

**TOWN OF CHEEKTOWAGA
MEETING NO. 22
OCTOBER 4, 1999**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of October, 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; Bruce Chamberlin, Chief of Police; William Pugh, Town Engineer; Jerome Gabryszak, Director of Community Development; Jeffrey Ramelb, Coordinator of Employee Relations; Ronald Marten, Building Inspector; and John Marriott, Chairman of Cheektowaga Conservation Advisory Council.

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:	0100-3120-3820	State Aid-Police	\$ 15,000.00
	0100-1110-2770	Justice Revenue	2,682.00
	0100-1355-4561	Contracted Legal	2,500.00
	0100-1410-4001	Office Supplies	1,500.00
To:	0100-3120-2206	Law Enforcement Block Grant	\$ 564.08
	0100-1110-2105	Equipment	2,302.00
	0100-1110-4431	Maintenance	308.00
	0100-1355-2005	Office Equipment	2,500.00
	0100-1410-2201	Office Equipment	1,500.00

SPECIAL DISTRICTS FUND

From:	1500-8160-9131	Bond Principal	\$12,500.00
	1500-8160-9211	Bond Interest	12,500.00
	1500-1910-2799	Appropriated Fund Balance	55,931.00
To:	1500-8160-4467	Hazardous Waste Materials	\$25,000.00
	1500-8160-8157	TCEA Health & Welfare	55,931.00

HUD-CDBG FUND

From:	0700-1097-0600	Housing Rehabilitation	\$ 100.00
	0700-1097-0600	Housing Rehabilitation	15,000.00
	0700-1098-0600	Housing Rehabilitation	1,500.00
To:	0700-1097-0706	Housing Counseling	\$ 100.00
	0700-1097-0720	Cedargrove Heights Sewer & Drainage	15,000.00
	0700-1098-0665	Senior Services Van	1,500.00

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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 October 1, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$173,628.94
HIGHWAY FUND	35,782.87
TRUST & AGENCY	595.24
PART TOWN FUND	2,841.23
HUD CDBG FUND	32,736.48
HUD RENTAL REHABILITATION FUND	1,852.00
RISK RETENTION FUND	29,372.18
HUD HOUSING REHABILITATION FUND	8,175.52
SPECIAL DISTRICTS FUND	312,713.17
CAPITAL FUND	<u>99,257.64</u>
	\$696,955.27

Upon roll call

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

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

WHEREAS, by resolution dated September 6, 1988, Local Law No. 2 of the Year 1988 of the Town of Cheektowaga, entitled "A Local Law for Commercial Property Maintenance" 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 for Commercial Property Maintenance, AND

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

RESOLVED, that a public hearing be held on the 18th day of October, 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 for Commercial Property Maintenance" and, BE IT FURTHER

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



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 18th day of October, 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. 99-4 of the Year 1999, entitled "A Local Law to Amend the Local Law for Commercial Property Maintenance". A brief description of the contents of Local Law Intro No. 99-4 of the Year 1999 is as follows:

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Local Law Intro No. 99-4 of the Year 1999

A local law to amend Sections 16-3, 16-10 and 16-11 of the Commercial Property Maintenance Law to amend language in the law regarding the maintenance of public walkways and other surfaces for the safety of pedestrians specifically require maintenance in winter, enforcement to be by both police and building inspectors.

A copy of the complete text of Local Law Intro No. 99-4 of the Year 1999 shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

Dated: October 4, 1999

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

Richard M. Moleski
Town Clerk



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

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

WHEREAS, by resolution dated October 5, 1998, this Town Board awarded bids for Diesel Fuel, Kerosene and Unleaded Gasoline to T. F. Kurk, Inc., and bids for Motor Oils, Gear Oils, Anti-Freeze, Etc. to American Lubricants, Inc., AND

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WHEREAS, the term of such bid awards expires on October 5, 1999, AND

WHEREAS, the bid specifications for the above items provided for an option to renew such award for another year, AND

WHEREAS, T. F. Kurk, Inc. and American Lubricants, Inc. have agreed in writing to extend their bid prices until October 1, 2000, AND

WHEREAS, the Superintendent of Highways has recommended that the aforesaid bid awards be extended until October 1, 2000, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby agrees to extend the bid awards for the above items awarded to T. F. Kurk, Inc. and American Lubricants, Inc. until October 1, 2000.

Upon roll call

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

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

WHEREAS, a contract was awarded by the Town Board on June 7, 1999, the firm of Nichols, Long and Moore Construction Corporation for the furnishing of equipment and operators for the installation and repair of sanitary/storm sewers in Cedargrove Heights, AND

WHEREAS, the Engineering Department has recommended the replacement of deteriorated storm receivers on Cedargrove Circle, AND

WHEREAS, the Engineering Department has indicated that an increase in the contract authorization for Nichols, Long and Moore Construction Corporation is required to cover the cost of said additional work as well as work previously approved, NOW, THEREFORE BE IT

RESOLVED, that the maximum payment to Nichols, Long and Moore Construction Corporation for the cost of equipment and operators for sanitary and storm sewer work in Cedargrove Heights under the existing contract be increased by \$30,400.

Upon roll call

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

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

WHEREAS, there is a need to repair publicly owned sanitary sewer and storm sewer facilities located at the rear of #62 Ivanhoe Road as the result of a storm sewer collapse, AND

WHEREAS, in order to make the necessary sewer repairs, the garage at #62 Ivanhoe Road will need to be removed, AND

WHEREAS, the owners, Louis and Cathy Stagner have provided written consent for the demolition of the garage contingent upon the Town reconstructing a replacement garage structure and concrete pad of dimensions equal to the existing garage immediately following the completion of sewer repairs, NOW, THEREFORE BE IT

Item No. 7 cont'd.

RESOLVED, that the Town Board authorizes and directs the Town Engineering Department to perform the necessary repairs to the aforesaid storm and sanitary sewer systems and authorizes the Engineering Department to engage a suitable contractor in accordance with Town adopted procurement policies and procedures to remove the existing garage and construct a replacement garage and concrete pad following completion of sewer repairs and, BE IT FURTHER

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RESOLVED, that funds be appropriated from Accounts #4000-8140-4432 and #2500-8125-4543.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

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 up to \$100,000 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 relocate transfer an amount of \$100,000 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. 9 Motion By Supervisor Gabryszak, Seconded by Councilmember Mazur

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

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

RESOLVED, that Sunday, October 31, 1999 shall be known as "Halloween Night" in the Town of Cheektowaga, and that the Town Board ask both children and their parents to cooperate in limiting the time of "trick-or-treating" activities to the period between 6:00 P.M. and 8:30 P.M. We further ask that, whenever possible, parents of the very young insure that they or other responsible adults accompany them, and to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

Item No. 9 cont'd.



DESIGNATION OF HALLOWEEN NIGHT

BE IT RESOLVED, that Sunday, October 31, 1999 be designated as "HALLOWEEN NIGHT" in the Town of Cheektowaga.

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The time of "trick-or-treating" activities will be between 6:00 P.M. and 8:30 P.M.

We encourage all householders to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

HAPPY HALLOWEEN TO ALL!

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

Richard M. Moleski
Town Clerk



MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JAWOROWICZ TO AMEND ITEM 9, NOTICE FOR PUBLISHING, 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, the children of our community are entitled to the fun and excitement associated with "Halloween Night", including going from door-to-door in their immediate neighborhoods with their happy challenges of trick-or-treat; AND

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

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Item No. 9 cont'd.

AMENDED

DESIGNATION OF HALLOWEEN NIGHT

BE IT RESOLVED, that Sunday, October 31, 1999 be designated as "HALLOWEEN NIGHT" in the Town of Cheektowaga.

The time of "trick-or-treating" activities will be between 6:00 P.M. and 8:00 P.M.

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We encourage all householders to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

HAPPY HALLOWEEN TO ALL!

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

Richard M. Moleski
Town Clerk



Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 10a 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 33 Elaine Court, Cheektowaga, New York, SBL #91.07-1-4 and according to the Assessors' Office is owned by Ronald A. Guile, P. O. Box 1945, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 10b 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 151 Ludwig Avenue, Cheektowaga, New York, SBL #113.49-1-18 and according to the Assessors' Office is owned by Kenneth and Tammy Marciniak, 151 Ludwig Avenue, Cheektowaga, New York 14227, AND

Item No. 10b 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.

Upon roll call

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

Item No. 10c 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 Olcott Place, Cheektowaga, New York, SBL #101.36-3-9 and according to the Assessors' Office is owned by Bank American National Trust Co., 2810 North Parham Road, Richmond, Virginia 23294, 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. 10d 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 156 Southcrest Avenue, Cheektowaga, New York, SBL #91.20-3-37 and according to the Assessors' Office is owned by Melvin D. Brown, 2880 Eagles Nest Road, Delevan, New York 14042, 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. 11a Motion By Supervisor Gabryszak, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$30,000 to purchase a van to transport senior citizens, AND

Item No. 11a cont'd.

WHEREAS, Grant monies are available through the Legislative Initiative Program via New York State Assemblyman Paul Tokasz, 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 office of New York Assemblyman Paul Tokasz for the purpose of securing this grant and, BE IT FURTHER

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

Upon roll call

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

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

WHEREAS, the Town has submitted its Annual Community Development Plan to the Department of Housing and Urban Development for the 1999 Program Year, AND

WHEREAS, one of the purposes of said program is to provide for community services which are essential for sound community development and promote the preservation of viable neighborhoods, AND

WHEREAS, Belmont Shelter Corp., located at 1195 Main Street, Buffalo, New York 14209, has submitted a proposal for such services, including but not limited to mortgage default, first-time homebuyer, pre-purchase, renter assistance and landlord-tenant rights counseling, and the provision of housing-related information to Town residents, AND

WHEREAS, funding for such services has been included in the Town's 1998 and 1999 Community Development Block Grant Program Statements, AND

WHEREAS, the Director of Community Development has recommended approval of a contract with Belmont Shelter Corp. for said services, NOW, THEREFORE BE IT

RESOLVED, that the Town Supervisor be and hereby is authorized to execute an Agreement for an amount not to exceed \$7,900 with Belmont Shelter Corp., for housing counseling services for a one year period pursuant to Belmont Shelter's proposal, dated September 27, 1999, and the Request for Proposals for Housing Counseling Services - 1999, dated September 14, 1999, issued jointly by the Towns of Cheektowaga, Amherst and Tonawanda.

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 MAZUR TO DISPENSE WITH READING THE NAMES IN ITEMS 12A, 12B, AND 17B, 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. 12a 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 (Seasonal):

Laura Brown
Corey Burzynski
Danielle Burzynski
Melissa Esposito
Vicki Everett
Greg Fisher
Jeanette Granich
Sarah Jaskowski
Steven Kaun
Ryan Kelly

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Marty Klaffka
Nicole Kunkel
Julie Mastandrea
Robert Oddo
Jessica Odrobino
Michael Petruniak
Angela Stallone
Amy Szymanski
Amber Tracy
Randi Marie Wojcik

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

Item No. 12b 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:

	<u>EFFECTIVE</u>
<u>FACILITIES DEPARTMENT</u>	
Earl Nolan	Immediately
Anthony Marianacco	"
Steven Kresin	"
Daniel Binaszaeski	"
David Michalski	"
James Karalus	"
Richard Gramza	"
<u>RECYCLING DEPARTMENT</u>	
Daniel Drozdeil	Immediately
Marvin Rowland	"
<u>POLICE DEPARTMENT</u>	
Robin Knaus	Immediately
Donna Whited	"
<u>TOWN CLERK'S OFFICE - (SARA Grant)</u>	
Kathleen Hannel	Immediately
<u>TOWN CLERK'S OFFICE - Dog Enumerator</u>	
Lindsey Styborski	Immediately
Adam Nowicki	"
Kimberly Gostomski	"
Amy McKibbin	"
Jessica Eckel	"
John Atanasio	"
<u>Item No. 12b cont'd.</u>	
<u>TOWN CLERK'S OFFICE - Dog Enumerator cont'd.</u>	
Maria Atanasio	"
John Schuler	"
Kevin Brusehaber	"
Laura Chludzinski	"
Tracy Popiela	"
Tracey Bolognese	"
Kelly Caretto	"
Renee Caretto	"
Anthony Zaenglein	"
Anthony Piatak	"

SENIOR SERVICES

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Thomas Sicignano

Immediately

Upon roll call

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

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

WHEREAS, the initial terms of the four Cheektowaga Youth Board members listed below have expired, AND

WHEREAS, the constitution and by-laws of the Cheektowaga Youth Board allow for the reappointment of members to a full three year term, AND

WHEREAS, these four members have expressed their interest in being re-appointed, NOW, THEREFORE BE IT

RESOLVED, that the following individuals be and hereby are appointed to the Cheektowaga Youth Board, effective this date through the specified termination date:

Linda Czubaj	09/20/2001
Suzanne DeFields	09/20/2001
Angelo Logalbo	09/20/2001
Keith Christ	09/20/2001

and, BE IT FURTHER RESOLVED, that the resignation of the following Cheektowaga Youth Board members are accepted

Kristel Kulesz
Jennifer Farugia
Jeanie (Morganstern) Bryant

FURTHER RESOLVED, that the membership of John Grande is terminated because he no longer meets the requirements of the constitution and by-laws of the Cheektowaga Youth Board for membership.

Upon roll call

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

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

WHEREAS, the County of Erie has awarded the Town of Cheektowaga a Municipal Planning Initiative grant in the amount of \$13,000.00 to assist in the preparation of a Master Plan Corridor Study for French Road and Transit Road, AND

WHEREAS, it is necessary to appoint a Municipal Planning Advisory Committee to provide oversight for this corridor study, NOW, THEREFORE BE IT

RESOLVED, that Supervisor Dennis H. Gabryszak, Councilmember Jeff Swiatek, Councilmember Thomas M. Johnson, Jr., Planning Board Chairman Sal LaGreca, and Zoning Inspector Daniel J. Ulatowski be appointed to the Municipal Planning Advisory Committee for the French Road and Transit Road corridor study.

Upon roll call

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

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NAYES: 0
ABSENT: 0

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

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

WHEREAS, the By-Laws of the Cheektowaga Economic Development Corporation, approved by the Cheektowaga Town Board on February 7, 1983, provide that the Directors of the Cheektowaga Economic Development Corporation will be appointed by resolution of the Cheektowaga Town Board, AND

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

RESOLVED, that the following individuals are hereby appointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately, for a term of up to three years and expiring at the time of reappointment to the Corporation's Board of Directors for said positions, but no later than May 31, 2002: Richard Velez, 528 Mapleview Road, Cheektowaga, New York 14225 and Stephen L. Bojdak, 16 LeHavre, Cheektowaga, New York 14227.

Upon roll call

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 Johnson

BE IT RESOLVED, that pursuant to Section 11.01 of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, Robert Sprada be and hereby is granted a one (1) year leave of absence from his position of Working Foreman in the Highway Department as to allow him to serve as Deputy Highway Superintendent.

Upon roll call

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 below listed Youth and Recreation employees be transferred as indicated, effective October 5, 1999:

Part-Time

Adapted Recreation Program - 7140.1803
From Activity Director III to Activity Director IV - \$7.90
Victor Nosal

From Seasonal to Part-Time
Angela Bies

Upon roll call

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

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

BE IT RESOLVED, that the below listed individual be hired as a Part-Time employee in the Youth and Recreational Services Department, effective October 5, 1999:

Administrative Interns - 7310.1804
Supervisor IV - \$7.15

Amy Sieczkarek

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 Johnson

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

EFFECTIVE

RECYCLING DEPARTMENT - Laborer - \$7.00 per hour

Thomas Borowicz	XXXXXXXXX, Cheektowaga XXXXX	Immediately
Jeffrey Imiola	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Nancy Wild	XXXXXXXXXXXXXXXXXXXXX Cheektowaga XXXXX	"
Nick Jakurczak	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga 1XXXX	"

TOWN CLERK'S OFFICE - State Archives and Records Administration Grant - Archives Clerk - \$8.00 per hour

Tracy Bolognese	XXXXXXXXXXXXXXXXXXXXX, Depew XXXXX	Immediately
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Upon roll call

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

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

WHEREAS, the Network In Aging of Western New York, Inc. is conducting a conference entitled, "What the Future Holds for an Aging Population",

WHEREAS, the all-day conference will be held locally at Salvatore's Italian Gardens on Wednesday, October 20, 1999,

WHEREAS, this conference will give those attending an opportunity to learn about trends and demographics affected the planning and development of programs for the aging population,

THEREFORE, permission is granted for Patricia L. Wojcik, Department of Senior Services to attend this session at a cost of \$65.00.

Budget Code: 0100-7620-4681

Upon roll call

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

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OCTOBER 4, 1999**

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

WHEREAS, the 1999 National Conference on Preventing Crime will be held in Washington, D.C. on November 3-6, 1999,

WHEREAS, Chief Chamberlin is requesting authorization to send Lt. Christine Ziemba to this conference. By attending this conference Lt. Ziemba will be able to aid the Town in continuing to be on the cutting edge of pro-active policing by gaining the most current knowledge available, being able to select the best programs available and gather the most information in a relatively short period of time. A large number of workshops, presenters knowledge and handout material will all be on the most pressing topics of today. The Police Department will be responsible for travel, lodging and tuition amounting to approximately \$1,028.00, NOW, THEREFORE BE IT

RESOLVED, that Lt. Christine Ziemba is authorized to attend this conference and that the time spent there be authorized as normal duty time. The expenses will be charged to 0100-3120-4005.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Florida of Law Enforcement will be conducting D.A.R.E. Middle School Instructor Training, December 1-3, 2000 in Tallahassee, Florida.

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send D.A.R.E. Office David Stevens to this training. The Town has a high demand for additional contact with students during these formative years. Officer Stevens training will improve the quality of D.A.R.E. program as it is conducted in our schools, thus benefiting thousands of Town students and their teachers, parents, and school staff. This training in the past has been held in New York State at a higher cost to the Department. At this point in time, the State has no course scheduled for this year, or the foreseeable future. The Police Department will be responsible for travel, lodging and meals amounting to approximately \$600.00, NOW, THEREFORE BE IT

RESOLVED, that Officer Stevens is authorized to attend this training and that the time spent there be authorized as normal duty time. Expenses will be charged to 0100-3120-4006.

Item No. 18c cont'd.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 18d Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, the New York State Office of Fire Prevention and Control will e conducting a "Fire Marshals and Inspectors Seminar" in Montour Falls, New York, on October 12-14, 1999, AND

WHEREAS, Matthew D. Kawczynski and Edward J. Saternus, Fire Inspectors for the Town of Cheektowaga, have requested permission to attend seminar, AND

WHEREAS, such seminar will provide the Town's Fire Inspectors with up-to-date information and legislation on fire prevention and control and satisfies a State of New York mandate for "in service" training, NOW, THEREFORE BE IT

RESOLVED, that Matthew D. Kawczynski and Edward J. Saternus be and hereby are authorized to attend the "Fire Marshals and Inspectors Seminar" on October 12-14, 1999 and, BE IT FURTHER

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RESOLVED, that the Town pay Mr. Kawczynski and Mr. Saturnus' registration fee of \$25.00 each, lodging costs of \$80.00 each, and travel costs not to exceed \$20.00 each, for attending such seminar, and such expenses be charged to account number 0800-3620-4191, and that a town vehicle be provided for transportation to and from such seminar.

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 19 Building Permits
Received and Filed.

Item No. 20 Tentative Ad Valorem Budget
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 21a Notice of Claim: Dominic S. Palmeri vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Senior Services and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 21b Notice of Claim: Charles W. Bellavia vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town
Attorney; Senior Services and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22 Request to Speak: Kevin Glascott, Town of Cheektowaga Employees Association
Union President Regarding Pending Labor Matters
This item was withdrawn.
Received and Filed.



MOTION BY SUPERVISOR GABRYSZAK, 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. 23 Authorize Town Clerk to Rent Trucks and Director of Facilities Department to Supply
Manpower Regarding Delivery of Voting Machines
This item was withdrawn.

