

**TOWN OF CHEEKTOWAGA**  
**MEETING NO. 13**  
**JULY 3, 2000**

11Item 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 3rd of July, 2000 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; Michael Stachowski, Town Attorney; William Conway, Town Assessor; Robert Kaczmarek, Supervising Accountant; Jeffrey Ramelb, Coordinator of Employee Relations; Ronald Marten, Building Inspector; Bruce Chamberlin, Police Chief; Salvatore LaGreca, Chairman of Planning Board; Patricia Wojcik, Director of Senior Services; Kenneth Kopacz, Director of Parks, Recreation and Youth; and Walter Domino, Assistant Town Engineer.

**I. PUBLIC HEARINGS**

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss amending 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 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 II**

**Traffic Regulations**

Section 76-140(3) shall be deleted and be replaced by the following language:

§76-140(3) Trucks and/or delivery vehicles shall use truck routes to service the street addresses of their points of pick-up or delivery. Delivery trucks or vehicles shall use Town truck route(s) to a point closest to any excluded street and address of their destination and leave via the closest truck route; provided that such delivery trucks and/or vehicles shall remain on said excluded street or thoroughfare for a period of time no longer than necessary and reasonable to make such delivery or to complete a loading of such vehicle. Pick-ups and deliveries shall minimize the use of Town and County roads not designated on the truck route system

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

**II. RESOLUTIONS**

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

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

**GENERAL FUND**

From:	0100-1450-1799	Election Inspectors	\$ 1,400.00
To:	0100-1410-1391	Part-Time Employees	\$ 1,400.00

**PART TOWN FUND**

From:	0800-1910-5031	Transfers In	\$27,746.00
	0800-3620-1430	Assistant Plumbing Inspector	3,664.00
To:	0800-3620-1753	Part-Time Housing Aide	2,600.00
	0800-3620-1755	Part-Time Housing Inspector	1,064.00
	0800-3620-1412	Part-Time Assistant Building	6,156.00

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	Inspector	
0800-3620-1391	Part-Time Clerical	3,990.00
0800-3620-1175	Part-Time Fire Inspector	5,600.00
0800-3620-2201	Office Equipment	12,000.00

**CAPITAL FUND**

From:	5913-6989-4108	Cheektowaga Code Enforcement	\$27,746.00
To:	5913-9950-9901	Transfers Out	\$27,746.00

Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to June 30, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$398,715.39
HIGHWAY FUND	78,969.22
TRUST & AGENCY	23,832.96
HUD CDBG FUND	15,814.34
PART TOWN FUND	9,638.08
RISK RETENTION FUND	37,981.76
SPECIAL DISTRICTS FUND	198,983.03
CAPITAL FUND	<u>18,408.24</u>
	\$782,343.02

Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of ONE (1) NEW AND UNUSED, 2000 OR 2001 MODEL, 3/4 TON, PICKUP TRUCK WITH SNOW PLOW.

Information for bidders and specifications may be obtained from the office of the Town Clerk at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday and, BE IT FURTHER

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on July 12, 2000.

**TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT**

**LEGAL NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of ONE (1), NEW AND UNUSED, 2000 OR 2001 MODEL, 3/4 TON, PICK-UP TRUCK WITH SNOW PLOW. For use by the Highway Department of the Town of Cheektowaga at a public opening to be held in the Council Chambers at the Cheektowaga Town Hall on July 12, 2000 at 11: 00 A.M.

Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk of the Town of Cheektowaga at the Cheektowaga Town Hall, Cheektowaga, New York 14227. Bids must be enclosed in an opaque envelope plainly marked BID FOR ONE (1), NEW AND UNUSED, 2000 OR 2001 MODEL 3/4 TON, PICK-UP TRUCK WITH SNOW PLOW.



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

\_\_\_\_\_  
Richard M. Moleski  
Town Clerk

Date: July 3, 2000

Published: July 6, 2000

Upon roll call ....

