXXX, Depew, XXXXX	Immediately
Melissa Jankowski	XXXXXXXXXXXXXXXXXXXX, Depew, XXXXX	"
<u>POLICE DEPARTMENT - Crossing Guard - \$7.107 per hour</u>		
Patricia E. Breton	XXXXXXXXXXXXXXXXXXXX, Chktg., XXXXX	Immediately
AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur	
NAYES:	0	
ABSENT:	0	

Item No. 15 Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

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

		<u>EFFECTIVE</u>
<u>FACILITIES DEPARTMENT - Laborer - \$6.00 per hour</u>		
James Eller	XXXXXXXXXXXXXXXXXXXX, Chktg., NY XXXXX	Immediately
Sean O'Brien	XXXXXXXXXXXXXXXXXXXX, Chktg., NY XXXXX	"
<u>RECYCLING DEPARTMENT - Laborer - \$7.00 per hour</u>		
Daniel Drozdziel	XXXXXXXXXXXXXXXXXXXX Chktg., NY XXXXX	Immediately
AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur	
NAYES:	0	
ABSENT:	0	



Motion by Councilmember Rogowski, Seconded by Councilmember Mazur to dispense with the reading of the names in Item No. 16, and the voting was as follows:

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

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

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

Part-time

Brian Anken	Christopher Mahalic
Steven Ciemchloch	Randy Matuszewski
Jacques Desjardins	Mary Murphy
Marissa Fallacaro	Peter Odrobina
Chris Galley	Mark Ostempowski
Debbie Garrison	Jay Paradowski
Amie Godzich	Tony Pierino

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Eric Godzich	Eugene Pytlewski
Danielle Kasuba	Jillian Pytlewski
Adam Kehrer	Cher Stucke
Elena Kehrer	Dale Wesolowski
Colleen Keiser	Jason Wheeler

Rink Personnel - 7140.1611

Recreation Attendant II - \$5.40

Robert Halter
Christopher Garcea (transfer from 7180.1903)

Recreation Attendant III - \$5.65

Brian Pane (7140.1611/7310.1803)

Recreation Attendant IV - \$5.90

Michelle Diehl

Recreation Instructor V - \$6.15

Wilmer Froman (7140.1611/7140.1640)
Kim Michalak

Recreation Attendant VI - \$6.40

Thomas Goff
Michael Rainville (7140.1611/7140.1803)

Recreation Attendant - 7140.1614

Recreation Attendant I - \$5.15

Evan Zynda
(transfer from 7180.1903)

Jeremy Hoffman
(transfer from 7310.1810)

Recreation Attendant II \$5.40

Kathy Gibbs
Andrea Ketterl (7140.1614/7140.1613/7140.1651)
Rob Swiatkowski

Recreation Attendant III - \$5.65

Joelle Pantling

Recreation Attendant IV - \$5.90

Lori Burdzy

Recreation Attendant V - \$6.15

George Hunger
Craig Mahalic (7140.1614/7140.1613/7310.1814)

Item No. 16 cont'd

Recreation Supervisor I - \$6.40

Jennfier Garrison (7140.1614/7140.1664)

Recreation Supervisor I - \$6.40 - 7140.1614

Recreation Attendant V - \$6.15 - 7140.1613/7140.1651
Jill Zarazinsk

Recreation Supervisor II - \$6.65 - 7140.1614/7140.1651

Recreation Attendant V - \$6.15 - 7310.1814
Mindy Greenauer

Recreation Supervisor II - \$6.65

Jill Matuszewski (7140.1614/7140.1613/7140.1651)

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Recreation Supervisor III - \$6.90
Dawn Smith
Dawn Zilbauer

Arts and Crafts - 7140.1613

Activity Director III - \$7.40
Cameille Russell

Transfer from Camp Crabapple to Adapted Recreation Program - 7310.1803

Activity Director II - \$7.15
Kristen Catalano

Transfer from Camp Crabapple to 7310.1803

Barbara Walters
Magdalena Wnuk
Timothy Zgliczynski

Transfer from Camp Flamingo to 7310.1803

Matthew Arnold	Christina Karlinski
Kathryn Astran	Heather Menchini
Barbara Czaplicki	Paula Panasiewicz
Jennifer Etzel	Pamela Szeffler
Deborah Ann Fleetwood	Melissa Uhteg
Timothy Isch	Kelly Williams

Transfer from Camp JI-IK-DO-WAH-GAH to 7310.1803

Melissa Gladwell	Victor Nosal
Mindy Kieser	Jennifer Odrobina
Tracy Malczewski	Daniel Quigley

Counselor IV - \$5.90
Mindy Kieser

Seasonal (revert to part-time status 12/31/99)

Glen Au
Matthew Bean
Lynne Butts

(Rates effective 9/27/99)

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

NAYES: 0

ABSENT: 0

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

WHEREAS, by resolution dated September 7, 1999, this Town Board authorized court clerks Sandra Stapleton and Rose Marie Paa to attend a Seminar for Town Court Clerks in Fallsview, New York on October 10, 11 and 12, 1999, and

WHEREAS, said seminar is being continued on October 13, 1999, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolution be and hereby is amended to reflect the fact that the seminar is also being held on October 13, 1999 and court clerks Sandra Stapleton and Rose Marie Paa are authorized to attend such seminar from October 10-13, 1999.