Item No. 24a Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

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

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permits, rezonings, special permits, etc. and renders its recommendation concerning the environmental significance of such application, AND

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

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

WHEREAS, an application was submitted by WDS of Buffalo Corporation to demolish 25,250 s.f. of store space at the north end of the Dick-Urban Plaza located at the southwest corner of Dick Road and George Urban Boulevard, AND

WHEREAS, the applicant is proposing to construct a 15,120 s.f. stand-alone retail store with a drive-thru, AND

WHEREAS, the site plan has been revised to show additional landscaping along the public streets, paving of all parking areas, incorporation of pedestrian friendly features, AND

WHEREAS, the applicant has committed to maintaining the landscaping, fencing along the west property line, snow removal on walks/entrances and installation of traffic signage/markings, AND

WHEREAS, the applicant has agreed to limit deliveries to the hours of 7:00 A.M. to 11:00 P.M. and to instruct all trucks to enter from Dick Road, AND

WHEREAS, the Town Engineer has reviewed the drainage plans and found them satisfactory, 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, this Town Board has reviewed the applications submitted and the recommendations made by the Environmental Advisory Committee, NOW, THEREFORE, BE IT

Item No. 24a cont'd.

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

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Item No. 24b 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 Republic Industries, Inc. to rezone parcels of land at 4499 Genesee Street from M1-Light Manufacturing District to MS-Motor Service District, AND

WHEREAS, the change in zoning is requested to allow for the expansion of the National and Alamo Car Rental facilities, AND

WHEREAS, the applicant has agreed to provide easements for the drainage flowing through the site, 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 agreed to cooperate to remove fill placed at the rear of the property which may impede drainage, 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

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

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment, 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. 25 Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Republic Industries, Inc. has petitioned for the rezoning from M1-Light Manufacturing to MS-Motor Services District of property owned by various parties and located at 4499 Genesee Street, 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 2nd day of August, 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. Approval of a drainage plan by the Town Engineer

,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 Republic Industries, Inc. for the rezoning from M1-Light Manufacturing District to MS-Motor 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 subject to the following conditions:

1. Approval of a drainage plan by Town Engineer;
2. Conveyance of drainage easement to the Town;
3. Execution of lease with Town re: Town-owned property;
4. Removal of pile of dirt over U-Crest ditch on adjacent property.

And, BE IT FURTHER

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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. 26 Motion By Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owners of the property located at 598 Aero Drive, Cheektowaga, New York, AND

WHEREAS, the owners of said property have applied for a mortgage loan from Centex Home Equity Corporation for the purpose of refinancing existing mortgage debt at a lower interest rate, AND

WHEREAS, Centex Home Equity Corporation has conditioned its mortgage approval on the subordination of the Town's mortgage to that of Centex Home Equity Corporation, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement with Centex Home Equity Corporation, with its primary office located at 3100 McKinnon Street, Dallas, Texas 75201, pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 598 Aero Drive, Cheektowaga, New York.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 27a Motion By Supervisor Gabryszak, Seconded by Councilmember Swiatek

RESOLVED, that this Town Board does hereby prepare and approve as the Preliminary Ad Valorem Budget of this Town for the Fiscal Year beginning on the 1st day of January, 2000, the itemized statement of estimated revenues and expenditures hereto attached and made a part of this resolution, and also an itemized statement of estimated revenues and expenditures of the Lighting Districts and Consolidated Garbage District hereto attached and made a part of this resolution, AND, BE IT FURTHER

RESOLVED, that such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets shall be filed in the Office of the Town Clerk where it shall be

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OCTOBER 4, 1999**

available for inspection by any interested person at all reasonable hours, effective October 7, 1999, AND, BE IT FURTHER

RESOLVED, that this Town Board shall meet at 5:00 P.M. on the 13th day of October, 1999, for the purpose of holding a Public Hearing upon such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District budgets, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give Notice of such Public Hearing in the manner provided in Section 108 of the Town Law and that such Notice be published in the CHEEKTOWAGA TIMES, the official Town newspaper on October 7, 1999, and post same on the signboard maintained by the Town Clerk.



**LEGAL NOTICE
of
PUBLIC HEARING
on
PRELIMINARY BUDGET
and
LIGHTING DISTRICTS and CONSOLIDATED GARBAGE DISTRICT BUDGETS**

NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 200, has been completed and filed in the Office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it is available for inspection by any interested person at all reasonable hours, effective October 7, 1999.

Item No. 27a cont'd.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 5:00 P.M. on the 13th day of October, 1999, and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item therein contained.

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

SUPERVISOR	\$67,632
TOWN CLERK	\$60,442
HIGHWAY SUPERINTENDENT	\$66,804
COUNCILMEMBER	\$18,552

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

Richard M. Moleski, Town Clerk

MEETING NO. 22
OCTOBER 4, 1999

Dated: October 4, 1999

Published: October 7, 1999



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 27b Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, this Town Board has prepared detailed estimates of the anticipated 2000 revenues and expenditures for every district in which the expenses of the improvement is to be assessed on a benefit basis, AND

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

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

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

RESOLVED, that this Town Board shall meet at 5:00 P.M. on the 13th day of October, 1999 for the purpose of holding a Public Hearing upon such estimates and assessment rolls, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give notice of such Public Hearing in the manner provided in Section 239 of the Town Law, and that such notice be published in substantially the following form in the CHEEKTOWAGA TIMES, the official Town newspaper on October 7, 1999.



PUBLIC NOTICE

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

NOTICE IS ALSO GIVEN that a public hearing on such Estimates and Assessment Rolls will be held on October 13, 1999 at 5:00 P.M. at the Town Hall, corner of Broadway and Union Roads, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.

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

MEETING NO. 22
OCTOBER 4, 1999

ERIE COUNTY, NEW YORK

Richard M. Moleski
Town Clerk

Dated: October 4, 1999

Published: October 7, 1999



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 28 Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur to adjourn this meeting. This meeting was adjourned at 7:25 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 23
OCTOBER 13, 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 13th day of October, 1999 at 5:00 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; Robert Kaczmarek, Supervising Accountant; William Pugh, Town Engineer; Salvatore LaGreca, Chairman of Planning Board; and Tom Malecki, Deloitte & Touche.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised to consider the Preliminary Benefit Basis Budget of the Town of Cheektowaga for the year 2000. 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; decision was reserved.

(The 2000 Preliminary Benefit Basis Budget is on file in the Town Clerk's Office.)

Item No. 3 This being the time and place advertised to consider the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 2000. 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; decision was reserved.

(The Preliminary Ad Valorem Budget for 2000 is on file in the Town Clerk's Office.)

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 24
October 18, 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 18th day of October, 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; Walter Domino, Assistant Town Engineer; Ron Marten, Supervising Building and Plumbing Inspector; Jeff Ramelb, Coordinator of Employee Relations; Sal LaGreca, Planning Board Chairman; Bill Conway, Town Assessor.

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 enactment of Local Law Intro No. 99-4 of the Year 1999, entitled "A Local Law to Amend the Local Law for Commercial Property Maintenance", 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. A brief description of the contents of Local Law Intro No. 99-4 of the Year 1999 is as follows:

Town of Cheektowaga

Local Law Intro No. 99-4 of the Year 1999

A Local law to amend Sections 16-3, 16-10 and 16-11 of the Commercial Property Maintenance Law to amend language in the law regarding the maintenance of public walkways and other surfaces for the safety of pedestrians specifically require maintenance in winter, enforcement to be by both police and building inspectors.



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.

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 \$11,000.00

TO: 0100-1910-2501 Other Equipment \$11,000.00

Item No. 3 cont'd

HIGHWAY FUND

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FROM:	0300-5148-2300 Service for Other Governments	\$ 4,000.00
	0300-5141-1412 Laborer	10,000.00
TO:	0300-5140-4191 Miscellaneous Expense	\$ 4,000.00
	0300-5141-1422 General Mechanic	10,000.00

HUD-CDBG FUND

FROM:	0700-1098-0600 Housing Rehabilitation	\$ 650.00
	0700-1098-0600 Housing Rehabilitation	1,373.02
TO:	0700-1098-0665 Senior Services Van	\$ 650.00
	0700-1098-2400 Cedargrove Heights Recreation Improv.	\$ 1,373.02

SPECIAL DISTRICTS FUND

FROM:	1500-8160-8141 Sanitation Medical Insurance	\$25,000.00
TO:	1500-8173-8141 Recycling Medical Insurance	\$25,000.00

CAPITAL FUND

FROM:	5714-5132-3089 Chips Revenue	\$21,747.78
TO:	5714-5132-0002 Chips Expense	\$21,747.78

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

GENERAL FUND	\$ 670,847.03
HIGHWAY FUND	124,222.51
TRUST & AGENCY	24,019.02
PART TOWN FUND	6,808.16
HUD CDBG FUND	57,080.36
RISK RETENTION FUND	42,656.60
SPECIAL DISTRICTS FUND	282,215.88
CAPITAL FUND	93,692.17
	<u>\$1,301,541.73</u>

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

Item No. 5a 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, an application was submitted by Peregrine Development Company for the construction of a two story 85,000 s.f. building at 575 Cayuga Creek Road, a 9.2 acre site, and

WHEREAS, the building would be used as a 100 unit adult care facility, and

Item No. 5a cont'd

WHEREAS, the site had been formerly used as a picnic grove by the Disabled American Veterans, and

MEETING NO. 24
October 18, 1999

WHEREAS, an Environmental Assessment Form ("EAF") for this project was prepared and

WHEREAS, the Town of Cheektowaga solicited for Lead Agency status for the review of this action for purposes of S.E.Q.R.A., and

WHEREAS, the documents submitted by the applicant were reviewed by various advisory groups within the Town, including the Environmental Advisory Committee ("EAC"), Conservation Advisory Council ("CAC"), Traffic Safety Commission ("TSC") and Planning Board, and

WHEREAS, many residents of the area attended meetings of these advisory groups and expressed their opinion on the proposed adult care facility, and

WHEREAS, the EAC has reviewed the project and comments at meetings held on September 8th, September 29th and October 13th, and

WHEREAS, the EAC at its meeting held on October 13, 1999, rendered the recommendation shown on the memo dated October 14, 1999, and

WHEREAS, this Town Board has reviewed the EAF and other documents submitted by the applicant, as well as, documents submitted by involved/interested agencies and residents of the area, in accordance with Article 8 of the Environmental Conservation Law and 6NYCRR Part 617, and

WHEREAS, this Town Board believes that the project, as presented by the applicant, may present the following significant adverse impacts on the environment:

1. Result in the impairment of the environmental characteristics of a Critical Environmental Area (Cayuga Creek Floodplain);
2. Result in the encroachment of the facility into the Cayuga Creek Floodplain, increasing the
3. Impact traffic in the area through the increase in traffic, both delivery truck and employee/visitor, on Cayuga Creek Road;
4. Create a visual impact to the residents due to size and height of the facility;
5. Create a potential future conflict with uses in the area by being converted to another use;
6. Disturb potential cultural/archeological sites;
7. Cooking odors, delivery noise, refuse management and pets are various use issues potentially
8. Potential health effects of the Erie County overflow retention facility (ORF) on the residents of the proposed facility

WHEREAS, the above list is not an all inclusive or exhaustive list of potential adverse impacts associated with the project, and

WHEREAS, this Town Board, in accordance with Article 8 of the Environmental Conservation Law of the State, believes that potentially significant environmental impacts relating to this project must be addressed by the applicant, NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Cheektowaga hereby determines that the project may have a significant adverse impact affect on the environment and therefore issues a "Positive Declaration" for the purpose of S.E.Q.R.A., and BE IT FURTHER

Item No. 5a cont'd

RESOLVED that the Peregrine Development Company be directed to submit a Draft Environmental Impact Statement ("DEIS") to the Town for review prior to any environmental determination, and BE IT FURTHER

RESOLVED that this Town Board hereby determines that scoping under SEQRA is necessary for this project, and directs Peregrine Development to prepare a draft scope for this project and submit same for the Town to review, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the Town, prepare, file and publish a Positive Declaration for this project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.12 of the S.E.Q.R.A. regulations.

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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. 5b 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 Carmini Silvestri Architects to expand the existing Sleep Inn Hotel at 100 Holtz Road with a two story addition of 13,000 s.f. for an additional 24 rooms, and

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WHEREAS, the applicant met with Town reviewing groups to discuss the project and revised the plan based upon those meetings, and

WHEREAS, the applicant added a public sidewalk along Holtz Road, moved the dumpster to the rear of the site and added additional parking, and

WHEREAS, the applicant has instituted a landscaping replacement plan based on comments from the Planning Board and Zoning Inspector that the existing landscaping is in need of replacing and upgrading, and

WHEREAS, the addition will be compatible with surrounding uses and a further asset to the Town, and

WHEREAS, the Advisory Committee at its meeting held on October 13, 1999 rendered the determination shown on the attached memo dated October 14, 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. 5c S.E.Q.R. Determination - 3150 Union Road
This item was withdrawn prior to the meeting.

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

WHEREAS, Theodore B. Kulbacki has petitioned for the rezoning from R-Residential District and NS-Neighborhood Services District to RSC-Senior Citizen Housing District of property owned by him and located at 5074 Transit 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 20th day of September, 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

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

WHEREAS, based on commitments made by the applicant's attorney, this Town Board, on January 20, 1998 issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning, and

WHEREAS, the Town Environmental Advisory Committee reviewed this project again in 1999, and recommended that this Town Board reaffirm the Negative Declaration for the project provided the applicant reaffirms its commitments made in its letter of January 9, 1998, and

WHEREAS, the applicant's attorney, by letter dated September 17, 1999, reaffirmed the commitments made on January 9, 1998, (see attached letters), and

WHEREAS, the Town of Cheektowaga previously retained URS Greiner Woodward Clyde to conduct a Transportation and Land Use Study of the Transit Road Corridor, which study includes 5074 Transit Road, and

WHEREAS, the proposed development of 5074 Transit Road:

- preserves trees and wetlands
- provides adequate setback and buffer areas along adjacent residential property boundaries
- will have a minimal impact on traffic in the area

NOW, THEREFORE, BE IT

RESOLVED that based on commitments made by the applicant and the above findings, this Town Board hereby reaffirms the Negative Declaration for this rezoning, and BE IT FURTHER

RESOLVED that the application of Timothy B. Kulbacki for the rezoning from R-Residential District and NS-Neighborhood Services District to RSC-Senior Citizen Housing District of the property specified in the legal description published in the Legal Notice for 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, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution and attachments to URS Greiner Woodward Clyde and to the Town of Lancaster (c/o Town Clerk), and BE IT FURTHER

RESOLVED that the Town's SEQRA Intake Officer be directed to forward SEQRA review documentation on this project to the Town of Lancaster.

Item No. 6 cont'd

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

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

AFFIDAVIT - NEXT PAGE

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Item No. 7 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, by resolution dated October 4, 1999, this Town Board approved the rezoning of 4499 Genesee Street, Cheektowaga, New York from M1-Light Manufacturing District to MS-Motor Services District, subject to certain conditions, and

WHEREAS, condition number "4" on such resolution ("Removal of pile of dirt over U-Crest ditch on adjacent property") should be removed because it is beyond applicant's control, NOW, THEREFORE, BE IT

RESOLVED that condition numbered "4" on the aforementioned resolution be and hereby is deleted.

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

Item No. 8 Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur

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WHEREAS, the Town of Cheektowaga is eligible to receive funding from the Department of Housing and Urban Development under the Community Development Block Grant and HOME Investment Partnerships Programs for the 2000 Program Year, and

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

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

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

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

RESOLVED that a public hearing be held on November 1, 1999 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, NY 14227 for the above stated purpose, and BE IT FURTHER

RESOLVED that a public notice of such public hearing be published in the Cheektowaga on Thursday, October 21, 1999.



Notice of Public Hearing
Consolidated Plan
Towns of Cheektowaga, Amherst and Tonawanda

A Public Hearing will be held on Monday, November 1, 1999 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway Avenue, Cheektowaga, New York, regarding the Town of Cheektowaga's Year 2000 Annual Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs and the Consolidated Plan covering federal Fiscal Years 2000-2004 for the Towns of Cheektowaga, Amherst and Tonawanda.

The purpose of the hearing is to solicit the views of citizens, public agencies and other interested parties on housing and community development needs throughout the town and to review program performance of the Town's Community Development Program during the 1999 federal fiscal year. The Consolidated Plan to be assembled will describe housing and community
Item No. 8 cont'd

development needs in the three Towns, set goals for addressing those needs and delineate federal programs for meeting those goals. The federal CDBG Grant and HOME Grant (for the 3-Town Consortium) will be covered by the Plan.

In 1999, the Town of Cheektowaga received \$862,000 under Title I of the Housing and Community Development Act of 1977, as amended. The HOME Consortium, of which the Town of Cheektowaga is a member along with the Towns of Amherst and Tonawanda, received \$982,000 in Home Investment Partnership program funds for the 1999 Program Year, of which Cheektowaga received \$320,000. The amount of Community Development Block Grant and HOME Program funding for which the Town will be eligible next year has not yet been made available by the Department of Housing and Urban Development (HUD). A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

Residents of low income neighborhoods, as well as, all citizens of the Town and Villages are encouraged to participate in this process and express their views on the use of funds and activities that may be carried out with program funds. No CDBG or HOME activities are expected or likely to result in displacement. In the unanticipated event, displacement due to CDBG Funded activities occurs, relocation assistance will be provided in conformity with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42 and regulations governing the CDBG Program at 24 CFR 570.606

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Upon prior request, an interpreter will be made available at the hearing to sign for the hearing impaired. Please contact the Cheektowaga Community Development Office (897-7200) seven days prior to the hearing if you need such special arrangements. The hearing location is accessible to the physically handicapped. Written comments may be submitted to the Office of Community Development, 275 Alexander Avenue, Cheektowaga, NY 14211.



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

AFFIDAVIT - NEXT PAGE

Item No. 9 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

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

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



TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>Name</u>	<u>Address</u>	<u>EMT Expires</u>
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Bellnier, Christina

XXXXXXXXXXXXXXXX, Niagara Falls, NY XXXXXXXX

6/30/01



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

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

WHEREAS, this Town Board heretofore entered into a certain MUNICIPAL COOPERATION AGREEMENT (the "Agreement") made pursuant to New York General Municipal Law, Article 5-G, Section 119-o, amended and restated as of July 20, 1992, by and among BOCES and each district and municipal corporation, as defined in Section 119-n of the New York General Municipal Law, that enters into the Agreement (with the BOCES, the "Participants");

WHEREAS, Section 13.1 of the Agreement provides that the Agreement, including the Exhibits thereto, can be amended, from time to time, by the Participants in the manner set forth therein; and

WHEREAS, for various reasons, including, but not limited to the compliance with the recently enacted Article 3-A of the New York General Municipal Law which mandates the inclusion of certain provisions in the Agreement; and

WHEREAS, among such reasons is that certain provisions of the Agreement have been identified as being unnecessary, in light of other provisions of the Agreement;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Cheektowaga that the amended and restated Municipal Cooperative Agreement, dated as of October 20, 1999, a copy of which is attached as an Exhibit, is hereby approved and the Supervisor is hereby authorized to execute the contract on behalf of the Town of Cheektowaga.

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

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

Item No. 10b Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the County of Erie, pursuant to the authority granted to it by Article 43-A of the Vehicle and Traffic Law of the State of New York, has established a special options program for driving while intoxicated ("STOP-DWI"), and

WHEREAS, said program provides for the coordination of county, Town, city and village efforts to reduce alcohol-related traffic accidents, including improvements in law enforcement and adjudication, increased education and other related activities, and

WHEREAS, the Town of Cheektowaga is interested in availing itself of funding under the STOP-DWI program and also is desirous of coordinating its efforts to reduce alcohol-related traffic injuries and fatalities with the County of Erie, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga enter into the STOP-DWI Agreement which commences January 1, 1999 and terminates December 31, 1999 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute four (4) copies of the STOP-DWI Agreement and any and all other papers necessary to implement the terms of this Agreement.

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

October 18, 1999

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 218 Ellen Drive, Cheektowaga, New York, SBL# 80.20-6-101 and according to the Assessor's Office is owned by Mr. & Mrs. William J. Voak, 218 Ellen Drive, Cheektowaga, 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

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. 12 Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, the Building and Plumbing Department is working on a Resident Consumer Survey for the Harlem Road, Kensington Avenue and Cleveland Drive neighborhoods through the Harlem-Kensington-Cleveland Task Force; and

WHEREAS, Melissa Metzger is a graduate student at the University of Buffalo and has volunteered to assist with data entry and completion of the survey; NOW, THEREFORE, BE IT

RESOLVED that Melissa Metzger will assist the Harlem-Kensington-Cleveland Task Force with data entry and completion of the final report on a Resident Consumer Survey approximately twelve hours a week at a no compensation effective immediately.