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

NAYES: 0

ABSENT: 0

**AFFIDAVIT - NEXT PAGE**

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

WHEREAS, multiple actions were commenced by New York State Electric & Gas Corporation against the Board of Assessors of the Town of Cheektowaga, Erie County, New York, in New York State Supreme Court, bearing Index Numbers as follows: 8705/91; 1097/92; 9654-93; I-1994-8687; I-1995-6538; I-1996-6678, I-1997-6720; I-1998-7438; and I-1999-7443, pursuant to Article 7 of the Real Property Tax Law of the State of New York, challenging the assessments on real property owned by New York State Electric & Gas for those tax years, AND

WHEREAS, the attorneys of record for the parties, to wit: Helm, Shapiro, Anito & McCale, P.C., (Lawrence A. Zimmerman, Esq., of counsel), representing New York State Electric & Gas; Daniel A. Spitzer, Esq., representing local school districts; and Michael J. Stachowski, Esq., Cheektowaga Town Attorney, representing the Board of Assessors of the Town of Cheektowaga, together with William Conway, Cheektowaga Town Assessor, through extensive negotiations, have arrived at a settlement and compromise of the litigation hereinabove mentioned actions; AND

WHEREAS, the attorneys of record for the parties appeared at a pre-trial conference before the Hon. Jerome C. Gorski, New York State Supreme Court, on the 19<sup>th</sup> day of June, 2000, whereupon the following agreement was reached among the parties:

1. The assessment for the years 1991 through 1999 will be reduced so that refunds in the amount of \$1,500,000.00 will be paid to New York State Electric & Gas without interest;
2. The assessments of New York State Electric & Gas property presently the subject of the above mentioned litigation will be reduced starting on the year 2000 assessment roll by \$1,550,000.00; by an additional \$1,550,000.00 on the 2001 assessment roll; and by \$1,500,000.00 on the 2002 assessment roll;
3. Commencing with the year 2003 assessment roll, the assessments will be frozen for the years 2003 and 2004;
4. The assessments on New York State Electric & Gas property located in the Town of Cheektowaga, but not subject of litigation at the present time, will be frozen at their respective present levels and will remain so frozen until the assessment roll commencing in the year 2005, subject to the provisions of the Real Property Tax Law Section 727;
5. All municipalities and taxing jurisdictions liable for the above referenced refunds may pay said refunds within forty-five (45) days of the receipt of the Order of the Court incorporating the terms of the agreement reached before the Hon. Jerome C. Gorski, or may opt to pay refunds in equal annual installments over a period of up to five years with the understanding that said repayment will be made with interest at six percent (6%) per annum and will be commenced within forty-five (45) days of receipt of the herein mentioned Order with Notice of Entry thereon; AND

WHEREAS, the Town Attorney, Town Assessor, and the attorney for local school districts believe that this offer of settlement is fair and reasonable under the circumstances, and that to continue defending the challenges to the assessments by New York State Electric & Gas will not only be time consuming, but the expense of the experts necessary to evaluate and assess the multiple parcels on behalf of the Town and local school districts will greatly exceed any cost savings to the Town and school districts.

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NOW, THEREFORE BE IT

RESOLVED, the above settlement is hereby approved by this Town Board and, IT IS FURTHER

RESOLVED, that the Town Attorney be, and hereby is authorized to execute any document or documents necessary to implement the above settlement.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, on October 22, 1998, the real property owned by Martin J. Wacker and Barbara A. Wacker, his wife, located at 233 Dean Road, Depew, New York, was damaged when a garbage truck owned by the Town of Cheektowaga accidentally struck their home, causing damages; AND

WHEREAS, Martin J. Wacker and Barbara A. Wacker caused a Notice of Claim to be served on the Town of Cheektowaga on account of the aforesaid accident and thereafter, an action was commenced in New York State Supreme Court against the Town of Cheektowaga bearing Index Number I-2000-445; AND

WHEREAS, Allied Claims Services, Inc., and Jaeckle, Fleischman & Mugel, LLP (David Brock, Esq., of counsel) have investigated the aforesaid claim thoroughly, and as a result of extensive negotiations, the plaintiffs have agreed to accept the sum of \$9,000.00 in full settlement of their claim against the Town, AND

WHEREAS, Attorney David Brock, Allied Claims, and the Town Attorney believe this is a fair and equitable settlement and resolution of this claim, and all strongly recommend that a settlement be approved;

NOW, THEREFORE BE IT

RESOLVED, that the sum of \$9,000.00 be paid by the Town from its self-insured liability claim fund to Martin J. Wacker and Barbara A. Wacker, his wife, in full, complete and final satisfaction and settlement of all claims against the Town of Cheektowaga arising out of the above mentioned accident and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is authorized to execute and procure all papers necessary to effectuate such settlement and compromise.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 7 Change Street Name – Portion of Buell Avenue  
This item was withdrawn.