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

NAYES: 0

ABSENT: 0

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Item No. 17b Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Police Department along with the Cheektowaga Action Partnership was one of ten teams from around New York State selected to attend a OASAS Underage Drinking Prevention Institute to be held in Albany October 5th - 7th, 1999, and

WHEREAS, this new federal program, "Combating Underage Drinking" is allocating funds to each state to combat underage drinking. In New York State, OASAS (Office of Alcoholism and Substance Abuse Services) is leading the initiative. The team representing our area consists of Lt. Christine Ziembra, Cheektowaga Police Department; Lois Friedrich, Cheektowaga Action Partnership; Sam Lunetta, State University College at Buffalo; Terri Walters, parent representation; Brad Walters, student representation; Kim Fried, Western NY United Against Drug & Alcohol Abuse; Annie Monaco, Child & Family Services; and Bill Scarfia, Cheektowaga Chamber of Commerce. OASAS will cover lodging, breakfast, lunch and travel reimbursement, and

WHEREAS, Chief Chamberlin is requesting authorization to send Lt. Christine Ziembra to this training, NOW, THEREFORE, BE IT

RESOLVED Lt. Ziembra is authorized to attend this training and that the time spent there be authorized as normal duty time.

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

Item No. 17c Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, Chief Bruce Chamberlin holds a seat on the advisory board the national Law Enforcement & Technology Center (NLETC). They will be holding a meeting on September 29-30, 1999 in Rome, NY, and

WHEREAS, Chief Chamberlin is requesting authorization to attend this meeting. This advisory board is comprised of about 20 people from police and correction agencies. The board reviews various technology applications for policing and correction purposes, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to attend this board meeting. Chief Chamberlin's expenses will be covered by the NLETC with no expense to the Town.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 18 Tentative Benefit Basis Budget for 2000
Received and Filed.

Item No. 19a Supervisor's Statement of Funds for June, 1999
Received and Filed.

Item No. 19b Supervisor's Statement of Funds for July, 1999
Received and Filed.

Item No. 20a Minutes of Cheektowaga Planning Board - August 12, 1999
Received and Filed.

Item No. 20b Minutes of Cheektowaga Traffic Safety Commission - July 20, 1999

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Received and Filed.

IV. GENERAL COMMUNICATIONS

- Item No. 21a** Notice of Claim - Anthony Lewandowski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation Department.
Received and Filed.
- Item No. 21b** Notice of Claim - William J. and Sharon A. Deschenes vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Department; Highway Department; Community Development, Engineering Department.
Received and Filed.
- Item No. 21c** Notice of Claim - Pamela Grabowski 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. 21d** Notice of Claim - Richard Jenczka vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Department; Highway Department.
Received and Filed.
- Item No. 22a** Notice of Petition - Garden Gate Manor vs William R. Conway, Assessor and the Town of Cheektowaga
Received and Filed.
- Item No. 22b** Notice of Petition - James V. Welch vs William R. Conway, Assessor and the Town of Cheektowaga
Received and Filed.
- Item No. 22c** Notice of Petition - May Department Stores Co., d/b/a Kaufmann's Department Stores vs William R. Conway, Assessor and the Town of Cheektowaga
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilmember Johnson, Seconded by Councilmember Mazur
to suspend the rules to include the following items.

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

- Item No. 23** Motion by Councilmember Mazur, Seconded by Unanimous

BE IT RESOLVED the Town Board hereby creates the position of Network Coordinator pursuant to Civil Service Laws and Rules Effective immediately.



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

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



Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

BE IT RESOLVED the Town Board hereby creates the **temporary** position of Network Coordinator 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. 24 Motion by Councilmember Mazur , Seconded by Unanimous

WHEREAS, the Town of Cheektowaga Police Department is in need of a full-time Network Coordinator, and

WHEREAS, the Town of Cheektowaga Police Department has been awarded a federal grant to fund such a position, and

WHEREAS, Mark Orzechowski has been employed by the Town of Cheektowaga as a part-time Network Coordinator and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Mark Orzechowski of 3 Mann Street, Cheektowaga, New York 14206 be and hereby is appointed to the grant position of Network Coordinator (Management/Confidential) in the Police Department at the hourly rate of \$27.50. effective October 4, 1999.



Item No. 24 cont'd

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 Jankowiak

WHEREAS, the Town of Cheektowaga Police Department is in need of a full-time Network Coordinator, and

WHEREAS, the Town of Cheektowaga Police Department has been awarded a federal grant to fund such a position, and

WHEREAS, Mark Orzechowski has been employed by the Town of Cheektowaga as a part-time Network Coordinator and meets all the necessary qualifications, NOW, THEREFORE, BE IT

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RESOLVED that Mark Orzechowski of 3 Mann Street, Cheektowaga, New York 14206 be and hereby is appointed to the **temporary** grant position of Network Coordinator (Management/Confidential) in the Police Department at the hourly rate of \$27.50. effective October 4, 1999, for the term of said grant or until such grant monies are fully expended for this purpose.

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

Item No. 25 Motion by Supervisor Gabryszak, Seconded by Unanimous to adjourn the meeting in memory of Victoria Kolbert-Popielski, mother of Cheektowaga Town Justice, Thomas Kolbert.

RICHARD M. MOLESKI
Town Clerk