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

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

WHEREAS, Daniel Petroski, a Sergeant in the Police Department, has requested reassignment to the position of Patrolman; and

WHEREAS, a personal situation necessitates this request: NOW, THEREFORE, BE IT

RESOLVED that Daniel Petroski be reassigned to the position of Patrolman in the Police Department effective Immediately.

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 Youth and Recreation employees be terminated, effective immediately:

Brooke Bodkin
Noreen Brezowski
Nicole Petruniak

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

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

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

JUSTICE COURT
Mary Markiewicz

EFFECTIVE

Immediately

FACILITIES DEPARTMENT
Daryl Pichta
Todd Stucke
Joseph Bentkowski
Walter Gardon
John Mazgaj
Anthony Pangrazio

Immediately

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"

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"

"

RECYCLING DEPARTMENT
Thomas Borowicz

Immediately

POLICE DEPARTMENT
Thomas Bollman

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 Supervisor Gabryszak

BE IT RESOLVED, the Town Board hereby creates twenty-five (25) Cell Attendant (PJC) positions* pursuant to Civil Service Laws and Rules effective immediately.

*Pending Jurisdictional Classification by the New York State Civil Service Commission.

Item No. 15 cont'd

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 individual be and hereby is hired as a seasonal employee in the Youth and Recreational Services Department, effective immediately:

Recreation Attendants - 7140.1614

Recreation Attendant IV - \$5.90

Jason Leite XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

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 Cell Attendants in the Police Department, 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 immediately.

Ronald Sayger

XXXXXXXXXXXXXXXXXXXX, CheektowagaXXXXX

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Thomas Fial	XXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX
David Fitch	XXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX
Jerome Hendel	XXXXXXXXX, Sloan, XXXXX
Thomas Bollman	XXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX
Samuel Bauer	XXXXXXXXXXXXXXXXX, Depew, XXXXX
Kenneth Kishbaugh	XXXXXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX
Ron Nolan	XXXXXXXXXXXXXXXXXXXXX Cheektowaga, XXXXX
Mark Dyl	XXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX
Timothy Turnbull	XXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX
John Barbera	XXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX
Matthew Mann	XXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX
Arthur Turnbull	XXXXXXXXXXXXXXXXXXXXX, Depew, XXXXX
Dwayne Perrine	XXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX
Glen Pinkert	XXXXXXXXXXXXX Cheektowaga, XXXXX
Douglas Wilkowski	XXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX
Douglas Mekeel	XXXXXXXXXXXXXXXXX, Depew XXXXX
Roy Marciniak	XXXXXXXXXXXXXXXXX, Cheektowaga XXXXX
Francis Dougherty	XXXXXXXXXXXXXXXXX, Depew XXXXX
Edward McEvoy	XXXXXXXXXXXXXXXXX, Cheektowaga XXXXX

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 **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. 17b cont'd

EFFECTIVE

JUSTICE COURT - Clerk - \$6.00 per hour

Deborah A. Schweigert XXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX Immediately

SENIOR SERVICES - Van Driver - \$6.50 per hour

John F. Lumadue XXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX Immediately
Raymond Tuberdyck XXXXXXXXXXXXXXXXXXXXXXXX, Sloan, NY XXXXX "

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

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

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

From Seasonal to Part-time

Margaret Brezowski	Brian Hansen
Jeffrey Bartel	Kurt Hansen
Jonathan Bialek	Jacqueline House
Jennifer Bogacz	Beth Kawczynski
Catherine Giles	Mark Prybysz

Activity Director I - \$6.90
Brian Pane

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From Part-time to Seasonal
Camille Russell

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

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

WHEREAS, the North Carolina State University is sponsoring a Supervisor's Management School in Oglebay Park, Wheeling, West Virginia from Sunday, November 7, 1999 through Thursday, November 11, 1999, and

WHEREAS, the mission of the Supervisor's Management School is to provide student with the necessary tools to improve their ability to impact the day-to-day activities of their organizations, and

WHEREAS, students will develop personal growth and awareness, leadership and supervisory skills, NOW, THEREFORE, BE IT

RESOLVED that Paul Marchewka, Recreation Supervisor for the Department of Youth and Recreational Services, be reimbursed the necessary transportation, meals and lodging expenses to attend said management school at a cost not to exceed: \$212. - Travel - 01-1910-4083; \$425. - Registration - 01-7310-4681; \$540. - Hotel and Meals - 01-7140-4191.

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

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

WHEREAS, the Cheektowaga Police Department's "School-Community Safety Initiative" has been selected from a nation-wide search of problem-solving projects to be showcased at the Tenth Annual International Problem-Oriented Policing Conference to be held in San Diego, CA, November 13-16, 1999, and

WHEREAS, Chief Chamberlin is requesting authorization to send Lt. Cheryl Rucinski to this conference. As the coordinator of the program, Lt. Rucinski has been asked to present the Patrol School Liaison Program along with two other agencies - Baltimore Police and San Diego Police - who will also speak on school safety issues and then participate in a panel discussion on the issue. The Police Department will be responsible for registration, travel, lodging and meals amounting to approximately \$1,475, NOW, THEREFORE, BE IT

RESOLVED that Lt. Cheryl Rucinski be authorized to attend this conference and that the time spent there be authorized as normal duty time. Expense lines to be charged, 0100-3120-4085 and 0100-3120-4093.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Supervisor's Statement of Funds
Received and Filed.

Item No. 21 Office of Emergency Services - Quarterly report for July to September, 1999
Received and Filed.

Item No. 22a Minutes of Cheektowaga Library Board - September 22, 1999
Received and Filed.

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Item No. 22b Minutes of Cheektowaga Planning Board - September 9, 1999
Received and Filed.

Item No. 22c Minutes of Cheektowaga Traffic Safety Commission - September 21, 1999
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 23a Summons & Complaint - Arthur Corker vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.
Received and Filed.

Item No. 23b Summons & Complaint - Lisa Zito vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.
Received and Filed.

Item No. 24a Notice of Claim - Russell, Jr. and Cynthia Alessi, parents of Christopher M. Alessi vs Town of Cheektowaga (Second Notice of Claim)
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.
Received and Filed.

Item No. 24b Notice of Claim - Travelers Property Casualty for William & Sharon Deschenes vs Town of Cheektowaga (amended)
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department; Engineering Department; Community Development Office.
Received and Filed.

Item No. 24c Notice of Claim - James Brunco, parent of Amy Marie Brundo vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.
Received and Filed.

Item No. 24d Notice of Claim - Ruth Gordon vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Department.
Received and Filed.

Item No. 24e Notice of Claim - Stephen Czarnecki vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Senior Services Department.
Received and Filed.

Item No. 24f Notice of Claim - Gregory Wells vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Maintenance Department.
Received and Filed.

Item No. 25 Letter from Hatch Court Homeowners Association - wish to speak regarding owners of Hatch Mobile Home Park.
Received and Filed.

MEETING NO. 24
October 18, 1999

Item No. 26 Motion by Councilmember Johnson, Seconded by Unanimous
to adjourn the meeting.
Time Meeting Adjourned: 7:50 PM

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 25
NOVEMBER 1, 1999**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st of November, 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; William Conway, Town Assessor; Robert Kaczmarek, Supervising Accountant; Bruce Chamberlin, Chief of Police; William Pugh, Town Engineer; Jerome Gabryszak, Director of Community Development; Jeffrey Ramelb, Coordinator of Employee Relations; Ronald Marten, Building Inspector; Kenneth Kopacz, Director of Department of Youth and Recreation; 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:

SPECIAL DISTRICTS FUND

From:	1500-8160-4469	Landfill Costs	\$20,000.00
	2500-8125-1492	Seasonals	10,000.00
	2500-8125-1492	Seasonals	7,000.00
To:	1500-8173-4444	Recycling Tipping Fees	\$20,000.00
	2500-8125-1201	General Crew Chief	10,000.00
	2500-8125-1203	Working Crew Chief	7,000.00

GENERAL FUND

From:	0100-3020-4093	PSD Training	\$ 1,600.00
To:	0100-3020-4431	Equipment Repair	\$ 1,600.00

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 October 29, 1999 are hereby approved and made a part hereof:

Item No. 3 cont'd.

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GENERAL FUND	\$ 943,166.35
HIGHWAY FUND	150,922.75
TRUST & AGENCY	18,676.80
PART TOWN FUND	6,674.98
HUD CDBG FUND	61,605.80
HUD RENTAL REHABILITATION FUND	1,242.50
RISK RETENTION FUND	61,895.46
HUD HOUSING REHABILITATION FUND	7,407.00
SPECIAL DISTRICTS FUND	331,752.94
CAPITAL FUND	<u>266,598.51</u>
	\$1,849,943.09

Upon roll call

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

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

WHEREAS, officers and employees in charge of the various administrative units of the government of the Town of Cheektowaga have submitted estimates of revenues and expenditures for the 2000 fiscal year, AND

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

WHEREAS, this Town Board has met and considered the preliminary budget for the fiscal year beginning January 1, 2000, and a public hearing was conducted thereon October 13, 1999, as required by Section 108 of the Town Law.

NOW, THEREFORE, BE IT RESOLVED, that the preliminary budget as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual budget of the Town of Cheektowaga for the fiscal year beginning on January 1, 2000, and the same shall be entered in the minutes of the Town Board.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, Dennis H. Gabryszak, Supervisor of the Town of Cheektowaga, New York, presented a Budget and Assessment Roll showing the various sums of money that were and will

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be required to defray the expenses of the Special Districts respectively and does determine same to be necessary and required as aforesaid set forth, namely:

Town of Cheektowaga
2000
Final Benefit Basis Budget

AND,

WHEREAS, a Public Hearing was duly held on the 13th day of October, 1999 at 5:00 P.M., in relation to the Preliminary Benefit Basis Budget, as provided by law, with amendments made to same, NOW, THEREFORE, BE IT

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

RESOLVED, that the Supervisor be and hereby is directed to cause same to be spread on the Tax Rolls for the year 2000.

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga Department of Youth and Recreational Services has received a \$13,042 grant from the Western New York Developmental Disabilities Services Office, AND

WHEREAS, this grant necessitates the amendment of the Department of Youth and Recreational Services' 1999 Budget, NOW, THEREFORE BE IT

RESOLVED, that the following account lines be and hereby are amended as follows

Equipment Repair and Maintenance - Expense Account #7310.4431
Other Youth Contributions - Revenue Account #7310-2070

Upon roll call

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

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

WHEREAS, by resolution dated September 6, 1988, Local Law No. 2 of the Year 1988 of the Town of Cheektowaga, entitled "A Local Law for Commercial Property Maintenance" 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 for Commercial Property Maintenance, AND

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

Item No. 6 cont'd.

WHEREAS, a public hearing was held on the 18th day of October, 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 for Commercial Property Maintenance", AND

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WHEREAS, it is in the public interest to adopt "A Local Law to Amend A Local Law for Commercial Property Maintenance", NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby determines that adoption of this local law will not have a significant effect on the environment and therefore issued a "Negative Declaration" for purposes of SEQRA and, BE IT FURTHER

RESOLVED, that Local Law No. 4 of the Year 1999, entitled "A Local Law to Amend a Local Law for Commercial Property Maintenance" which is attached hereto and made a part hereof, be and the same is hereby enacted and, BE IT FURTHER

RESOLVED, that 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 Local Law No. 4 of the Year 1999 shall take effect immediately upon 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(S) FOR ATTACHMENT

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

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on November 15, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 4th day of November, 1999, said amendments being set forth in the Notice of Hearing.

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NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on November 15, 1999 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE X

Schedules

§76-545, Schedule X, Parking prohibited shall be amended by deleting therefrom the following:

FOISSET AVENUE - west side: from the north curblin e of Maplevie w Road to
the south curblin e of Cleveland Drive

ARTICLE VII

Schedules

§76-530, Schedule VII, Stop intersections shall be amended by adding thereto the following:

<u>Stop Signs On</u>	<u>Direction Traffic Stops</u>	<u>At Intersection Of</u>
SANDSTONE DRIVE	West	Cedargrove Circle

ARTICLE X

Schedules

§76-545, Schedule X, Parking prohibited, shall be amended by adding thereto the following:

FOISSET AVENUE	-	west side:	from the north curblin e of Maplevie w Road to the south curblin e of Cleveland Drive, except Saturday and Sunday.
ROSEWOOD DRIVE	-	west side	from the north curblin e of George Urban Boulevard to a point fifty (50) feet north.
VILLA MORAIN E DRIVE	-	north side	from the west curblin e of Pine Ridge Road to a point one hundred twenty (120) feet west.
NAGEL DRIVE	-	east side	from the north curblin e of Walden Avenue to a point two hundred twenty-five (225) feet north.
MARYVALE DRIVE	-	south side	from a point one hundred twenty (120) feet west of the west curblin e of Cedargrove Circle to a point one hundred twenty (120) feet east of the east curblin e of Cedargrove Circle.

Item No. 7a cont'd.

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

Dated: November 1, 1999

Richard M. Moleski
Town Clerk

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town Building Department, Fire Inspectors and Police Department have requested that this Town Board enact a new law to regulate open fires/open burning within the Town because of gray areas in existing laws, AND

WHEREAS, a draft Open Burning Law was submitted for environmental review and comments on same were made NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held on the 15th day of November, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law Pertaining to Open Burning" and, BE IT FURTHER

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



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 15th day of November, 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. 99-5 of the Year 1999, entitled "A Local Law Pertaining to Open Burning". A brief description of the contents of Local Law Intro No. 99-5 of the Year 1999 is as follows:

Town of Cheektowaga

Local Law Intro No. 99-5 of the Year 1999

A local law to control and prohibit the open burning of brush, wood, lumber, paper products, plastic, tires, trash, garbage, refuse and related items within the Town of Cheektowaga, excluding those portions which are within the Village of Sloan and Depew.

A copy of the complete text of Local Law Intro No. 99-5 of the Year 1999 shall be on file in the Town Clerk's Office, where the same may be examined during regular business hours.

Dated: November 1, 1999

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

Richard M. Moleski
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, it has been brought to our attention by The Association of New York State Youth Bureaus that the Governor's Office, Division of Budget and the Office of Children and Family Services are seriously considering folding Youth Development Delinquency Prevention (YDDP) funding, along with other youth program funding categories, into the Children and Family Services block grant beginning in 2001, AND

WHEREAS, YDDP currently goes to every single county, town, city and village in New York State which assures that funding decisions for youth development and primary prevention programs are made within the community, AND

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WHEREAS, if YDDP funding were to be folded into the block grant, there would be no guarantee of any municipal eligibility, putting youth service and recreation programming in serious jeopardy, NOW, THEREFORE BE IT

RESOLVED, that the Town Board goes on record opposing any plan that would eliminate municipal state aid eligibility for youth service and recreation programming and, BE IT FURTHER

RESOLVED, that a copy of this resolution be sent to Governor Pataki, Robert King, Director, NYS Division of Budget; James Natoli, Director of State Operations; John Johnson, Commissioner, New York Office of Children & Family Services; Senator William Stachowski and Assemblyman Paul Tokasz.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, pursuant to the Last Will and Testament of Victor Reinstein, 300+ acres of pristine land in the Town of Cheektowaga known as the Reinstein Woods Nature Preserve ("Reinstein Woods") were donated to the State of New York in the 1980's on the condition that such land remain undeveloped, AND

WHEREAS, since the State of New York acquired the Reinstein Woods, it has been managed and maintained by the New York State Department of Environmental Conservation ("DEC") on behalf of the State, AND

WHEREAS, the DEC is in the process of erecting a 4-bay, 3,200 square foot maintenance garage on the edge of the Reinstein Woods, AND

WHEREAS, this maintenance garage is to be utilized to store equipment and vehicles for the DEC's maintenance crew which is responsible for DEC facilities in Erie, Niagara and Wyoming Counties, AND

WHEREAS, this Town Board feels strongly that the erection and utilization of the DEC's maintenance garage for its tri-county maintenance operations will not only negatively affect the pristine character of the Reinstein Woods, but will also serve to negatively affect the character, aesthetics and peace and quiet of the adjacent residential areas, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby memorializes the DEC to reduce the size of the proposed maintenance garage in the Reinstein Woods to accommodate solely the vehicles and staff needed to meet the needs of the Reinstein Woods, and to not utilize the Reinstein Woods property for its tri-county maintenance operations and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the regional office of the DEC, State Assemblyman Paul A. Tokasz and State Senator William Stachowski.

Item No. 9a cont'd.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SWIA TEK TO AMEND THE ABOVE RESOLUTION, ITEM 9A, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

NAYES: 0

ABSENT: 0

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AMENDED

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 Roads, in said Town on the 1st day of November, 1999 at 7:00 P.M. there were:

WHEREAS, pursuant to the Last Will and Testament of Victor Reinstein, 300+ acres of pristine land in the Town of Cheektowaga known as the Reinstein Woods Nature Preserve ("Reinstein Woods") were donated to the State of New York in the 1980's on the condition that such land remain undeveloped, AND

WHEREAS, since the State of New York acquired the Reinstein Woods, it has been managed and maintained by the New York State Department of Environmental Conservation ("DEC") on behalf of the State, AND

WHEREAS, the DEC is in the process of erecting a 4-bay, 3,200 square foot maintenance garage on the edge of the Reinstein Woods, AND

WHEREAS, this maintenance garage is to be utilized to store equipment and vehicles for the DEC's maintenance crew which is responsible for DEC facilities in Erie, Niagara and Wyoming Counties, AND

WHEREAS, this Town Board feels strongly that the erection and utilization of the DEC's maintenance garage for its tri-county maintenance operations will not only negatively affect the pristine character of the Reinstein Woods, but will also serve to negatively affect the character, aesthetics and peace and quiet of the adjacent residential areas, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby memorializes the DEC to reduce the size of the proposed maintenance garage in the Reinstein Woods to accommodate solely the vehicles and staff needed to meet the needs of the Reinstein Woods, and to not utilize the Reinstein Woods property for its tri-county maintenance operations and, BE IT FURTHER

RESOLVED, that the Town Attorney is hereby directed to file for injunctive action and/or an Article 78 proceeding that would enjoin the NYSDEC from constructing the proposed tri-county maintenance facility and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the regional office of the DEC, State Assemblyman Paul A. Tokasz and State Senator William Stachowski.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Como Park Boulevard is a public highway under the jurisdiction of the Erie County Department of Public Works, Division of Highways ("ECDPW"), AND

WHEREAS, the Town of Cheektowaga is interested in erecting a "Welcome to the Town of Cheektowaga" sign in the unpaved portion of the Como Park Boulevard right-of-way just west of Transit Road at the Lancaster/Cheektowaga border, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby memorializes the ECDPW, the County Legislature and the County Executive to authorize the Town of Cheektowaga to erect a "Welcome to the Town of Cheektowaga" sign in the unpaved Como Park Boulevard right-of-way just west of Transit Road and, BE IT FURTHER

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RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a permit and any other documentation necessary to erect this sign in the Como Park Boulevard right-of-way and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to County Legislator Raymond K. Dusza, County Executive Dennis T. Gorski and the ECDPW.

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

WHEREAS, in conjunction with the development of the Airborne Business Park on the east side of Holtz Road and the anticipated NFTA development of the west side of Holtz Road, the ECDPW is suggesting that Holtz Road be re-stripped from Genesee Street to Aero Drive with a bi-directional left turn lane, AND

WHEREAS, the Town Police Department and Traffic Commission have reviewed this plan and feel that it would provide a safer environment for left turns from Holtz Drive, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby requests that the ECDPW re-stripe Holtz Road with a bi-directional left turn lane.

Upon roll call

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

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

WHEREAS, the NYSDOT is currently reconstructing Genesee Street, including the bridge decking at the Kensington Expressway underpass under C.PIN 5463.01.301, AND

WHEREAS, said project requires removal and replacement of street lighting facilities owned by both the Town and NYSEG atop the bridge decking, AND

WHEREAS, the Town Engineer has recommended that the Town furnish equipment and maintain the newly constructed street lighting system under Service Classification #2, resulting in annual savings in utility company charges, NOW, THEREFORE BE IT

Item No. 11 cont'd.

RESOLVED, that the NYSEG Proposal, dated October 4, 1999 to provide for the removal of utility owned equipment at the Genesee Street/Dick Road/Cayuga Road intersection, and operation of the newly installed facilities under Service Classification #2, resulting in an annual decrease to the General Lighting District in the amount of \$2,341.73, be and hereby is approved and, BE IT FURTHER

RESOLVED, that a one-time charge of \$2,460.05 associated with unrecovered cost of utility owned equipment under current Service Classification #3 as further stated in the aforesaid proposal shall be chargeable to the General Lighting District.