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

WHEREAS, the Town of Cheektowaga is the owner of 55± acres of property located on the south side of Walden Avenue immediately west of Harlem Road (known as the "Walden Commerce Exchange property"), AND

WHEREAS, FEDEX Ground Package System, Inc. ("FEDEX") is interested in purchasing 13.8± acres of this property at the easterly end of the site, AND

WHEREAS, in order to utilize the property for its purposes, FEDEX needs the property to be rezoned from its present zoning classification of M1-Light Manufacturing District to M2-General Manufacturing District, AND

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WHEREAS, FEDEX needs the consent of the Town of Cheektowaga to apply for such rezoning (and SEQRA review), NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby grants permission to FEDEX or its authorized representative to submit applications for the rezoning and SEQRA review for the aforesaid rezoning of the aforementioned portion of the Walden Commerce Exchange property.

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 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 People, Inc. to rezone 1.7 acres of land at 891 French Road from R-Residential Single Family to RSC-Residential Senior Citizen, AND

WHEREAS, the proposal is to construct a three story senior apartment building with 50 living units, AND

WHEREAS, the applicant has revised the plan to include architectural features, pedestrian access to French Road by construction of a sidewalk along Haley Lane and agreed to provide built-in air conditioners that would not protrude from the building, AND

WHEREAS, the Advisory Committee, at its meeting held on May 17, 2000 rendered the determination shown on the attached memo dated May 18, 2000, AND

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

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

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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

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

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

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

WHEREAS, an application was submitted by Benderson Development Company, Inc. to construct a 4,646 s.f. addition to 367 Nagel Drive, AND

WHEREAS, the applicant met with the Traffic Safety Commission and it was determined that a "No Left Turn" sign will be placed on Nagel Drive, AND

WHEREAS, the Advisory Committee, at its meeting held on April 19, 2000 rendered the determination shown on the attached memo dated April 20, 2000, AND

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

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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Item No. 9c 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 had been submitted by Benderson Development Company Incorporated for the redevelopment of the Thruway Mall property, AND

WHEREAS, the Town Board issued a Negative Declaration on March 3, 1997 for the overall concept plan and the Wal-Mart specifically, AND

WHEREAS, the applicant has submitted updated, detailed, site plans and is seeking approval for several retail buildings, more specifically a 50,000 s.f. shell, a 136,981 s.f. Home Depot and a 129,995 s.f. Sam's Club, AND

WHEREAS, all three buildings will be located along the south property line, AND

WHEREAS, the applicant has submitted detailed drawings for the Home Depot facility, AND

WHEREAS, the plan for the Home Depot has been amended to include additional landscaping and landscaping islands and pedestrian walkways, AND

WHEREAS, the Environmental Advisory Committee, at its meeting held on June 28, 2000 rendered the determination shown on the attached memo dated June 29, 2000, AND

WHEREAS, the Planning Board has recommended approval of the revised site plans on shown in the attached memo dated June 29, 2000, AND

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

RESOLVED, that this Town Board, determines that the Home Depot 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. 10a 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 the Upstate Milk Cooperative to construct a 1,100 s.f. addition at 1730 Dale Road, AND

WHEREAS, the space will be used for additional refrigerated storage, AND

WHEREAS, the Planning Board, at its meeting held on June 8, 2000 rendered the determination shown on the attached memo dated June 30, 2000, AND

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

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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Item No. 10b 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 the McDonald's Corporation to construct a 3,700 s.f. restaurant with a drive through at 1735 Walden Avenue, AND

WHEREAS, the site will utilize existing curb cuts and signals now used by the Hampton Inn and Bob Evans restaurant, AND

WHEREAS, the site had been previously reviewed and approved for use by a restaurant, AND

WHEREAS, the Planning Board, at its meeting held on June 8, 2000 rendered the determination shown on the attached memo dated June 30, 2000, AND

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

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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**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 65 Bernice Drive, Cheektowaga, New York, SBL #103.05-8-12 and according to the Assessors' Office is owned by Mr. & Mrs. Jesse A. Latonna, 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. 11b**    Motion By Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds, high shrubs and accumulated debris on vacant property located at 2984 Union Road, Cheektowaga, New York, SBL #113.08-3-16 and according to the Assessors' Office is owned by Third Dunkin Donuts Realty, P. O. Box 317, Randolph, Massachusetts 02368, 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 shrubs be trimmed, the high weeds be cut and removed and the debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

Upon roll call ....