Upon roll call

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

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ABSENT: 0

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

WHEREAS, the Estate of Victor Reinstein has offered to donate a parcel of vacant land at the southwest corner of Dick Road and North Creek Drive (SBL #103.10-7-2.3) to the Town at no cost to the Town, AND

WHEREAS, the Town Engineer has inspected this property and has recommended that the Town accept this land, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby agrees to accept the aforementioned land from the Estate of Victor Reinstein and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to contact the attorney for the Estate of Victor Reinstein and process and file the necessary deed and paperwork to effectuate this land donation.

Upon roll call

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, abandoned structure at 5 Exeter Court, Cheektowaga, New York SBL #80.17-16-22 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors Office is owned by Henry and Tracy Walinski, 5 Exeter Court, Buffalo, New York 14215, AND

WHEREAS, these conditions required that the Town of Cheektowaga Housing and Neighborhood Preservation Office take immediate steps to safeguard and secure the front entrance door to the main structure, and to safeguard and secure the rear service door to the accessory structure (garage) to protect the health and safety of others, NOW, THEREFORE BE IT

RESOLVED, that all openings in this structure were boarded over and secured on October 28, 1999 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. 14a 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 20 Mildred Drive, Cheektowaga, New York, SBL #91.18-13-9 and according to the Assessors' Office is owned by SECY of Housing and Urban Development, 2200 Byberry Road, Suite 100, Hatboro, Pennsylvania 19040, 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. 14b 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 on the corner of Vern Lane and William Street, Cheektowaga, New York, SBL #113.57-2-15 and according to the Assessors' Office is owned by Tarun K. Ohri, 161 Brooklyn Street, Warsaw, New York 14569, AND

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

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

Upon roll call

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

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

WHEREAS, the Town Accounting Department, from time to time, invests Town moneys in certificates of deposit with the Chase Manhattan Bank, AND

WHEREAS, the Chase Manhattan Bank has modified its procedure with regards to documentation requirements for these investments by allowing the Town to submit instructions by telephone, facsimile transmission, etc., AND

WHEREAS, this new procedure is satisfactory to the Supervising Accountant, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a CD agreement and blanket CD application with the Chase Manhattan Bank.

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, the Erie County Water Authority (ECWA) has invested substantial resources in developing a Geographic Information System (G.I.S.) which mapping and database provides planimetric and topographic mapping and feature and facilities mapping throughout its service area which includes the Town of Cheektowaga, AND

WHEREAS, numerous Town departments would benefit from the ability to utilize the G.I.S. data developed by the ECWA, AND

WHEREAS, the ECWA has developed a policy by which its G.I.S. data is made available to municipalities contingent upon execution of a cooperative licensing agreement, mutually beneficial to both the Town and ECWA, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with the ECWA (licensor) to acquire a license to use its G.I.S. database within the Town's (licensee) municipal departments.

Upon roll call

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

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

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

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

WHEREAS, activities utilizing Community Development funds have been programmed for the Villages of Depew and Sloan for the 1999 program year, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute Subrecipient Agreements for Community Development Block Grant funding with the Villages of Depew and Sloan for the 1999 Program Year.

Upon roll call

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

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

WHEREAS, the Town administers a housing rehabilitation program for eligible Town homeowners to make necessary repairs and improvements to their homes, AND

WHEREAS, the Town's Housing Rehabilitation Loan Program Policy Guidelines require Town Board approval of rehabilitation loans of more than \$25,000, AND

WHEREAS, the Community Development Office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owners of the property located at 68 Frederick Street in an amount not to exceed \$41,500, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement with the owners of the property located at 68 Frederick Street, Cheektowaga, New York, for a housing rehabilitation loan not to exceed \$41,500.

Item No. 15d cont'd.

Upon roll call

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

Item No. 15e Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, a drainage improvements design has been prepared by the Town Engineering Department to alleviate a poorly drained area generally bounded by properties fronting on Cayuga Creek Road and Ceil Drive, AND

WHEREAS, in order to accomplish the proposed drainage improvements project, a culvert crossing beneath Cayuga Creek Road was required to be modified by the Erie County Division of Highways, AND

WHEREAS, the installation of the proposed 600± L.F. of storm drainage pipe and appurtenances to be funded by the Townwide Drainage District requires preparation of temporary and

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permanent easement descriptions and documents to be executed by eleven (11) property owners,
NOW, THEREFORE BE IT

RESOLVED, that the engineering services proposal, as submitted to the Town Engineer by Nussbaumer & Clarke, Inc. dated October 20, 1999 for the preparation of easement parcel maps and descriptions for the eleven (11) parcels be and hereby is approved and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute the aforesaid proposal with Nussbaumer & Clarke, Inc. at a fee not to exceed \$2,650.00 and, BE IT FURTHER

RESOLVED, that funding for said professional services shall be chargeable to Account No. 4000-8140-4581.

Upon roll call

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

Item No. 15f Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga has a 12.5 foot wide sewer easement along the east side of 51 Rowley Hollow, AND

WHEREAS, the easterly 2.5-3 feet of the garage and dwelling at 51 Rowley Hollow were inadvertently constructed over the westerly 2.5-3 feet of this easement, AND

WHEREAS, the owners of 51 Rowley Hollow are attempting to sell such property and have requested the Town to release the portion on the easement where the house and garage are located, AND

WHEREAS, the Town Engineer has reviewed this request and has no objection to releasing this portion of the easement, 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 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

Item No. 15f cont'd.

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 November 1, 1999, adopted a resolution authorizing the Town of Cheektowaga to release a portion of sewer easement over property located at 51 Rowley Hollow, Cheektowaga, New York.

A copy of such partial release of easement document 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.

MEETING NO. 25
NOVEMBER 1, 1999

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

Dated: November 1, 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. 16a 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

TOWN CLERK'S OFFICE – Dog Enumerator
Sarah Popiela

Immediately

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

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

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

Jason Leite
Heather Menchini
Paula Panasiewicz

**MEETING NO. 25
NOVEMBER 1, 1999**

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 17a Appointment to Fill Vacancy in Position of Sergeant in Police Department
This item was withdrawn.

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

WHEREAS, a vacancy exists in the position of Motor Equipment Operator – A 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, James Demler, currently employed as a Motor Equipment Operator – B in the Sanitation Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that James Demler of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX, be and hereby is appointed to the position of Motor Equipment Operator – A 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. 17c 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, David Orlikowski, currently employed as a Laborer in the Sanitation Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that David Orlikowski 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. 17d Motion By Councilmember Mazur, Seconded by Councilmember Jankowiak

MEETING NO. 25
NOVEMBER 1, 1999

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, Daniel Carrier, currently employed as a temporary Motor Equipment Operator – A in Sanitation Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Daniel Carrier of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective 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 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:

Recreation Attendants – 7140.1614

Recreation Attendants I - \$5.15
Andrea Deuser XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Andrew Rozak XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Rink Personnel – 7140.1611

Recreation Attendants I - \$5.15
Alex Jarmusz XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Item No. 18 cont'd.

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, the Department of Housing and Urban Development is conducting a Consolidated Planning Workshop pertaining to the Integrated Disbursement and Information Systems computer software and preparation of the Consolidated Plan, AND

WHEREAS, the Department of Housing and Urban Development has requested and recommending that entitlement communities attend said workshop, AND

WHEREAS, the cost for attendant at said seminars is an eligible expense under the Community Development Block Grant budget, NOW, THEREFORE BE IT

RESOLVED, that Jerome Gabryszak, Community Development Director, and Diane Farugia, Community Development Program Secretary, be and hereby are authorized to attend said Consolidated Planning Workshop sponsored by the Department of Housing and Urban Development on November 8 and 9, 1999 in Auburn, New York and, BE IT FURTHER

**MEETING NO. 25
NOVEMBER 1, 1999**

RESOLVED, that the above named individuals be reimbursed from the Community Development Budget (line item 0700-1094-0703) for their reasonable and necessary expenses incurred in attending said training seminar.

Upon roll call

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

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

WHEREAS, the G.I.S. Resource Group is sponsoring a one-day hands on training seminar which program will provide valuable information and training on ArcView G.I.S. 3.2, which software is utilized for database management by the Town Engineering Department, NOW, THEREFORE BE IT

RESOLVED, that Engineering Department employees Allan Blachowski, Principal Engineer Assistant, and Mark Christel, Senior Engineer Assistant, be and hereby are authorized to attend the aforesaid one-day seminar, to be conducted on November 15, 1999 at the University Inn & Conference Center, Amherst, New York, at no cost to the Town, and be authorized to utilize a Town vehicle for travel to and from said seminar.

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.

III. GENERAL COMMUNICATIONS

Item No. 21 Summons & Complaint: Nancy Georgic, as Parent and Natural Guardian of Valerie Feind 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. 22a Notice of Claim: Marjorie L. Krupski vs. Rosemary A Romano, Laura A. Valliue, and the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Police Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 22b Notice of Claim: Sandra Brandl 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. 22c Notice of Claim: Allstate Ins. Co. Subrogation Department as subrogee of Chester Machowski
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.



MOTION BY COUNCILMEMBER ROGOWSKI, 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. 23 Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, the Facilities Department is in need of one (1) Tractor with Flail Mower, 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 (1) Tractor with Flail Mower for the Facilities 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 17th day of November, 1999 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

Item No. 23 cont'd.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on November 17, 1999 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Road, for the furnishing of one (1) Tractor will Flail Mower for the Facilities 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 and all bids.

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

Richard M. Moleski
Town Clerk

Dated: November 1, 1999

MEETING NO. 25
NOVEMBER 1, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 24 Motion By Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of Gilbert Roger, an NFTA Bus Driver that was killed on Genesee Street at the Airport and 8 year old Katilin O'Sheehan, a Cleveland Hill School Student.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 26
November 15, 1999

-Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of November, 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 Pugh, Town Engineer; Ron Marten, Supervising Building and Plumbing Inspector; Jeff Ramelb, Coordinator of Employee Relations; Sal LaGreca, Planning Board Chairman; Pat Wojcik, Senior Citizen Director.

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 enactment of Local Law Intro No. 99-5 of the Year 1999, entitled "A Local Law Pertaining to Open Burning" 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. A brief description of the contents of Local Law Intro No. 99-5 of the Year 1999 is as follows:

Town of Cheektowaga

Local Law Intro No. 99-5 of the Year 1999

A Local law to control and prohibit the open burning of brush wood, lumber, paper products, plastic, tires, trash, garbage, refuse and related items within the Town of Cheektowaga, excluding those portions which are within the Village of Sloan and Depew.



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.

Item No. 3 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE X

Schedules

§76-545, Schedule X, Parking prohibited shall be amended by deleting therefrom the following:

FOISSET AVENUE - west side: from the north curbline of Maplevue Road to the south curbline of Cleveland Drive

Item No. 3 cont'd

MEETING NO. 26
November 15, 1999

ARTICLE VII

Schedules

§76-530, Schedule VII, Stop intersections shall be amended by adding thereto the following:

<u>Stop Signs On</u>	<u>Direction Traffic Stops</u>	<u>At Intersection of</u>
SANDSTONE DRIVE	West	Cedargrove Circle

ARTICLE X

Schedules

§76-545, Schedule X, Parking prohibited, shall be amended by adding thereto the following:

FOISSET AVENUE	- west side:	from the north curbline of Maplevue Road to the south curbline of Cleveland Drive, except Saturday and Sunday
ROSEWOOD DRIVE	- west side:	from the north curbline of George Urban Boulevard to a point fifty (50) feet north
VILLA MORaine DR.	- north side:	from the west curbline of Pine Ridge Road to a point one hundred twenty (120) feet west
NAGEL DRIVE	- east side:	from the north curbline of Walden Avenue to a point two hundred twenty-five (225) feet north
MARYVALE DRIVE	- south side:	from a point one hundred twenty (120) feet west of the west curbline of Cedargrove Circle to a point one hundred twenty (120) feet east of the east curbline of Cedargrove Circle



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. 4 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:	0100-7110-1496 Diamond Maintenance	\$ 18,000.00
	0100-7110-1493 Tree Maintenance	3,000.00
	0100-7110-1431 Maintenance Worker	4,000.00
	0100-1625-1422 General Mechanics	23,576.00
	0100-7620-2036 Senior Services Special Events	5,000.00
TO:	0100-7110-1201 General Crew Chief	\$ 13,500.00
	0100-7110-1203 Working Crew Chief	5,500.00
	0100-7110-1375 Account Clerk Typist	6,000.00
	0100-7110-1491 Seasonal Laborers	23,576.00
	0100-7620-4491 Special Events	5,000.00

HIGHWAY FUND

FROM:	0300-9501-9131 Bond Principal	\$ 37,000.00
TO:	0300-9501-9211 Bond Interest	\$ 37,000.00

Item No. 4 cont'd

SPECIAL DISTRICTS FUND

FROM:	2500-8125-4163 Gas, Oil, Grease	\$ 4,000.00
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**MEETING NO. 26
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	2500-8125-4087 Training & Seminars	902.00
TO:	2500-8125-4438 Sewer Repairs	\$ 4,000.00
	2500-8125-4438 Sewer Repairs	902.00
 <u>CAPITAL FUND</u>		
FROM:	5916-1910-5731 Bond Notes	\$1,693,400.00
TO:	5916-1910-9399 Administrative Costs	\$ 80,050.00
	5916-1440-9916 Water Improvement	183,000.00
	5916-1440-9917 Sewer Improvement	175,000.00
	5916-1440-9918 Storm Improvement	359,250.00
	5916-1440-9919 Road Improvement	794,000.00
	5916-1440-9920 Lighting Improvement	102,100.00
 AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur		
NAYES:	0	
ABSENT:	0	

Item No. 5 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 November 12, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$1,176,678.31
HIGHWAY FUND	241,427.35
TRUST & AGENCY	3,748.90
PART TOWN FUND	17,880.46
HUD-CDBG FUND	38,133.57
RISK RETENTION FUND	76,910.01
SPECIAL DISTRICTS FUND	760,706.29
CAPITAL FUND	<u>115,129.78</u>
	\$2,430,614.67
 AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur	
NAYES:	0
ABSENT:	0

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

WHEREAS, this Town Board held a public hearing on November 15, 1999 at 7:00 P.M., to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Section 1.

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

Item No. 6 cont'd

ARTICLE X

Schedules

**MEETING NO. 26
November 15, 1999**

§76-545, Schedule X, Parking prohibited shall be amended by deleting therefrom the following:

FOISSET AVENUE - west side: from the north curbline of Maplevue Road to the south
curbline of Cleveland Drive

ARTICLE VII

Schedules

§76-530, Schedule VII, Stop intersections shall be amended by adding thereto the following:

<u>Stop Signs On</u>	<u>Direction Traffic Stops</u>	<u>At Intersection of</u>
SANDSTONE DRIVE	West	Cedargrove Circle

ARTICLE X

Schedules

§76-545, Schedule X, Parking prohibited, shall be amended by adding thereto the following:

FOISSET AVENUE	- west side:	from the north curbline of Maplevue Road to the south curbline of Cleveland Drive, except Saturday and Sunday
ROSEWOOD DRIVE	- west side:	from the north curbline of George Urban Boulevard to a point fifty (50) feet north
VILLA MORaine DR.	- north side:	from the west curbline of Pine Ridge Road to a point one hundred twenty (120) feet west
NAGEL DRIVE	- east side:	from the north curbline of Walden Avenue to a point two hundred twenty-five (225) feet north
MARYVALE DRIVE	- south side:	from a point one hundred twenty (120) feet west of the west curbline of Cedargrove Circle to a point one hundred twenty (120) feet east of the east curbline of Cedargrove Circle



Section 2. Time to take effect

(a) These amendments shall take effect when properly posted within a reasonable time except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

(b) Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York shall take effect from and after the day on which approval in writing is received from the New York State Traffic Commission

Section 3. Territorial Application.

These amendments shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the Villages of Depew and Sloan.

Item No. 6 cont'd

Section 4. Publication.

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered in the minutes of this Town Board and shall be published in the CHEEKTOWAGA TIMES a newspaper published in this Town and affidavits of such publication shall be filed with the Town Clerk

MEETING NO. 26
November 15, 1999

and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for the maintenance and installation of storm sewers and erosion control projects in the Town of Cheektowaga for the calendar year of 2000, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said maintenance and installation of

**MEETING NO. 26
November 15, 1999**

storm sewers and erosion control projects, notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

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



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on December 1, 1999 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the furnishing of equipment and operators for the maintenance and installation of storm sewers and erosion control projects in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing of Equipment and Operators for the Maintenance and Installation of Storm Sewers and Erosion Control Projects" and submitted to the Town Clerk prior to bid opening.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: November 15, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 8a 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

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WHEREAS, an application was submitted by William Long Associates to construct a 1,500 s.f. addition to the office building at 2248 Old Union Road, and

WHEREAS, the facility is presently used by Living Opportunities of DePaul and will continue to be used by them, and

WHEREAS, the Planning Board, at its meeting held on October 14, 1999 rendered the determination shown on the attached memo dated November 7, 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.

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 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

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WHEREAS, an application was submitted by Anthony Barone to construct an 800 s.f. storage building at 2175 William Street for document storage, and

WHEREAS, the Planning Board, at its meeting held on September 9, 1999 rendered the determination shown on the attached memo dated October 8, 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.

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 Mazur, Seconded by Supervisor Gabryszak

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

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

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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.



TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE

<u>Name</u>	<u>Address</u>	<u>EMT Expires</u>
Ackerman, Peter J.,	XXXXXXXXXXXXXXXXXX, N. Tonawanda, NY XXXXX	7/31/02
Bluhm, Garry F.,	XXXXXXXXXXXXXXXXXX, Lockport, NY XXXXX	7/31/01
Borowski, Mark E.,	XXXXXXXXXXXXXXXX, Bflo, NY XXXXX	1/31/01
Bojar, Darlene M.	XXXXXXXXXXXXXXXX, Chktg, NY XXXXX	6/30/02
Bonasera, Daniel	XXXXXXXXXXXXXXXXXX, Fredonia, NY XXXXX	6/30/02
Briggs, Paula M.,	XXXXXXXXXXXXXXXXXX, Sherman, NY XXXXX	7/31/02
Burt, Eric A.,	XXXXXXXXXXXXXXXX, Chktg., NY XXXXX	6/30/02
Chanthavong, Nancy J.,	XXXXXXXXXXXXXXXXXX, Bflo, NY XXXXX	6/30/02
Cole, Michael G.	XXXXXXXXXXXXXXXXXX, Chktg., NY XXXXX	6/30/02
Coots, Kellie M.,	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX, N. Collins, NY XXXXX	2/28/02
Faix, Brian M.	XXXXXXXXXXXXXXXXXX, Grand Island, NY XXXXX	6/30/01
Frerichs, Anissa S.,	XXXXXXXXXXXXXXXXXX, Elma, NY XXXXX	6/30/02
Gieseler, Carl J.,	XXXXXXXXXXXXXXXXXX, Niagara Falls, NY XXXXX	6/30/02
Harwood, Douglas D.	XXXXXXXXXXXXXXXXXX, Bflo, NY XXXXX	2/28/02
Hutchinson, Tracy L.,	XXXXXXXXXXXXXXXXXXXXXXXXXXXX, Bflo, NY XXXXX	2/28/01
Imundo, Jason R.,	XXXXXXXXXXXX Commack, NY XXXXX	7/31/00
Jackson, Julie B.,	XXXXXXXXXXXXXXXXXX, E. Aurora, NY XXXXX	6/30/02
Kick, Michael R.	XXXXXXXXXXXXXXXXXX, Chktg, NY XXXXX	8/31/02
Meier, James F.,	XXXXXXXXXXXXXXXXXXXX Amherst, NY XXXXX	6/30/02
Nunnery, Kent A.,	XXXXXXXXXXXXXXXXXXXXXXXXXXXX, Medina, NY XXXXX	9/30/01
Queeno, Samuel J.,	XXXXXXXXXXXXXXXXXX, Bflo, NY XXXXX	6/30/02
Richard, Angela M.	XXXXXXXXXXXXXXXXXX, Chktg, NY XXXXX	6/30/02
Rotondi, John A.,	XXXXXXXXXXXXXXXXXXXX, Amherst, NY XXXXX	6/30/02
Schieber, Thomas J.	XXXXXXXXXXXXXXXXXX, W. Seneca, NY XXXXX	7/31/02
Slattery, Michael B,Sr.	XXXXXXXXXXXXXXXXXX, Lancaster, NY XXXXX	6/30/02
Smalling, David R.,	XXXXXXXXXXXXXXXXXX, Eden, NY XXXXX	7/31/02
Teal, Justin S.,	XXXXXXXXXXXXXXXXXX, Chktg, NY XXXXX	1/31/02
Tomasik, Jennifer M.,	XXXXXXXXXXXXXXXXXXXX, Hamburg, NY XXXXX	6/30/02
Torrie, Michael J.,	XXXXXXXXXXXXXXXXXX, Lewiston, NY XXXXX	5/31/02
Tuohey, Jeffrey R.,	XXXXXXXXXXXXXXXXXXXX, Medina, NY XXXXX	5/31/02
Walton, Cheri L.,	XXXXXXXXXXXXXXXXXXXX, Silver Creek, NY XXXXX	6/30/02
Wunder, David E.,	XXXXXXXXXXXXXXXXXXXX, Kenmore, NY XXXXX	6/30/01



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

Item No. 10a Authorize Supervisor to execute agreement with Allied Claim Services
This item was withdrawn.

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

WHEREAS, Grant monies are available from the New York State Unified Court System, Justice Court Assistance Program to assist with the operation of municipal Justice Courts, and

WHEREAS, the Town of Cheektowaga Justice seeks grant monies to purchase various equipment and materials necessary to improve the operation of the court; NOW, THEREFORE, BE IT

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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 Unified Court System for the purpose of securing this grant, and

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

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

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

WHEREAS, the Town of Cheektowaga seeks grant monies in an amount not to exceed \$30,000 to create a computer lab at the Cheektowaga Senior Citizens Center for use by senior citizens; and

WHEREAS, Grant monies are available through the Legislative Initiative Program via New York State Senator William Stachowski, 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 office of New York State Senator William Stachowski for the purpose of securing this grant, and BE IT FURTHER

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

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

Item No. 10d Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

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 234 Bissell Avenue in an amount not to exceed \$28,000, 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 234 Bissell Avenue, Depew, New York, for a housing rehabilitation loan not to exceed \$28,000.

Item No. 10d cont'd

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

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 17 Barone Circle, Cheektowaga, New York, SBL# 92.17-6-3 and according to the Assessor's Office is owned by Mr & Mrs. Dennis Delia, 17 Barone Circle, Cheektowaga, New York 14225, 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. 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 218 Dean Road, Cheektowaga, New York, SBL# 92.15-3-17.1 and according to the Assessor's Office is owned by Federal National Mortgage Association, 3900 Washington Avenue, NW, Washington, DC 20016, 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



Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur to suspend the reading of the names in Item No. 12a, and the voting was as follows:

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



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

BE IT RESOLVED that the following Youth and Recreational Services Department employees (part-time/seasonal) be and hereby are terminated, effective immediately:

Item No. 12a cont'd

Adam Connor	Darryl Lindell
Eric Burns	Melissa Luczkowiak
Jeffrey Bartel	Nicole Mansfield
Jonathan Bialek	Kathleen Mastandrea
Mary Kay Brezowski	Shawn Mertz
Jennifer Bogacz	Kim Mahoney
Travis Burkett	Amy McHill
Amy Burnicki	Natalie Michalski
James Brydalski	Mary Murphy
Lois Bystrak	Erin O'Brien
Cortney Costrino	Melissa Penski
Stephanie Gerace	Mark Przybysz
Jessica Grasser	Alexa Rink
Peter Greenauer	Lisa Schirching
Abagael Grupka	Lindsay Selvaggio

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Danielle Ketterl	Brian Stachewicz
Stephanie King	Timothy Skrydlewski
Melissa King	Jennifer Strobele
Christina Klaffka	Caitlin Vanderbush
Jason Krasinski	Anthony Viapiano
Justin Krasinski	Lisa Whitman
Tamara Krawczyk	Lori Whitman
Kathleen Kreil	Nicholas Wierzbicki
Jason Kuczmanski	Laura Wrzewinski
Caroline Lewis	Ashley Wozniak

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

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

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

FACILITIES DEPARTMENT

Gordon Hagmeier
James Robinson
Jeffrey Szymanski

EFFECTIVE

Immediately
"
"

RECYCLING DEPARTMENT

Chris Summers

Immediately

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

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

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

Recreation Attendants - 7140.1614

From Recreation Attendant III to Recreation Attendant IV - \$5.90 (part-time)
Jill Sieczkarek

Item No. 13 cont'd

From Seasonal to Part-Time

(effective November 22nd to November 28th - revert to seasonal status, effective November 29th)
Laila Desjardins

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 14 Supervisor's Statement of Funds - September, 1999
Received and Filed.

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Item No. 15a Minutes of Planning Board - October 14, 1999
Received and Filed.

Item No. 15b Minutes of Traffic Safety Commission - October 19, 1999
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 16 Notice of Claim - Garden Gate Manor vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Senior Services Department.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak 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. 17 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, by resolution dated August 30, 1999, this Town Board approved Local Law No. 3 of the Year 1999, entitled "A Local Law enacting 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, thereafter, this Town Board added another five employees to such list, and

WHEREAS, it now appears that other Town employees are interested in retiring under the aforesaid Retirement Incentive Program, and

Item No. 17 cont'd

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:

Harriett Penny, Crossing Guard
Roberta Paul, Crossing Guard
Elaine Juskiewicz, Crossing Guard
Patricia Knox, Crossing Guard
Delores Kujawa, Crossing Guard
Thaddeus Skowron, Principal Engineer Assistant (Highway Dept.)
Dennis Konczal, Sanitation/Recycling Dept.

and BE IT FURTHER

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RESOLVED that the Town Clerk be and hereby is directed to forward an amended list of Members eligible for the 1999 Retirement Incentive Program to the New York State and Local Retirement System.

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

Item No. 18 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, this Town Board previously appointed Jessica Ball of 138 Burke Drive, Cheektowaga, New York to the position of Clerk to the Supervisor, part-time, NOW, THEREFORE, BE IT

RESOLVED that Jessica Ball, Clerk to the Supervisor, part-time, be paid the hourly rate of \$11.382 effective immediately, retroactive to her August 18, 1998 date of hire, and

WHEREAS, this Town Board previously appointed Earl Loder of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York to the position of Disaster Coordinator, part-time, NOW, THEREFORE, BE IT

RESOLVED that Earl Loder, Disaster Coordinator, part-time, be paid the hourly rate of \$13.461 effective immediately, retroactive to January 1, 1999.

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

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

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a NOTICE TO BIDDERS for the contracting of Snow Removal if a snow emergency should occur for use by the Cheektowaga Highway Department, and BE IT FURTHER

RESOLVED that Information for bidders and specifications may be obtained from the office of the Town Clerk located at the Town Hall, Broadway and Union Road, Cheektowaga, NY 14227, between the hours of 9:00 AM and 4:30 PM, Monday thru Friday, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 AM on November 30, 1999.

Item No. 19 cont'd

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires sealed bids for labor and equipment for the removal of snow from highways situated in the town in the event of a snow emergency during the 1998-99 winter season.

Specifications and Information are available at the office of the Town Clerk at his office in the Cheektowaga Town Hall located at Broadway and Union Roads, Cheektowaga, NY 14227, between the hours of 9:00 AM and 4:30 PM

In order to be considered, all bids must be filed with the Town Clerk's Office, c/o Town Hall, Broadway and Union Road, Cheektowaga, NY 14227, prior to the time of the bid opening scheduled for Tuesday, November 30, 1999 at 11:00 AM in the Town Hall Council Chambers.

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

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

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

RICHARD M. MOLESKI
Town Clerk



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

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Item No. 20 Motion by Supervisor Gabryszak, Seconded by Unanimous
to adjourn the meeting.
Time Meeting Adjourned: 7:15 PM

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 27
December 1, 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 1st day of December, 1999 at 6:00 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; Ron Marten, Supervising Building and Plumbing Inspector; Jeff Ramelb, Coordinator of Employee Relations; Robert Kaczmarek, Supervising Accountant.

I. RESOLUTIONS

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

WHEREAS, French Road Commons, L.P. was formed in 1997 for the purpose of constructing senior citizen housing at 891-893 French Road in the Town of Cheektowaga, and

WHEREAS, in order to construct additional senior citizen housing for Phase II of this development, it is necessary to amend the certificate of incorporation for French Road Commons, L.P. and

WHEREAS, pursuant to Section 104 of the Redevelopment Corporations Law, this amended certificate of incorporation needs the consent of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a consent to the filing of the Certificate of Amendment of French Road Commons, L.P.

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

NAYES: 0

ABSENT: 0

Item No. 2b Motion by Councilmember Swiatek, Seconded by Supervisor Gabryszak

WHEREAS, by resolution dated March 2, 1998, this Town Board approved a payment-in-lieu-of-taxes ("PILOT") agreement for Phase I of French Road Commons, which development is located at 891-893 French Road, and

WHEREAS, the developer of French Road Commons has requested the Town to amend such PILOT agreement to:

- Postpone the commencement date of such PILOT agreement to the Year 2000 (for Phase I)
- include Phase II (80 units) in such agreement

and

WHEREAS, these amendments are acceptable to this Town Board, NOW, THEREFORE, BE IT

Item No. 2b cont'd

MEETING NO. 27
December 1, 1999

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an amended PILOT agreement for French Road Commons in accordance with the above.

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 Jankowiak

WHEREAS, by resolution dated October 18, 1999, this Town Board authorized the Supervisor to execute an amendment to the CLASS Municipal Corporation for the Town to participate in the cooperative investment of municipal moneys, and

WHEREAS, Article 3-A of the General Municipal Law enacted as part of Chapter 623 of the Laws of 1998 regarding cooperative investing requires the formation of a governing board, comprised of fiscal officers nominated by the participant they represent, and

WHEREAS, this Town Board must nominate a representative from the Town who is a fiscal officer having fiscal expertise to serve on the governing board, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby nominates Robert E. Kaczmarek, Supervising Accountant, for board member of the CLASS cooperative investment program.

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

WHEREAS, the New York State Government Finance Officer's Association (NYS GFOA) will be conducting its Western Fall Training Program in Niagara Falls, New York on December 3, 1999, and

WHEREAS, information important to the town will be discussed at this training program such as the New GASB Finance Reporting Model and "Do-it Yourself" Smart program reviews, which the Town is looking to implement, and

WHEREAS, attendance at this training program is important to the Town in order that the Town can maintain its high standard in financial reporting, and

WHEREAS, the Supervising Accountant, Accountant, and Junior Accountant have requested permission to attend this training session, NOW, THEREFORE, BE IT

RESOLVED that Robert Kaczmarek, Lynn Nenni, and Kathleen Travers be and hereby are authorized to attend the aforementioned training program and BE IT FURTHER

RESOLVED that the Town shall pay all reasonable costs associated with the conference not to exceed \$173.00 out of budget line item #0100-1315-4088.

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

Item No. 5 Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak to adjourn the meeting.
Time Adjourned: 6:17 PM.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 28
DECEMBER 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 of December, 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 Kirsits, Town Attorney; William Conway, Town Assessor; Robert Kaczmarek, Supervising Accountant; William Pugh, Town Engineer; Jeffrey Ramelb, Coordinator of Employee Relations; Ronald Marten, Building Inspector; Salvatore LaGreca, Chairman of Planning Board; Patricia Wojcik, Director of Senior Services; and John Schaller, Assistant Chief of Police.

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:	0100-1910-4101	Unallocated Insurance	\$10,000.00
	0100-3020-1569	Dispatch Part Time	4,050.00
	0100-1625-1491	Part Time Laborer	1,100.00
	0100-9501-9131	Bond Principal	8,900.00
	0100-1450-4342	Polling Place Rental	1,400.00
	0100-1450-4551	Moving Machines	7,800.00
	0100-3120-2205	Grant Line	23,139.75
To:	0100-1910-4082	Government Business Travel	\$ 5,000.00
	0100-1315-4431	Maintenance Agreement	5,000.00
	0100-3020-1565	Sr. Dispatcher	4,050.00
	0100-1625-1203	Working Crew Chief	1,100.00
	0100-1640-1201	General Crew Chief	5,000.00
	0100-1640-1202	Auto Mechanic Crew Chief	3,900.00
	0100-1450-4431	Equipment Repairs & Maintenance	1,400.00
	0100-1450-4431	Equipment Repairs & Maintenance	7,800.00
	0100-3120-1370	Systems Manager	23,139.75

HIGHWAY FUND

From:	0300-5142-3501	Emergency Aid	\$23,900.00
To:	0300-5141-1201	General Crew Chief	\$ 5,400.00
	0300-5141-1202	Auto Mechanic Crew chief	3,500.00
	0300-5141-1203	Working Crew Chief	15,000.00

Item No. 2 cont'd.

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HUD-CDBG FUND

From:	0700-5099-2200	Depew-Property Acquisition	\$ 3,967.74
To:	0700-5099-0676	Depew-Police Foot Patrols	\$ 3,967.74

RISK RETENTION FUND

From:	1000-1910-5031	Transfer In	\$32,330.00
To:	1000-1937-4703	Dental & Vision Claims	\$32,330.00

SPECIAL DISTRICTS FUND

From:	1500-8160-9131	Bond Principal	\$ 4,400.00
	1500-8160-8143	Retirees Medical	1,500.00
	2500-8125-8171	Dental Insurance	21,474.00
	2500-8125-8181	Optical Insurance	2,356.00
	2500-8135-8171	Dental Insurance	7,000.00
	2500-8135-8181	Optical Insurance	1,500.00
	2500-8125-9101	Bond Principal	20,100.00
	2500-8135-4164	Gas, Oil, & Grease	1,000.00
	2500-8135-4431	Equipment Repairs	12,000.00
	2500-8135-4456	Elevator Service	1,000.00
	2500-8135-4356	Buffalo Sewer Authority	15,000.00
To:	1500-8160-1205	Working Foreman	\$ 4,400.00
	1500-8173-8151	Group Life Insurance	1,500.00
	2500-8125-9703	Transfer to Risk Retention	32,330.00
	2500-8125-1201	General Crew Chief	5,600.00
	2500-8125-1203	Working Crew Chief	6,300.00
	2500-8135-1201	Superintendent-Main Pump	5,700.00
	2500-8135-1301	Asst. Superintendent	2,500.00
	2500-8135-4581	Contracted Tech. Service	1,000.00
	2500-8135-4581	Contracted Tech. Service	12,000.00
	2500-8135-4581	Contracted Tech. Service	1,000.00
	2500-8135-4581	Contracted Tech. Service	15,000.00

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 December 3, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 438,243.23
HIGHWAY FUND	397,172.43
TRUST & AGENCY	12,993.46
PART TOWN FUND	5,769.96
HUD CDBG FUND	264,553.40
RISK RETENTION FUND	73,042.88
SPECIAL DISTRICTS FUND	364,198.27
CAPITAL FUND	<u>218,762.10</u>
	\$1,774,735.73

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Ryder Transportation Services has made application and requested the Rezoning from M1-Light Manufacturing District to MS-Motor Service District for property located on the

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DECEMBER 6, 1999**

south side of Walden Avenue, 1400 ± feet west of the intersection of Walden Avenue and Dick Road,
NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on December 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

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

WHEREAS, a Notice to Bidders was published for the receipt of bids for the purchase of one (1) tractor with flail mower for the Facilities Department, which bids were duly received and opened on November 17, 1999 at 11:00 A.M., by the Town Clerk, AND

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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 November 30, 1999, AND

WHEREAS, said letter recommends that the bid for the purchase of the tractor with flail mower be awarded to:

Buffalo Tractor & Implement Company, Inc.
3045 Seneca Street
Buffalo, New York 14224

For their low bid price of \$58,925.00, and, BE IT FURTHER

RESOLVED, that funds for said purchase are budgeted in Account #7110-0100-2304.

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. 5b Motion By Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated November 15, 1999, this Town Board directed that a Notice to Bidders be published advertising for labor and equipment necessary to remove snow during a snow emergency, AND

WHEREAS, such bids were duly received and opened on November 30, 1999, AND

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

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

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. 6 Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, the Facilities Department is in need of one (1) new 1999 four wheel drive tractor to replace an existing 1987 Ford Tractor Model 540b tractor loader cab, AND

WHEREAS, Buffalo Tractor & Implement Co. Inc., 3045 Seneca Street, Buffalo, New York 14224 has been awarded STATE CONTRACT No. 40601-3879 ITEM 22 which is a new 1999 Model 545D, 4WD, New Holland Tractor with Sure Grip lug tires, ROPS deluxe factory cab, AND

WHEREAS, Buffalo Tractor & Implement Co. Inc., has offered to accept the trade in of one (1) used 1987 Ford Tractor Model 540B (Town No's 124) for the sum of \$8,500.00, AND

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RESOLVED, funds are available for the purchase of the new tractor less the trade-in allowance, NOW, THEREFORE BE IT

RESOLVED, that Buffalo Tractor & Implement Co Inc., be awarded the State Contract for the 1999 New Tractor as described above at a cost of \$33,854.00 and, BE IT FURTHER

RESOLVED, that the Town accepts the offer of trade from the Buffalo Tractor & Implement Co. Inc., for the one tractor for \$8,500.00 and, BE IT FURTHER

RESOLVED, that funds for the above awards be charged or credited to 0100-7110-2304 and a purchase order No. 9030002 be issued in the amount of \$25,354.00.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 7 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, an application was submitted by Clover Construction Management, Inc. for the construction of a two story 94,500 s.f. building at 151-171 Bennett Road, a 7.4 acre site, AND

WHEREAS, the building would be used as a 101 unit senior citizen apartment building for residents 52 years of age and older, AND

WHEREAS, an Environmental Assessment Form ("EAF") for this project was prepared, AND

WHEREAS, the Town of Cheektowaga solicited for Lead Agency status for the review of this action for purposes of S.E.Q.R.A., AND

WHEREAS, the documents submitted by the applicant were reviewed by various advisory groups within the Town, including the Environmental Advisory Committee ("EAC"), Conservation Advisory Council ("CAC"), Traffic Safety Commission ("TSC") and Planning Board, AND

WHEREAS, many residents of the area met with various members of these advisory groups and expressed their opinion on the proposed senior citizen apartment building, AND

WHEREAS, the EAC has reviewed the project and comments at meetings held on October 13th and November 17th, AND

WHEREAS, the EAC at its meeting held on November 17, 1999, rendered the recommendation shown on the memo dated November 18, 1999, AND

Item No. 7 cont'd.

WHEREAS, this Town Board has reviewed the EAF and other documents submitted by the applicant as well as documents submitted by involved/interested agencies and residents of the area, in accordance with Article 8 of the Environmental Conservation Law and 6NYCRR Part 617, AND

WHEREAS, this Town Board believes that the project, as presented by the applicant, may present the following significant adverse impacts on the environment:

1. Result in the impairment of the environmental characteristics of a Critical Environmental Area (Cayuga Creek Floodplain);

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2. Result in the encroachment of the facility into the Cayuga Creek Floodplain, increasing the potential for flooding within the area due to the displacement of floodwater storage area;
3. Impact traffic in the area through the increase in traffic, both resident and visitor, on Bennett Road; also the sight lines may be inadequate for safe entry/exit from the site;
4. Create a visual impact to the residents due to size and height of the facility and the materials used as exterior finish;
5. Disturb potential cultural/archeological sites;
6. A number of large, good quality trees (oak, walnut, chestnut) exist on the properties and an attempt should be made to save them;
7. If tax exempt status is sought, it will be to the detriment of the school, town and fire districts;

WHEREAS, the above list is not an all inclusive or exhaustive list of potential adverse impacts associated with the project, AND

WHEREAS, this Town Board, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, believes that potentially significant environmental impacts relating to this project must be addressed by the applicant, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby determines that the project may have a significant adverse impact affect on the environment and therefore issues a "Positive Declaration" for the purpose of S.E.Q.R.A. and, BE IT FURTHER

RESOLVED, that the Peregrine Development Company be directed to submit a Draft Environmental Impact Statement ("DEIS") to the Town for review prior to any environmental determination and, BE IT FURTHER

RESOLVED, that this Town Board hereby determines that scoping under SEQRA is necessary for this project, and directs Peregrine Development to prepare a draft scope for this project and submit same for the Town to review and, BE IT FURTHER

RESOLVED, that the Town Building Inspector, as Intake Office for the Town, prepare, file and publish a Positive Declaration for this project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.12 of the S.E.Q.R.A. regulations.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SWIATEK TO AMEND THE ABOVE RESOLUTION, ITEM 7, 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. 7 cont'd.