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

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

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

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

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

Upon roll call ....

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 22 Wellworth Place, Cheektowaga, New York, SBL #91.20-1-58 and according to the Assessors' Office is owned by Verna Pettocy, c/o Bernas, West Seneca, New York 14224, 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. 12** Motion By Councilmember Jankowiak , Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the Buffalo Bison's and its sponsors be authorized to hold its annual Pitch, Hit and Run competition in Stiglmeier Park on July 18, 2000 from 9:00 A.M. – 1:00 P.M. (rain date, July 28<sup>th</sup>) for youth ages 7-12.

Upon roll call ....

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

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

WHEREAS, the Town is the owner of the Cheektowaga Maryvale Community Center located at 3409 Genesee Street in the Town, AND

WHEREAS, the Community Action Partnership ("CAP"), and organization devoted to combating substance abuse by the youth in our community, is interested in leasing a portion of such building, AND

WHEREAS, a Lease Agreement containing terms for rental, including reasonable rental, has been drafted for the lease of such building by CAP, AND

WHEREAS, such Lease Agreement is acceptable to this Board, NOW, THEREFORE  
BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforesaid Lease Agreement with CAP 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. 13b** Motion By Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, the Town, in its 2000 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

**Item No. 13b cont'd.**

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WHEREAS, agreement(s) between the Town and these cultural and not-for-profit organization(s) have been prepared and forwarded to such groups, AND

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 1999 funding to the Town, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves agreement(s) in the form(s) attached to this resolution, with the cultural and not-for-profit organization(s) listed below for the amounts listed and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreements with the following referenced cultural and not-for-profit organization(s) for the following respective amount(s):

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Art Guild	\$1,100.00

And, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2000 Town budget, subject to audit and approval of a properly signed Town voucher.

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. 13c Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, an action is pending with regard to the Pfohl Brothers Landfill with the New York State Department of Environmental Conservation and other parties, bearing Index Number



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B9-0048-84-10; and the Town of Cheektowaga is desirous of entering into an Order on Consent to bring this action to a conclusion with the Department of Environmental Conservation, a copy of said Order on Consent and the proposed Exhibit "D" being annexed hereto, AND

WHEREAS, on the 5<sup>th</sup> day of May, 1997, the Town Board authorized and directed the Supervisor to sign an Operation and Maintenance (O&M) Settlement Agreement with the Steering Committee, an unincorporated association of corporate potentially responsible parties (PRP's), a copy of which resolution is annexed hereto, AND

WHEREAS, Damon & Morey, LLP, counsel for the Town, recommend that a Resolution be adopted, authorizing the Supervisor to enter into the Order on Consent, AND

WHEREAS, authorizations have been received from surrounding municipalities and entities, authorizing the Supervisor to perform the following actions on behalf of the hereinafter-named municipalities and entities, so as to eliminate the risk to the named entity for possible future liability if it is alleged that waste from the entity was disposed of at the Pfohl Site:

1. The Town is hereby authorized to execute the Order on behalf of the authorizing entity with the New York State Department of Environmental Conservation ("DEC");
2. Damon & Morey LLP or any successor counsel representing the Town is authorized to accept service of process from DEC on behalf of the authorizing entity with regard to any matters pertaining to the Order, and
3. Damon & Morey LLP or any successor counsel representing the Town is authorized to receive necessary communications from DEC on behalf of the authorizing entity with regard to any matters pertaining to the Order;

and

WHEREAS, authorizations giving the Supervisor the above authority have been received from the following municipalities and entities:

1. Village of Sloan
2. Village of Depew
3. Cheektowaga Central School District
4. Cheektowaga Maryvale Union Free School District
5. Cleveland Hill Union Free School District
6. Cheektowaga Sloan Union Free School District
7. Depew Union Free School District
8. Lancaster Central School District
9. West Seneca Central School District
10. Erie County Sewer District No. 1
11. Village Board, as Trustees and Commissioners of Village of Sloan  
and Those Sewer Districts Which are Tributary to the  
Cheektowaga Consolidated Sewer District
12. Village Board, as Trustees and Commissioners of Village of Depew  
and Those Sewer Districts Which are Tributary to the  
Cheektowaga Consolidated Sewer District
13. Doyle Fire District No. 1
14. Walden Fire District No. 2
15. Forks Fire District No. 2
16. U-Crest Fire District No. 4
17. Pine Hill Fire District
18. Cleveland Hill Fire District No. 6
19. Hy-View Fire District No. 8
20. Bellevue Fire District No. 9
21. South Lline Fire District No. 10

NOW, THEREFORE BE IT

Item No. 13c cont'd.