AMENDED

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, an application was submitted by Clover Construction Management, Inc. for the construction of a two story 94,500 s.f. building at 151-171 Bennett Road, a 7.4 acre site, AND

WHEREAS, the building would be used as a 101 unit senior citizen apartment building for residents 52 years of age and older, AND

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WHEREAS, an Environmental Assessment Form ("EAF") for this project was prepared,
AND

WHEREAS, the Town of Cheektowaga solicited for Lead Agency status for the review
of this action for purposes of S.E.Q.R.A., AND

WHEREAS, the documents submitted by the applicant were reviewed by various
advisory groups within the Town, including the Environmental Advisory Committee ("EAC"),
Conservation Advisory Council ("CAC"), Traffic Safety Commission ("TSC") and Planning Board, AND

WHEREAS, many residents of the area met with various members of these advisory
groups and expressed their opinion on the proposed senior citizen apartment building, AND

WHEREAS, the EAC has reviewed the project and comments at meetings held on
October 13th and November 17th, AND

WHEREAS, the EAC at its meeting held on November 17, 1999, rendered the
recommendation shown on the memo dated November 18, 1999, AND

WHEREAS, this Town Board has reviewed the EAF and other documents submitted
by the applicant as well as documents submitted by involved/interested agencies and residents of the
area, in accordance with Article 8 of the Environmental Conservation Law and 6NYCRR Part 617, AND

WHEREAS, this Town Board believes that the project, as presented by the applicant,
may present the following significant adverse impacts on the environment:

1. Environmental Area (Cayuga Creek Floodplain);
2. Result in the encroachment of the facility into the Cayuga Creek Floodplain,
increasing the potential for flooding within the area due to the displacement of
floodwater storage area;
3. Impact traffic in the area through the increase in traffic, both resident and visitor, on
Bennett Road; also the sight lines may be inadequate for safe entry/exit from the
site;
4. Create a visual impact to the residents due to size and height of the facility and the
materials used as exterior finish;
5. Disturb potential cultural/archeological sites;
6. A number of large, good quality trees (oak, walnut, chestnut) exist on the
properties and an attempt should be made to save them;
7. If tax exempt status is sought, it will be to the detriment of the school, town and fire
districts;

WHEREAS, the above list is not an all inclusive or exhaustive list of potential adverse
impacts associated with the project, AND

Item No. 7 cont'd.

WHEREAS, this Town Board, in accordance with Article 8 of the Environmental
Conservation Law of the State of New York, believes that potentially significant environmental impacts
relating to this project must be addressed by the applicant, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby determines
that the project may have a significant adverse impact affect on the environment and therefore issues a
"Positive Declaration" for the purpose of S.E.Q.R.A. and, BE IT FURTHER

RESOLVED, that the Clover Construction Management be directed to submit a Draft
Environmental Impact Statement ("DEIS") to the Town for review prior to any environmental
determination and, BE IT FURTHER

RESOLVED, that this Town Board hereby determines that scoping under SEQRA is
necessary for this project, and directs Clover Construction Management to prepare a draft scope for
this project and submit same for the Town to review and, BE IT FURTHER

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RESOLVED, that the Town Building Inspector, as Intake Office for the Town, prepare, file and publish a Positive Declaration for this project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.12 of the S.E.Q.R.A. regulations.

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. 8 Accept Project Site Plan Regarding 2916 Union Road
This item was withdrawn.

Item No. 9 Order Owner of Property Located at 2916 Union Road to Install Sidewalks
This item was withdrawn.

Item No. 10 Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, as part of the review process for the development of property located at the northwest corner of Scott Plane and Aero Drive in the Town of Cheektowaga, the developer was requested to convey sidewalk and drainage easements over such property to the Town, AND

WHEREAS, CBM Construction Co., Inc., the owner of such property, has submitted the requested easements to the Town, AND

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

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RESOLVED, that the aforementioned easements be and hereby are accepted by the Town and, BE IT FURTHER

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

Upon roll call

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

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

WHEREAS, the Youth and Recreational Services Department's Youth Engaged in Service (Y.E.S.) program has requested permission to conduct an overnight camp-out on January 7th and 8th, 2000 Alexander Community Center, AND

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

RESOLVED, that the Cheektowaga Town Board permits a waiver of Article 48-12 of the Code of the Town of Cheektowaga and that said waiver be extended to the Cheektowaga Youth and Recreation's Y.E.S. program for use of the Alexander Community Center on January 7th-8th, 2000 and, BE IT FURTHER

RESOLVED, that a copy of said resolution be forwarded to the Chief of Police and the Facilities Director.

Upon roll call

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

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

WHEREAS, the Assessor's Office is requesting authorization to dispose of obsolete computer equipment. Several attempts have been made to find an after market re-seller to purchase equipment, but have been unsuccessful. NOW, THEREFORE BE IT

Item No. 12 cont'd.

RESOLVED, that the Assessor's Office is authorized to dispose of the following computer equipment:

2 Computers
2 Monitors
2 Keyboards

Upon roll call

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

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

WHEREAS, the Town's Self-Insured Liability Program is presently administered by Allied Claim Service, Inc. pursuant to an agreement which expires on December 31, 1999, AND

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WHEREAS, Allied Claim Services, Inc. has administered the Town's Self-Insured Liability Program competently and professionally for the last nine years, AND

WHEREAS, Allied Claim Services, Inc. has submitted a proposal dated October 7, 1999 to continue its services for the Town for years 2000, 2001, and 2002, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves execution of an Agreement with Allied Claim Services, Inc. for administration of the Town's Self-Insured Liability Program for 2000, 2001, and 2002 as per its proposal and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

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

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, thereafter, this Town Board added another 12 employees to such list, AND

WHEREAS, it now appears that other Town employees are interested in retiring under the aforesaid Retirement Incentive Program, NOW, THEREFORE BE IT

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:

Florence A. Walentynowicz

James J. Kirisits

Item No. 14 cont'd.

BE IT RESOLVED,

RESOLVED, that the Town Clerk be and hereby is directed to forward an amended list of Members Eligible for the 1999 Retirement Incentive Program to the New York State and Local Retirement System.

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

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

EFFECTIVE

FACILITIES DEPARTMENT

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Michael Papero
Christopher Ziems

Immediately
“

SENIOR SERVICES

Raymond Tuberdyck

Immediately

RECYCLING DEPARTMENT

Anthony Tolfa
Jeffrey Imiola

Immediately
“

EMPLOYEE RELATIONS

Pamela Bahny

Immediately

Upon roll call

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following individuals be terminated effective 12/6/99:
(Department of Youth and Recreation)

Erica D'Amico
Renee Fuller
Robin Thompson
Marcia Warner

Upon roll call

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
from Seasonal to Part-Time, effective 12/6/99:

Kimberly Arnold
Julie Babulski
Greg Bean
Scott Becker
Maureen Brezowski
Jillian Chwojdak
Stacie Chwojdak
Amy Cole
Cathleen Cramer
Tracy Dibiasio
Shannon Fletcher
Christopher Galley
Samantha Garcea
Amy Hawrysiak
Brandy Hittle
Courtney Hoerner
Jack Hornung
Amanda Jaworowicz
Roger Newhouse
Brian Pane
Shaun Rozenwicz

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Camille Russell (effective 12/12)
Cheryl Skowronski
Eileen Skowronski
Ben Stein
Sarah Stortz
Katherine Wagner

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

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

WHEREAS, William Nagel, currently employed as a Police Officer in the Police
Department, appears on the current Erie County Civil Service list and meets the necessary
qualifications, NOW, THEREFORE BE IT

RESOLVED, that William Nagel of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be
and hereby is appointed to the position of Sergeant in the Police Department effective 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 Mazur, Seconded by Councilmember Johnson

WHEREAS, two (2) vacancies exist in the position of Pump Operator (Provisional) in
the Main Pump Station, AND

Item No. 17b cont'd.

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

WHEREAS, there is not valid Civil Service list for the title of Pump Operator, AND

WHEREAS, Bruce Colucci, currently employed as a Laborer in the Highway
Department bid on said vacancy and meets the specific qualifications for said position, AND

WHEREAS, Richard Latshaw, currently employed as a General Mechanic in the
Facilities Department, bid on said vacancy and meets the specific qualifications for said position, NOW,
THEREFORE BE IT

RESOLVED, that Bruce Colucci of XXXXXXXXXXXXXXXX, Cheektowaga, New York
XXXXX and Richard Latshaw of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and
hereby are appointed to the provisional position of Pump Operator in the Main Pump Station 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. 18 Hiring of Part-Time Employees in Various Departments
This item was withdrawn.

II. DEPARTMENTAL COMMUNICATIONS

Item No. 19 Building Permits
Received and Filed.

Item No. 20 Minutes of Cheektowaga Public Library Board – October 27, 1999
Received and Filed.

Item No. 21 Needs Assessment for the Cheektowaga Historical Association
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 22a Notice of Claim: Robert E. Lee III 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. 22b Notice of Claim: Jason Nikiel 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. 22c Notice of Claim: Erin Cogan, infant, by her parent and natural guardian Marilyn Gentile, and Marilyn Gentile, individually vs. the Town of Cheektowaga, the Town of Cheektowaga Police Department; Joseph Bashaw, individually and as a Town of Cheektowaga Police Officer, and Christina Newman, individually and as Town of Cheektowaga Police Officer.
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. 22d Notice of Claim: Richard E. Koch 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. 23e Notice of Claim: Rose G. Strusienski 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. 22f Notice of Claim: James and Aurelia Lowmack 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. 22g Notice of Claim: Ronald V. Bolognese vs. the Town of Cheektowaga

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

Item No. 22h Notice of Claim: Denis Liska 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. 23 Notice of Petition: C.I.D. Landfill, Inc. vs. the Town of Cheektowaga, the Town Board of the Town of Cheektowaga and American Ref-Fuel of Niagara, L.P.
Copies were sent to: James Kirisits, Town Attorney.
Received and Filed.

Item No. 24 Designation of Restricted Highway – A portion of the Kensington Expressway (Rt. 33)
Received and Filed.



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

Upon roll call

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



IV. SUSPENSION OF RULES

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

WHEREAS, David Schmitt was appointed to the position of Public Safety Dispatcher by resolution dated October 17, 1994, AND

WHEREAS, the Residency Law of the Town requires that every employee, as a qualification for employment, be and remain a resident of the Town while so employed, AND

WHEREAS, certain reliable information has been received and evaluated by the Town's Coordinator of Employee Relations that David Schmitt is not now an actual resident of the Town, but instead lives in the City of Buffalo; and, therefore, he is no longer qualified for employment with the Town,

NOW, THEREFORE BE IT RESOLVED, that David Schmitt be and he hereby is terminated as an employee of the Town of Cheektowaga, effective immediately.



MOTION BY COUNCILMEMBER ROGOWSKI, SECONDED BY COUNCILMEMBER PATRICIA JAWOROWICZ TO TABLE THE ABOVE RESOLUTION, ITEM 25, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

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Item No. 26 Motion By Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, Richard E. Ryan was employed by the Town as a police officer until on or about March 18, 1995, when his application for accidental disability retirement was approved by the New York State and Local Retirement System due to injuries sustained in an accident which rendered him permanently incapacitated from the performance of his duties, AND

WHEREAS, the accident which caused the injuries to former police officer Ryan occurred on or about December 13, 1990, when he stepped onto a grate which collapsed, causing him to fall "into a pit approximately 3-1/2 feet deep", AND

WHEREAS, police officer Ryan received benefits provided for under the Workers Compensation Law, inasmuch as his injuries were established as having been sustained on-the job; and, as authorized by law, officer Ryan commenced a civil action against a third party for negligence in causing his injuries, AND

WHEREAS, section 29 of the Workers Compensation Law provides for a providers lien on the proceeds of any recovery in such civil action, after the deduction of reasonable and necessary expenses, but this statutory lien may be waived, AND

WHEREAS, based upon all of the facts and circumstances of this matter, it would be fair and reasonable for the Town to waive its statutory lien,

NOW, THEREFORE BE IT RESOLVED, that the Town Attorney be and he hereby is authorized to appear before the Hon. Thomas P. Flaherty, Justice of the Supreme Court, and to waive the aforesaid statutory lien.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SWIATEK TO TABLE THE ABOVE RESOLUTION, ITEM 26, 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. 27 Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak

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

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

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

RESOLVED, that sealed bids will be received on the 20th day of December, 1999 at 11:00 A.M., Eastern Standard Time at a Public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

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TOWN OF CHEEKTOWAGA\

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on December 20, 1999 at 11:00 A.M., Eastern Standard Time, at the Town Hall, 3301 Broadway, for Leasing and Servicing of Portable Chemical Toilets for the year 2000.

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

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

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



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 28 Motion By Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting. This meeting was adjourned at 7:45 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 29
December 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 December, 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; Bill Pugh, Town Engineer; Ron Marten, Supervising Building and Plumbing Inspector; Sal LaGreca, Planning Board Chairman; Kevin Glascott, TCEA President; Michael Stachowski, Deputy Town Attorney; Captain Town Rowan, Cheektowaga Police Department; Mark Wegner, Foreman-Facilities Department; Ken Kopacz, Executive Director of Youth and Recreation.

I. FROM THE TABLE

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

WHEREAS, David Schmitt was appointed to the position of public safety dispatcher by resolution dated October 17, 1994, and

WHEREAS, the Residency Law of the Town requires that every employee, as a qualification for employment, be and remain a resident of the Town while so employed, and

WHEREAS, certain reliable information has been received and evaluated by the Town's Coordinator of Employee Relations that David Schmitt is not now an actual resident of the Town, but instead lives in the City of Buffalo; and therefore, he is no longer qualified for employment with the Town, NOW, THEREFORE, BE IT

RESOLVED that David Schmitt be and he hereby is terminated as an employee of the Town of Cheektowaga effective immediately.

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 Mazur

WHEREAS, Richard E. Ryan was employed by the Town as a police officer until on or about March 18, 1995, when his application for accidental disability retirement was approved by the New York State and Local Retirement System due to injuries sustained in an accident which rendered him permanently incapacitated from the performance of his duties, and

WHEREAS, the accident which caused the injuries to former police officer Ryan occurred on or about December 13, 1990, when he stepped onto a grate which collapsed, causing him to fall "into a pit approximately 3 ½ feet deep", and

WHEREAS, Police Officer Ryan received benefits provided for under the Workers Compensation Law, inasmuch as his injuries were established as having been sustained on-the-job; and, as authorized by law, officer Ryan commenced a civil action against a third party for negligence in causing his injuries, and

Item No. 3 cont'd

**MEETING NO. 29
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WHEREAS, Section 29 of the Workers Compensation Law provides for a providers lien on the proceeds of any recovery in such civil action, after the deduction of reasonable and necessary expenses, but this statutory lien may be waived, and

WHEREAS, based upon all of the facts and circumstances of this matter, it would be fair and reasonable for the Town to waive its statutory item, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney be and he hereby is authorized to appear before the Hon. Thomas P. Flaherty, Justice of the Supreme Court, and to waive the aforesaid statutory lien.



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

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

The above resolution was tabled.



II. RESOLUTIONS

Item No. 4 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	\$ 9,500.00
0100-3020-1569	Dispatch Part Time	20,950.00
0100-3120-1391	Part Time Clerical	40,000.00
0100-3120-1375	Account Clerk Typist	5,500.00
0100-3120-1591	Crossing Guards	33,000.00
0100-3120-1374	Clerk Typist	12,000.00
0100-3120-1351	Senior Clerk Typist	2,000.00
0100-3020-1561	Dispatchers	20,000.00
0100-9010-8111	Police Retirement	317,100.00
0100-7310-1374	Clerk Typist	5,000.00
0100-7140-1603	Recreation Instructor	6,500.00
0100-7140-1603	Recreation Instructor	1,500.00
0100-7140-1603	Recreation Instructor	1,250.00
0100-7140-1631	Cedargrove Camp	7,500.00
0100-1356-4511	Transcript Services	220.00
0100-3610-4086	Membership Dues	48.00
0100-1110-3789	Other Economic Assistance	8,100.00
0100-1110-4071	Uniforms	500.00
0100-1110-4321	Data Processing	1,500.00
0100-1110-4431	Equipment Maintenance	600.00
0100-1110-4501	Records Management	2,900.00
0100-1110-4591	Jurors Fees	1,900.00
0100-1110-4592	Contracted Clerical	7,000.00
0100-1625-2303	Road Vehicles-Bldg Maint	23,500.00
0100-7110-2303	Road Vehicles-Facilities	49,000.00
0100-1220-1305	Assistant to the Supervisor	3,308.00
0100-1355-1374	Clerk Typist	33,440.00

Item No. 4 cont'd

FROM cont'd

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0100-9501-9211	Bond Interest	3,000.00
0100-1315-4051	Records Management	1,500.00
0100-9501-9211	Bond Interest	16,500.00
0100-5132-4221	Gas Highway Garage	500.00

TO:	0100-3310-1435	Signal Repair Tech	\$	7,500.00
	0100-3310-1492	Signal Sign Maintenance		2,000.00
	0100-3120-1595	Cell Block Attendant		20,950.00
	0100-3120-1112	Chief of Police		6,000.00
	0100-3120-1153	Assistant Chief		1,600.00
	0100-3120-1551	Sergeant		84,000.00
	0100-3120-1531	Detectives		40,000.00
	0100-3120-1541	Patrolmen		298,000.00
	0100-7310-1361	Clerk Steno		5,000.00
	0100-7140-1611	Rink Personnel		6,500.00
	0100-7140-1623	Recreation Leader		1,500.00
	0100-7140-1654	Basketball		1,250.00
	0100-7140-1664	Pre-K		7,500.00
	0100-1355-4001	Office Supplies		220.00
	0100-3610-4001	Office Supplies		48.00
	0100-1110-2105	Equipment Purchases		21,400.00
	0100-1110-4001	Office Supplies		500.00
	0100-1110-4013	Law Books		600.00
	0100-9501-9400	Transfer Out		72,500.00
	0100-1220-1104	Disaster Coordinator		3,308.00
	0100-1355-1351	Senior Clerk		33,440.00
	0100-1420-1381	Legal Steno		3,000.00
	0100-1315-4431	Maintenance Agreement		10,000.00
	0100-1320-4506	Acct. & Auditing Services		8,000.00
	0100-5132-4231	Water Highway Garage		500.00

HIGHWAY FUND

FROM:	0300-5141-1491	Seasonal	\$	9,500.00
TO:	0300-5141-1201	General Crew Chief	\$	4,500.00
	0300-5141-1203	Foremen		4,000.00
	0300-5141-1416	Tree Trimmer		1,000.00

PART TIME FUND

FROM:	0800-1910-4711	Contingency	\$	4,000.00
TO:	0800-9010-8121	FICA Expense	\$	4,000.00

DEBT SERVICE FUND

FROM:	1200-1910-2401	Interest Earnings	\$	60,000.00
	1200-1910-2799	Appropriated Fund Balance		717,238.00
	1200-1910-5031	Interfund Transfers		4,176,997.00
TO:	1200-9710-6710	Bond Principal Payments	\$	2,758,303.00
	1200-9710-7710	Bond Interest Payments		1,418,694.00
	1200-9710-7790	Debt Service Applied		777,238.00

SPECIAL DISTRICTS FUND

FROM:	1500-8173-1410	Recycling Drivers	\$	15,000.00
	1500-8160-4160	Diesel Fuel		5,000.00
	2500-8125-4217	Sewer District Utilities		1,600.00
TO:	1500-8173-1492	Seasonal Laborers	\$	15,000.00
	1500-8160-4211	Electric		5,000.00
	2500-8125-4954	Harlem PS Utilities		4,600.00

Item No. 4 cont'd

CAPITAL FUND

FROM:	5915-1910-5031	Transfers In	\$	72,500.00
TO:	5915-1625-9917	Building Maintenance Vehicles	\$	23,500.00

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5915-7110-9918 Facilities Vehicles 49,000.00

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

Item No. 5 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 December 17, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 404,611.99
HIGHWAY FUND	20,801.00
TRUST & AGENCY	10,982.25
PART TOWN FUND	3,820.86
HUD CDBG FUND	69,737.00
RISK RETENTION FUND	28,106.95
SPECIAL DISTRICTS FUND	467,534.48
CAPITAL FUND	76,748.67
	<u>\$1,082,343.20</u>

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

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

WHEREAS, the Town Building Department, fire inspectors and Police Department have requested that this Town Board enact a new law to regulate open fires/ open burning within the Town because of gray areas in existing laws, and

WHEREAS, a draft Open Burning Law was submitted for environmental review and comments on same were made, and

WHEREAS, a public hearing was held on the 15th day of November, 1999 at 7:00 P.M., at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law Pertaining to Open Burning", and

WHEREAS, it is in the public interest to enact a Local Law Pertaining to Open Burning, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby determines that the adoption of this local law will not have a significant effect on the environment and therefore issues a "Negative Declaration" for the purpose of SEQRA , and BE IT FURTHER

RESOLVED that Local Law No. 5 of the Year 1999, entitled "A Local Law Pertaining to Open Burning" 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. 5 of the Year 1999 shall be effective immediately upon its filing with the Secretary of State.

Item No. 6 cont'd

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

MEETING NO. 29
December 20, 1999

**SEE NEXT PAGE(S) for ATTACHMENT

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

BE IT RESOLVED that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on January 4, 2000 at 7:00 PM at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 23rd day of December, 1999, said amendments being set forth in the Notice of Hearing.

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NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on January 4, 2000 at 7:00 PM to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VII

§76-530, Schedule VII, Stop intersections shall be amended by adding thereto the following:

<u>Stop Signs On</u>	<u>Direction Traffic Stops</u>	<u>At Intersection of</u>
Elmleaf Drive	West	North Rushford Lane

ARTICLE X

§76-545, Schedule X, Parking Prohibited in Designated Locations, shall be amended by adding thereto the following:

CLEVELAND DRIVE	- north side	from the west curblin of Cayuga Road to the east curblin of Princeton Court
CLEVELAND DRIVE	- south side	from the west curblin of Cayuga Road to the east curblin of Princeton Court
CLEVELAND DRIVE	- south side	from the east curblin of Union Road to the west curblin of Farmingdale Road
CLEVELAND DRIVE	- north side	from the east curblin of Union Road to the west curblin of Montford Drive
CLEVELAND DRIVE	- north side	from the west curblin of Union Road to the east curblin of Virginia Road
CLEVELAND DRIVE	- south side	from the west curblin of Union Road to a point two hundred seventy-eight (278) feet west

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

Dated: December 20, 1999

RICHARD M. MOLESKI
Town Clerk



Item No. 7a cont'd

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

AFFIDAVIT - NEXT PAGE

**MEETING NO. 29
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Item No. 7b Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga Amusement Arcades Ordinance mandates that a license may not be granted for any premises to be used as an amusement arcade if such premises is located within 500 feet of a school, church or R-District boundary, and

WHEREAS, Section 12 of such ordinances authorizes an applicant to appeal to this Town Board to vary or modify this requirement if an applicant can attest to and prove certain matters, and

WHEREAS, Silicon Entertainment, Inc. has appealed to this Town Board from the requirement that NASCAR Silicon Motor Speedway, an amusement arcade, is not 500 feet from a R-District boundary, and

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WHEREAS, Nascar Silicon Motor Speedway is proposing to locate in the northerly portion of the Walden Galleria Mall in the location formerly leased by Pizzeria Uno which location, according to the Building Inspections Department, is less than 500 feet from a R-District boundary, NOW, THEREFORE, BE IT

RESOLVED that a hearing on the application of Silicon Entertainment, Inc. for a variance from the requirement that NASCAR Silicon Motor Speedway, an amusement arcade, be at least 500 feet from a R-District boundary be and hereby is scheduled for January 4, 2000 at 7:00 PM at the Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens may be heard, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Legal Notice in the Cheektowaga Times.



NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, Erie County, New York will meet at the Town Hall, 3301 Broadway, Cheektowaga, New York on the 4th day of January, 2000 at 7:00 PM to consider the application of:

Silicon Entertainment, Inc.

for a Variance to the AMUSEMENT ARCADES ORDINANCE on premises located at:

WALDEN GALLERIA
ONE GALLERIA DRIVE

relative to:

Location of an Amusement Arcade within 500 feet of a R-Residence District boundary.

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

Dated: December 20, 1999

RICHARD M. MOLESKI
Town Clerk



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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, it is in order that bids be advertised for the purchase of baseball and softball equipment for the Town of Cheektowaga Department of Youth and Recreational Services, NOW, THEREFORE, BE IT

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

RESOLVED that sealed bids will be received on January 7, 2000 at 11:00 am, Eastern Standard Time at a public bid opening to be held in the Town Clerk's Office located in Cheektowaga Town Hall.

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December 20, 1999



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, publicly opened and read by the Town Clerk of the Town of Cheektowaga, Erie County, New York, on January 7, 2000 at 11:00 am, Eastern Standard Time at Town Hall, corner of Broadway and Union Road for the purchase of baseball and softball equipment.

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: December 23, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 9a 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 Sprint Spectrum LP to construct two parking lots totaling 23,700 s.f. at 50 Dewberry Lane, and

WHEREAS, the applicant is remodeling the building on the premises for a communications switching facility, and

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WHEREAS, the parking lots will be for employee visitor vehicles as well as company vehicles, and

WHEREAS, the Planning Board, at its meeting held on December 9, 1999 rendered the determination shown on the attached memo dated December 9, 1999, and

WHEREAS, the concerns of the Cheektowaga Conservation Advisory Council regarding tree removal have been resolved with proposed on-site replacement of 57 deciduous plantings, and

WHEREAS, the applicant has committed to install sidewalks along Dewberry Lane, 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.

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 Supervisor Gabryszak, 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 Bernard Rusiniak to construct an 800 s.f. storage building at 2916 Union Road for document storage, and

WHEREAS, the Planning Board, at its meeting held on November 10, 1999 rendered the determination shown on the attached memo dated November 15, 1999, and

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

MEETING NO. 29
December 20, 1999

RESOLVED that this Town Board, determines that the attached 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. 10a 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 Benderson Development Company to construct a 12,950 s.f. retail building at the rear of 2563 Union Road, presently occupied by an Eckerd Drugstore, and

WHEREAS, the applicant has modified the site plan to include pedestrian access within the plaza, an additional driveway between the drugstore and the retail building, additional landscaping and improved architectural features, and

**MEETING NO. 29
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WHEREAS, the applicant has further agreed to limit the use of the building to offices, boutiques and retail sales, and

WHEREAS, the applicant has further agreed to eliminate a restaurant as a potential use for the building, and

WHEREAS, the advisory Committee, at its meeting held on December 15, 1999 rendered the determination shown on the attached memo dated December 16, 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. 10b 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 Benderson Development Company to Construct a 19,755 s.f. retail building on parcels of land known as 3458-3480 Union Road, and

WHEREAS, the lands are presently occupied by two houses and an office building, all of which would be demolished, and

WHEREAS, the parcels of land would be combined with the parcel occupied by Media Play at 2150 Walden Avenue, and

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WHEREAS, the applicant will install a sidewalk on Union Road, provide pedestrian access and has moved the driveway to Union Road to the northernmost property line, and

WHEREAS, the Advisory Committee at its meeting held on December 1, 1999 rendered the determination shown on the attached memo dated December 2, 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. 11 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

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

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

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

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

**MEETING NO. 29
December 20, 1999**

Item No. 12 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, the Town of Cheektowaga is in the process of reviewing a developer's application to rezone and construct a plaza on property located at the Transit Road/William Street intersection in the Town of Cheektowaga, and

WHEREAS, this Town Board previously retained the services of URS Greiner Woodward Clyde to perform a study of the Transit Road/French Road corridor, and as part of such study, the aforesaid proposed project was reviewed, and

WHEREAS, URS Greiner has provided the Town of Cheektowaga with its comments concerning such project, and

WHEREAS, the Environmental Advisory Committee (EAC) has reviewed the comments of URS Greiner and further expressed the concerns of residents in the area that there may be a driveway installed opposite Strasmer Road encouraging traffic to use a residential street, and

WHEREAS, the EAC has recommended that the comments of URS Greiner be forwarded by the Town Board to the Town of Lancaster, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby adopts the aforesaid comments made by URS Greiner as its own, and BE IT FURTHER

RESOLVED that the Town Building Inspector/SEQRA Intake Officer be and hereby is directed to forward the Town's URS Greiner's comments to the Town of Lancaster.

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

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

WHEREAS, by letter dated November 2, 1999, David Burr, under the Freedom of Information Law ("FOIL"), requested information/records from the Cheektowaga Police Department ("CPD") relating to an arson which allegedly occurred in the mid-1970's on Ludington Street which supposedly resulted in the conviction of "Larry Berzingsky", and

WHEREAS, the CPD searched its files and records and, by letter dated November 11, 1999, notified Mr. Burr that it could not find any information mentioned in Mr. Burr's letter, and

WHEREAS, under FOIL, Mr. Burr appealed this determination to this Town Board, and

WHEREAS, this matter has been discussed with the CPD, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby finds:

1. The records requested by Mr. Burr from the mid-1970's do not exist in the CPD files;
2. Ludington Street is located in the City of Buffalo;
3. The determination of the CPD is affirmed;
4. Mr. Burr's request is denied because the records do not exist in the Town.

and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to David Burr and to the NYS Committee on Public Access to Records.

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

Item No. 14a Motion by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, by resolution dated July 19, 1999, this Town Board authorized submission of a grant application to the New York State Energy Research and Development Authority (NYSERDA) for matching funds to conduct an analysis and Feasibility study for conversion of a gas fired system, which conversion is anticipated to result in significant annual energy savings, and

WHEREAS, NYSERDA has provided written notice of grant award to the Town Engineer for the aforesaid Energy Feasibility Study and has further approved the scope of work, budget and schedule, committing 50% matching funds for the aforesaid study in an amount not to exceed \$13,197.00, and

WHEREAS, the aforesaid grant application was submitted based on a scope of services and study methodology developed by the Town Engineer and the consulting engineering firm of Nussbaumer & Clarke, Inc., which firm was responsible for the original design of the Main Pump Station facility, NOW, THEREFORE, BE IT

RESOLVED that this Town Board be and hereby accepts the NYSERDA grant award and authorizes the Town Supervisor to execute the consulting engineering services agreement with Nussbaumer & Clarke, Inc. 3556 Lake Shore Road, Buffalo, New York 14219, as submitted to the Town Engineer and dated December 8, 1999 for the preparation of the Energy Feasibility Study, as further outlined in the grant award at a fee not to exceed \$26,393.00, of which 50% is reimbursable by NYSERDA following acceptance of the final summary report, and BE IT FURTHER

RESOLVED that funding for professional services associated with the preparation of the Feasibility Study shall be chargeable to Account No. 2500-8135-4581.

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

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ABSENT: 0

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

WHEREAS, the County of Erie, acting through the Erie County Department of Senior Services, is the Area Agency on Aging responsible for the development of a coordinated system for the delivery of nutritional services to older persons residing in Erie County, and

WHEREAS, the County of Erie has submitted a contract to the Town of Cheektowaga wherein the Town would provide nutritional services to older persons residing in the town on behalf of the County of Erie for the Year 2000, and

WHEREAS, the Town has provided these services to Town residents in the past on behalf of the County, and has contracted for site locations for the provisions of meals, which sites have been approved by the County, and

WHEREAS, the Director of the Senior Services Department has recommended that the Town enter into this agreement with the County for the Year 2000, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the aforesaid agreement with the County of Erie.

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

NAYES: 0

ABSENT: 0

item No. 14c Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

Item No. 14c cont'd

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

RESOLVED that the Supervisor of the Town of Cheektowaga continue said program for a twelve (12) month period, January 1, 2000 through December 31, 2000 with a total cost not to exceed the sum of \$2,100.00 and BE IT FURTHER

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

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

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

NAYES: 0

ABSENT: 0

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

WHEREAS, by resolution dated June 21, 1999, this Town Board engaged the firm of EMS Consulting to prepare a Traffic Impact Study and Signal Warrant Analysis for the Town Hall Complex, in support of the Town's proposal to consolidate driveways to Union Road to one (1) signalized intersection, proposed in an effort to enhance safety for inbound and outbound vehicular movements onto Union Road, and

WHEREAS, based on numerous meetings conducted with representatives of the NYSDOT, who is currently designing improvements for the reconstruction of Union Road (Route 277) between Como Park Boulevard and George Urban Boulevard identified as P.I.N. 5131.23.101,

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proposed for construction in calendar year 2001, and based on traffic inputs associated with development proposals on the west side of Union Road opposite the Town Hall complex, it is necessary to provide supplemental data and analysis to NYSDOT for a combined signalized intersection, including access roadway preliminary design and cost estimates, which scope of engineer services was not provided for in the original consulting engineering agreement, NOW, THEREFORE, BE IT

RESOLVED that the proposals of EMS Consulting Engineers, 1863 Clinton Street, Buffalo, New York 14206 as submitted to the Town Engineer and dated December 15, 1999 for the development of the Supplemental Traffic Impact Study detail and analysis for the combined intersection signalization project be and hereby is approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign said consulting engineering agreement on behalf of this Town Board, and BE IT FURTHER

RESOLVED that funding for professional services associated with the Supplemental Traffic Impact Study and Signal Warrant Analysis in an amount not to exceed \$3,300.00 shall be chargeable to Account #5704-1440-9606, and BE IT FURTHER

RESOLVED that following the completion of the Supplemental Traffic Impact Study and Signal Warrant Analysis Report, this Town Board hereby directs the Town Engineer to submit said study to the NYSDOT for review in support of the Town's request for a traffic signal installation.

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

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

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

Item No. 14e cont'd

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

WHEREAS, the Cleveland Hill School District will provide the necessary facilities to operate a Safe Places program, and

WHEREAS, the Boys and Girls Clubs of Buffalo has successfully operated the program during the first year of the grant; and

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

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached agreement with the Boys and Girls Clubs of Buffalo to provide said service beginning January 3, 1000 and ending December 31, 2000.

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. 14f Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

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

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and the Youth Department - Diocese of Buffalo to continue said program for a twelve month period, January 1, 2000 through December 31, 2000 with a total cost not to exceed the sum of \$55,000.00, and BE IT FURTHER

RESOLVED that the Youth Department - Diocese of Buffalo will reimburse the town \$9,164.00 (17%) of the total budget for said program leaving the actual cost to the Town at \$45,836.00 (83%).

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

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

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

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

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

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Catholic Charities Metropolitan Services Department, to continue said program for a twelve month period, January 1, 2000 through December 31, 2000 with a total cost not to exceed the sum of \$140,139.00, and BE IT FURTHER

RESOLVED that Catholic Charities Metropolitan Services will reimburse the Town \$35,915.00 (26%) of the total budget for said program and the New York State Office of Children and Family Services will reimburse the Town for up to \$40,225.00 (20%) leaving the actual cost to the Town at \$63,999.00 (46%).

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

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

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

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

Item No. 14h cont'd

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

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Child and Family Services to continue said program for a twelve month period, January 1, 2000 through December 31, 2000 with a total cost not to exceed the sum of \$101,397.00 and BE IT FURTHER

RESOLVED that Child and Family Services will reimburse the Town for up to \$15,210.00 (15%) of the total budget for said program and the New York State Office of Children and Family services will reimburse the Town for up to \$28,991.00 (29%) leaving the actual cost to the town at \$57,196 (56%).

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

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

Item No. 14i Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owners of the property located at 95 Century Road, Cheektowaga, New York, and

WHEREAS, the owners of said property have applied for a mortgage loan from Ameriquest Mortgage Company for the purpose of refinancing existing mortgage debt, and

WHEREAS, Ameriquest Mortgage Company has conditioned its mortgage approval on the subordination of the Town's mortgage to that of Ameriquest Mortgage Company, NOW, THEREFORE, BE IT

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RESOLVED that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement with Ameriquest Mortgage Company, with its primary office located at 6265 Sheridan Drive, Williamsville, NY 14221, pertaining to the Town's Housing Rehabilitation loan secured for a mortgage on the property located at 95 Century Road, Cheektowaga, New York.

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

Item No. 14j Motion by Supervisor Gabryszak, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$30,000.00 to purchase a van to transport senior citizens, and

WHEREAS, grant monies are available through the Legislative Initiative Program via New York State Senator William Stachowski, 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 office of New York Senator William Stachowski for the purpose of securing this grant, and BE IT FURTHER

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

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

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

WHEREAS, the New York State Electric & Gas Corporation (NYSEG) has developed an updated conversion schedule, whereby mercury vapor street lighting luminaries being removed from service are replaced with high pressure sodium luminaries, pursuant to the attached NYSEG proposal dated November 23, 1999, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby adopts the aforesaid NYSEG proposal, which conversion schedule is to be implemented upon replacement of mercury vapor luminaries with more efficient high pressure sodium luminaries, which provide for enhanced illumination, and BE IT FURTHER

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

Mr. Jim Latello
West Region Lighting Coordinator
New York State Electric & Gas Corporation
150 Erie Street
Lancaster, New York 14086

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. 16 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, by resolution dated November 1, 1999, this Town Board memorialized the NYS DEC to reduce the size of its proposed maintenance garage in the Reinstein Woods Nature Preserve to lessen its impact on the pristine character of the Reinstein Woods and its effect on the adjacent residential neighborhood, and

WHEREAS, such resolution also directed the Town Attorney to research whether legal action was warranted to enjoin the DEC from constructing the aforesaid proposed tri-county maintenance building, and

WHEREAS, legal research has concluded that the DEC neglected to subject the construction of this facility to environmental review under SEQRA, NOW, THEREFORE, BE IT

RESOLVED that the Town SEQRA Intake Officer be and hereby is directed to formally notify the DEC that it must submit this project to SEQRA review and that, it does not comply with SEQRA, necessary legal action may be taken by the town against the DEC to compel it to comply, and BE IT FURTHER

RESOLVED that the DEC shall also be requested to meet with the Town Environmental Advisory Review Committee to discuss this project and to discuss proposed mitigation measures for such project.

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

Item No. 17 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:

	<u>EFFECTIVE</u>
<u>ACCOUNTING DEPARTMENT</u>	
Barbara Bahny	12/31/99
<u>ASSESSORS OFFICE</u>	
Mary Morris	12/31/99
Suzanne O'Neill	"

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SEWER MAINTENANCE

Timothy Andrzejewski	12/31/99
John Arcese	"
Eric Czubaj	"
Jacob Dormann	"
Jason Dormann	"
William Dormann	"
Joseph Gruber	"
Donald Hartman	"
Jacob Hartman	"
Marcus Hartman	"
D. Scott Klosko	"
Mark Klosko	"
Justin Maly	"
Michael O'Sullivan	"
Alan Ross	"

SCHOOL CROSSING GUARD

Lorraine Schrader	12/31/99
Patricia Knox	"
Roberta Paul	"
Harriet Penny	"
Madeline Barry	"

Item No. 17 cont'd

TAX OFFICE

Delphine Gembka	12/31/99
Judith Havernick	"
Julie Miller	"
Patricia Miller	"
Waltraud Piffl	"
Lucille Rokitka	"
Patricia Cosimano	"
Geraldine Glascott	"
Eleanor Kantowski	"
Jean Krzykowski	"
Wanda Lennert	"
Arlene Mueller	"
Denise Myers	"
Joan Wojtkowski	"
Rita Wick	"
Lucille McCabe	"

FACILITIES DEPARTMENT

Sean O'Brien	12/31/99
Jason Stucke	"
Dennis Sykes	"
Felix Lampke	"
James Eller	"
Bryan Serio	"
Chris Kulinski	"

TOWN CLERK'S OFFICE

Jennifer Farugia	12/31/99
Sarah Kosicki	"

HIGHWAY DEPARTMENT

Gregory Ford	12/31/99
David Podlas	"
Ken Kopacz	"
Eric Zenicki	"
Andrew Pawelek	"

MAIN PUMP STATION

Jason Ducato	12/31/99
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek,
Jankowiak and Mazur
NAYES: 0
ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Clerk in the Senior Services 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, Linda Rine, currently employed as a Clerk in the Justice Court, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Linda Rine of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Clerk in the Senior Services Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 4, 2000.

Item No. 18a cont'd

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

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

WHEREAS, by resolution, this Town Board appointed Mark Christel and Paul Piowowski to the positions of Senior Engineer Assistant in the Engineering Department on a provisional basis, pending the establishment of a valid Civil Service Examination for said positions, and

WHEREAS, said Civil Service list has been established by the Erie County Department of Personnel and both Mark Christel and Paul Piowowski have reachable for permanent appointment, NOW, THEREFORE, BE IT

RESOLVED that Mark Christel of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX and Paul Piowowski of XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby are permanently appointed to the position of Senior Engineer Assistant in the Engineering Department effective immediately.

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

Item No. 18c Motion by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Electrician in the Facilities 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, currently employed as a bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that be and hereby is appointed to the position of Electrician 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 immediately.

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Motion by Councilmember Mazur, Seconded by Councilmember Johnson to amend the above resolution stating the person to be appointed is not currently employed, and the voting was as follows:

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



Motion by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Electrician in the Facilities Department, and
Item No. 18c cont'd

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, William J. Graczyk, XXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that William Graczyk be and hereby is appointed to the position of Electrician 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 immediately.

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

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

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

EFFECTIVE

<u>ASSESSORS OFFICE - Clerk - \$6.75 per hour</u>		
Mary Morris	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	1/01/00
<u>ASSESSORS OFFICE - Clerk - \$7.00 per hour</u>		
Suzanne O'Neill	XXXXXXXXXXXXXXXXXXXXX, Sloan, XXXXX	1/01/00
<u>SEWER MAINTENANCE - Laborer - \$6.00 per hour</u>		
Timothy Andrzejewski	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	1/01/00
John Arcese	XXXXXXXXXXXXXXXXXXXXX, Depew XXXXX	"
Eric Czubaj	XXXXXXXXXXXXXXXXXXXXX, Sloan XXXXX	"
Jacob Dormann	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Jason Dormann	" "	"
William Dormann, Jr.	" "	"
Joseph Gruber	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	1/01/00
Donald Hartman	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Jacob Hartman	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Marcus Hartman	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
D. Scott Klosko	XXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Mark Klosko	" "	"

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Justin Maly	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Michael O'Sullivan	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Alan Ross	XXXXXXXXXXXXXXXXXX Cheektowaga XXXXX	"

TAX OFFICE - Clerk - \$6.50 per hour

Delphine Gembka	XXXXXXXXXXXXXXXXXX, Depew XXXXX	1/01/00
Judith Havernick	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Julie Miller	XXXXXXXXXXXXXXXXXXXXXX, Sloan XXXXX	"
Patricia Miller	XXXXXXXXXXXXXXXXXXCheektowaga XXXXX	"
Wiltraud Piffi	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Lucille Rokitka	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Patricia Cosimano	XXXXXXXXXXXXXXXXXX., Cheektowaga XXXXX	"
Geraldine Glascott	XXXXXXXXXXXX, Depew, XXXXX	"
Eleanor Kantowski	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Jean Krzykowski	XXXXXXXXXXXXXXXXXXXX Cheektowaga XXXXX	"
Wanda Lennert	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Arlene Mueller	XXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX	"
Denise Myers	XXXXXXXXXXXXXXXXXXXXXX, BuffaloXXXXXX	"

Item No. 19 cont'd

Joan Wojtkowski	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Rita Wick	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Wanda Kucewicz	XXXXXXXXXXXXXXXXXXXX, Depew XXXXX	"

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Sean O'Brien	XXXXXXXXXXXXXXXXXX., Cheektowaga XXXXX	1/01/00
Jason Stucke	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Dennis Sykes	XXXXXXXXXXXXXXXXXXCheektowaga XXXXX	"
Felix Lampke	XXXXXXXXXXXX, Cheektowaga XXXXX	"

TOWN CLERK'S OFFICE - Clerk - \$6.00 per hour

Jennifer Farugia	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	1/01/00
Sarah Kosicki	XXXXXXXXXXXXXXXXXXXX, Depew XXXXX	"

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

NAYES: 0

ABSENT: 0

Item No. 20a 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

SENIOR SERVICES - Outreach Worker - \$9.00 per hour

Patricia Wojcinsk	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	Immediately
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SENIOR SERVICES - Recreation Attendant - \$6.50 per hour

Susan Kopp	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	12/06/99
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EMPLOYEE RELATIONS - Confidential Administrative Aide - \$7.00/hr,

Rachel Shostak	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	Immediately
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POLICE DEPARTMENT - School Crossing Guard - \$7.107 per hour

Lorraine Schrader	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	1/03/00
Roberta Paul	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Madeline Barry	XXXXXXXXXXXXXXXXXXXX Cheektowaga XXXXX	"
Patricia Knox	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"

ACCOUNTING DEPARTMENT - Confidential Clerk - \$7.00 per hour

Barbara Bahny	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	1/01/00
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FACILITIES DEPARTMENT - Laborer \$6.00 per hour

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James Eller
Bryan Serio

XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX 1/01/00
XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXXXXXXXX “

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

Item No. 20b 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 12/21/99:

Item No. 20b cont'd

RECREATION ATTENDANTS - 7140.1614

Recreation Attendant VI - \$6.40

Stephanie King XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant III - \$5.65

Peter Greenauer XXXXXXXXXXXXXXXXXXXXXXXX

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

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

BE IT RESOLVED that the following Youth and Recreation employee be and hereby is transferred as indicated:

Part-time

Aaron Grupka
Stephanie Ketterl
Luke Mazur
David Schnettler
Elizabeth Sinski

Seasonal)

Colleen Keiser
(effective 12/20 - revert to part-time status 12/31/99)

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22a Minutes of Cheektowaga Planning Board - November 10, 1999
Received and Filed.

Item No. 22b Minutes of Cheektowaga Traffic Safety Commission - November 16, 1999
Received and Filed.

IV. GENERAL COMMUNICATIONS

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Item No. 23a Notice of Claim - Michael Bialecki 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. 23b Notice of Claim - Sean D. Mohan vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Maintenance.
Received and Filed.

V. SUSPENSION OF RULES

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

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



Item No. 24 Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, after careful and thorough study and deliberation, the members of this Town Board believe that bona fide financial benefits and economics will result from (1) the transfer of the operation and administration of the Building and Grounds Division of the Facilities Department to the Highway Department under the superintendence of the Superintendent of Highways and (2) the transfer of the operation and administration of the Parks Division of the Facilities Department to the Department of Youth and Recreational Services, and

WHEREAS, both the Superintendent of Highways and the Director of Youth and Recreational Services have informed this Town Board that each of them is able to perform the additional duties involved in supervising the affairs of the aforesaid divisions of the Facilities Department, including, but not limited to, supervising all employees, keeping appropriate time and material records, certifying payrolls, preparing and enforcing appropriate rules, practices and procedures, maintaining discipline, as well as any and all other matters relating to supervision and control; and

WHEREAS, both the Superintendent of Highways and the Director of Youth and Recreational Services have assured this Town Board that the aforesaid additional duties will not interfere with the performance of their duties and responsibilities as Superintendent of Highways under the Highway Law or as Director of Youth and Recreational Services under the Town Law, General Municipal Law and rules and regulations promulgated by this Town Board, NOW, THEREFORE, BE IT

RESOLVED as follows:

1. The Building and Grounds Division of the Facilities Department be and hereby is transferred to the Highway Department, effective January 1, 2000.
2. The Parks Division of the Facilities Department be and hereby is transferred to the Youth and Recreation Department, effective January 1, 2000.
3. The Youth and Recreation Department be known as the Department of Parks, Recreation and Youth Services effective January 1, 2000.



MEETING NO. 29
December 20, 1999

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



Item No. 24 cont'd

Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, after careful and thorough study and deliberation, the members of this Town Board believe that bona fide financial benefits and economics will result from (1) the transfer of the operation and administration of the Building and Grounds Division of the Facilities Department to the Highway Department under the superintendence of the Superintendent of Highways and (2) the transfer of the operation and administration of the Parks Division of the Facilities Department to the Department of Youth and Recreational Services, and

WHEREAS, both the Superintendent of Highways and the Director of Youth and Recreational Services have informed this Town Board that each of them is able to perform the additional duties involved in supervising the affairs of the aforesaid divisions of the Facilities Department, including, but not limited to, supervising all employees, keeping appropriate time and material records, certifying payrolls, preparing and enforcing appropriate rules, practices and procedures, maintaining discipline, as well as any and all other matters relating to supervision and control; and

WHEREAS, both the Superintendent of Highways and the Director of Youth and Recreational Services have assured this Town Board that the aforesaid additional duties will not interfere with the performance of their duties and responsibilities as Superintendent of Highways under the Highway Law or as Director of Youth and Recreational Services under the Town Law, General Municipal Law and rules and regulations promulgated by this Town Board, NOW, THEREFORE, BE IT

RESOLVED as follows:

1. The Building and Grounds Division of the Facilities Department be and hereby is transferred to the Highway Department effective January 1, 2000.
2. The Parks Division of the Facilities Department be and hereby is transferred to the Youth and Recreation Department effective January 1, 2000.
3. The Youth and Recreation Department be known as the Department of Parks, Recreation and Youth Services effective January 1, 2000.
4. **The Working Crew Chief will report to Christopher Kowal.**
5. **The General Crew Chief will report to Kenneth Kopacz.**

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

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

WHEREAS, it appears that Buffalo Airfield is attempting to erect a six foot fence in the Town of Cheektowaga, which would prevent the Town from accessing the drainage easement it obtained by prescription, and

WHEREAS, it appears that Buffalo Airfield is in violation of the sections of the town of Cheektowaga Drainage Ordinance which provide that the Town is to have access to the drainage easement for maintenance purposes, and

MEETING NO. 29
December 20, 1999

WHEREAS, it appears to be in the best interest of the Town of Cheektowaga to enjoin such persons as are now in violation of the sections of the Drainage Ordinance from continuing so to do, it is, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is authorized and directed to retain MICHAEL J. STACHOWSKI, Deputy Town Attorney for the Town of Cheektowaga in the matter, and he shall authorize such counsel on behalf of the Town of Cheektowaga to take such action as may be deemed advisable to prevent any continuation of violation of the Drainage Ordinance of the Town of Cheektowaga by Buffalo Airfield.

Item No. 25 cont'd

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

Item No. 26 Motion by Supervisor Gabryszak, Seconded by Unanimous
to adjourn the meeting in memory of Harold Dumke, member of the Art Guild Cultural
Organization and active in other organizations.
Time Meeting Adjourned: 7:40 PM

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 30
December 27, 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 27th day of December, 1999 at 6:00 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; Bill Pugh, Town Engineer; Sal LaGreca, Planning Board Chairman; Ken Kopacz, Executive Director of Youth and Recreation; Robert Kaczmarek, Supervising Accountant.

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:	0100-9501-9131 Bond Principal	\$ 5,000.00
	0100-9010-8145 Medical Reimbursement	250.00
	0100-3310-1437 Sign Maintenance Men	3,000.00
	0100-3510-1491 Part Time Laborer	3,000.00

TO:	0100-1640-1201 General Crew Chief	\$ 2,500.00
	0100-1640-1202 Auto Mech. Crew Chief	2,500.00
	0100-9010-8155 TCSU Health & Welfare	250.00
	0100-3310-1430 Senior Traffic Maint. Man	3,000.00
	0100-3510-1413 Dog Control Officer	3,000.00

RISK RETENTION FUND

FROM:	1000-1710-4526 Administration - D & V	\$15,000.00
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TO:	1000-1937-4703 Dental & Vision	\$15,000.00
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur

NAYES: 0

ABSENT: 0

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

WHEREAS, this Town Board wishes to establish the first Town Board meeting date for the Year 1000, NOW, THEREFORE, BE IT

RESOLVED that the first Town Board meeting for the Year 2000 shall be held on Tuesday, January 4, 2000 at 7:00 PM in the Town Hall Council Chambers, 3301 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to give public notice of the time and place of such meeting to the news media and to post notice of such meeting at least 72 hours before such meeting.

Item No. 3 cont'd

SPECIAL MEETING NO. 30
December 27, 1999

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

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

WHEREAS, as a result of advertisement, bids were received on December 1, 1999 for the furnishing of equipment and operators for maintenance and installation of storm sewers and erosion control projects during the calendar year of 2000 in the Town of Cheektowaga, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated December 20, 1999, NOW, THEREFORE, BE IT

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

Item 1	Hydraulic Backhoe	\$400.00 per 8 hour day
Item 2	Tractor with Front End Loader	400.00 per 8 hour day
Item 3	Dozer	640.00 per 8 hour day
Item 4	Dozer	400.00 per 8 hour day
Item 5	Dozer	400.00 per 8 hour day
Item 6	Tandem Dump Truck	400.00 per 8 hour day
Item 7	Landscape Type Tractor	100.00 per 8 hour day
Item 8	Hydraulic Backhoe	640.00 per 8 hour day
Item 9	Laborers	400.00 per 8 hour day
Item 10	Hydraulic Backhoe	640.00 per 8 hour day

and BE IT FURTHER

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

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

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

Item No. 5 Motion by 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

**SPECIAL MEETING NO. 30
December 27, 1999**

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 Ryder Truck Services to rezone a 9.4 acres site adjacent to 2777 Walden Avenue from M1-Light Manufacturing to MS-Motor Service, and

WHEREAS, the site is presently vacant and would be used as a truck leasing/rental facility with parking for 53 employee/customer vehicles and 226 trucks, and

WHEREAS, the applicant has agreed to modify the building design by adding architectural features, pedestrian access to the building, sidewalks along Walden Avenue and additional landscaping, and

WHEREAS, the applicant has agreed to participate in future discussions with the Town of Cheektowaga and the developers of the former MacDonalds Products regarding the possibility of a combined driveway, and

WHEREAS, the Advisory Committee at its meeting held on November 17, 1999 rendered the determination shown on the attached memo dated November 18, 1999, and

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

RESOLVED that this Town Board, 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. 6 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Ryder Transportation Services has petitioned for the rezoning from M1-Light Manufacturing District to MS-Motor Service District of property owned by API Basco., Inc. and located on the south side of Walden Avenue, 1400± feet from Dick Road, Cheektowaga, New York,

**SPECIAL MEETING NO. 30
December 27, 1999**

which property is more particularly described in the attached 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 20th day of December, 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 Ryder Transportation Services 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 following conditions:

1. Only leasing and renting of truck trailers and preventative maintenance on same shall be permitted on the premises.
2. No collision work shall be performed on the premises.

and BE IT FURTHER

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

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

AFFIDAVIT - NEXT PAGE

Item No. 7a Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur

BE IT RESOLVED that the salaries of the following Town Officials be and hereby are established and set forth as follows, effective January 1, 2000:

Supervisor	\$67,631.86
Councilmember (6)	18,551.00

SPECIAL MEETING NO. 30
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Tax Receiver	53,721.00
Town Clerk	60,442.00
Highway Superintendent	64,890.00
Town Justice (2)	60,440.00
Budget Director	5,000.00
Registrar of Vital Statistics	5,000.00

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

NAYES: 0

ABSENT: 0

***NOTE:** Councilman Rogowski voted NAYE on Budget Director Salary only.

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

BE IT RESOLVED that the salaries of the following Town Officials and employees who are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 2000:

Town Engineer	67,863.98
Assistant Town Engineer	51,748.11
Supervising Accountant	61,502.00
Accountant	46,313.33
Supervising Building Inspector	63,621.95
Assessor	61,502.00
Executive Director Youth & Recreation	69,621.95
Program Coordinator - 1 (2)	37,720.06
Town Attorney	57,020.13
Deputy Town Attorney (1)	38,807.87
Deputy Town Attorney (1)	33,768.63
Clerk to Justice Court	29,979.04
Director of Community Development	58,319.94
Legislative Assistant	37,788.58
Council Office Clerk Steno	34,582.96
Assistant to the Supervisor	33,500.00
Deputy Tax Receiver	36,124.74
1 st Deputy Town Clerk	42,216.91
2 nd Deputy Town Clerk	39,904.24
Supervisor of Sanitation	12,000.00
Senior Citizens Director	59,819.94
Deputy Highway Superintendent	65,176.50
Employment and Training Director	63,621.95
Coordinator of Employee Relations	59,711.82
Secretary to Coordinator of Employee Relations (2)	33,208.21
Junior Accountant	37,884.94
Real Property Appraiser	44,227.65

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

NAYES: 0

ABSENT: 0

Item No. 8 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:

TRAFFIC MAINTENANCE - POLICE

EFFECTIVE

**SPECIAL MEETING NO. 30
December 27, 1999**

Sean Glascott, XXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX

12/31/99

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



Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson
to move into Executive Session, and the voting was as follows:

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



Motion by Councilmember Rogowski, Seconded by Councilmember Johnson
to resume the meeting.

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



Items No. 10 and 11 were taken out of order and acted upon before Item No. 9.



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

BE IT RESOLVED that the Supervisor be and hereby is authorized to execute the
2000 Family Support Services Contract No. CO16211, in the amount of \$26,076.00, on behalf of the
Cheektowaga Youth and Recreational Services Department and the New York State Office of Mental
Retardation and Developmental Disabilities.

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

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

WHEREAS, a vacancy exists in the position of Senior Clerk in the Justice Court as a
result of the retirement of Florence Walentynowicz, and

Item No. 11 cont'd

WHEREAS, the position was posted in accordance with the agreement between the
Town and the Town of Cheektowaga Employees Association ("TCEA"), and

WHEREAS, Constance Chojnacki, a Clerk Typist in the Justice Court, applied for such
position and is on the current civil service list for such position, NOW, THEREFORE, BE IT

SPECIAL MEETING NO. 30
December 27, 1999

RESOLVED that Constance Chojnacki be and hereby is appointed to the position of Senior Clerk in the Justice Court, effective immediately, at a salary in accordance with the agreement between the Town and the TCEA,

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

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

WHEREAS, a vacancy exists in the position of Senior Clerk in the Assessor's Office as a result of the retirement of Joan Szymanski, and

WHEREAS, the position was posted in accordance with the agreement between the Town and the Town of Cheektowaga Employees Association ("TCEA"), and no eligible employee bid on such position, and

WHEREAS, Kathleen C. Brzyski, a non-union Clerk Steno in the Office of Coordinator of Employee Relations, applied for such position and is on the current civil service list for such position, NOW, THEREFORE, BE IT

RESOLVED that Kathleen C. Brzyski be and hereby is appointed to the position of Senior Clerk in the Assessor's Office, effective immediately, at a salary in accordance with the agreement between the Town and the TCEA,



Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak to move into another Executive Session, and the voting was as follows:

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



Motion by Councilmember Rogowski, Seconded by Councilmember Jankowiak to resume meeting after second Executive Session and the voting was as follows:

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



Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak to adjourn Item No. 9 until the next Town Board Meeting.

Item No. 12 Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak to adjourn the meeting until December 29th, 1999 at 5:30 PM. Item No. 9 will be taken up at this time.
Time Meeting Adjourned: 7:35 PM

RICHARD M. MOLESKI
Town Clerk

SPECIAL MEETING NO. 30
December 27, 1999

Item No. 1 At a special adjourned 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 29th day of December, 1999 at 6:10 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; Bill Pugh, Town Engineer; Sal LaGreca, Planning Board Chairman; Ken Kopacz, Executive Director of Youth and Recreation; Robert Kaczmarek, Supervising Accountant.

I. RESOLUTIONS

Item No. 2 Motion by Councilmember Jaworowicz, Seconded by Councilmember Mazur

WHEREAS, a vacancy exists in the position of Senior Clerk in the Assessor's Office as a result of the retirement of Joan Szymanski, and

WHEREAS, the position was posted in accordance with the agreement between the Town and the Town of Cheektowaga Employees Association ("TCEA"), and no eligible employee bid on such position, and

WHEREAS, Kathleen C. Brzyski, a non-union Clerk Steno in the Office of Coordinator of Employee Relations, applied for such position and is on the current civil service list for such position, NOW, THEREFORE, BE IT

RESOLVED that Kathleen C. Brzyski be and hereby is appointed to the position of Senior Clerk in the Assessor's Office, effective immediately, at a salary in accordance with the agreement between the Town and the TCEA.



Motion by Councilmember Mazur, Seconded by Councilmember Johnson to table Item No. 2 until the January 4, 2000 meeting, and the voting was as follows:

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



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

WHEREAS, by resolution dated December 27, 1999, this Town Board appointed Constance Chojnacki to the vacancy in the position of Senior Clerk in the Justice Court, effective immediately, and

WHEREAS, said position will not be vacant until after December 30, 1999, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned resolution be amended to state that the appointment of Constance Chojnacki as Senior Clerk in the Justice Court shall be effective as of December 1, 1999.

Item No. 3 cont'd

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

Item No 4 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following Youth and Recreation employee be transferred from seasonal to part-time retroactive to 12/31/99:

Nicole Pidanick

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

Item No. 5 Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak
to adjourn the meeting.
Time meeting adjourned: 6:25 PM.

RICHARD M. MOLESKI
Town Clerk