RESOLVED, that the Town Board of the Town of Cheektowaga, County of Erie, New York, is hereby authorized to execute authorizations, as hereinabove mentioned, on behalf of

1. Town of Cheektowaga, Erie County, New York

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2. Town of Cheektowaga, Consolidated Sanitary Sewer District
3. Town of Cheektowaga Sanitary Sewer District No. 1
4. Town of Cheektowaga Townwide Storm Drainage District
5. Town of Cheektowaga Water Districts Number 8, 9, and 10
6. Town of Cheektowaga Consolidated Refuse and Garbage District
7. Town of Cheektowaga Water Hydrant District Numbers 1, 2, 3, 4, 5, 6, 8 and 10

and, IT IS FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute the Order on Consent with the New York State Department of Environmental Conservation, on behalf of all of the above mentioned municipalities and entities whose authorizations have been received from the municipalities and entities as set forth in Appendix "D" of the said Order on Consent and, BE IT FURTHER

RESOLVED, that the Supervisor is authorized to execute any and all further documents as may be requested from time to time to implement the Order on Consent with the New York State Department of Environmental Conservation.

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. 13d Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz  
Councilmember Johnson

WHEREAS, the Town Accounting Department needs to purchase computer software which is unique and suitable to the Town's needs, AND

WHEREAS, KVS Information Systems, Inc. has submitted a proposal to the Town to provide specialized Application and System Software, Implementation Support, Conversion and VQC Report Writer Software for software needed by the Town for a total cost of \$96,724.00, AND

WHEREAS, the New York State Comptroller's Office and courts in New York State have held that computer software which is customized and modified by a professional programmer and the professional program service component fall within the professional services exception to competitive bidding, AND

WHEREAS, the State Comptroller's Office and the courts have also held that items available from a sole source are also exempt from competitive bidding, AND

WHEREAS, the computer software, support, etc. which is available from KVS Information Systems, Inc. is both a professional/proprietary service and a sole source and thus is exempt from competitive bidding, NOW, THEREFORE BE IT

RESOLVED, that, subject to final review and approval of the form thereof by the Town Attorney's Office, the Supervisor be and hereby is authorized and directed to execute an Application Software License Agreement with KVS Information Systems, Inc. for the computer software, etc. requested by the Town's Supervising Accountant and, BE IT FURTHER

RESOLVED, that moneys for such purchase shall be appropriated from capital account number 5917-1320-9910

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 Councilmember Johnson

BE IT RESOLVED, that the Town Board hereby creates the position of Assistant Building Inspector pursuant to Civil Service Laws and Rules effective immediately.

MEETING NO. 13  
JULY 3, 2000

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 Jankowiak

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

EFFECTIVE

SENIOR SERVICES – Van Driver - \$6.50 per hour  
Robert Karaszewski Cheektowaga 14225

06/19/00

TOWN CLERK'S OFFICE – Clerk - \$6.00 per hour  
Tracy Bolognese Depew 14043

Immediately

Item No. 15 cont'd

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

JUSTICE COURT – Clerk \$8.00 per hour  
Jamie Holtz Cheektowaga 14225

05/22/00

SEWER MAINTENANCE – Laborers - \$6.00 per hour  
Donald Leidolph Cheektowaga 14225  
Jason Lewartowicz Sloan 14212  
Christopher Buczek Cheektowaga 14206

Immediately

"

"

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

RECYCLING DEPARTMENT

James Casucci

Immediately

BUILDING AND GROUNDS DIVISION

Joshua Strell

06/19/00

Upon roll call ....

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

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

WHEREAS, eight (8) vacancies exist in the position of Police Officer in the Town of Cheektowaga, AND

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

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

Thomas P. Gerace III Cheektowaga NY 14227

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Christian S. Wachowiak	Cheektowaga, NY 14206
John M. Skonecki	Cheektowaga NY 14227
Brian Gould	Cheektowaga, NY 14227
Kenneth R. Levan II	Cheektowaga, NY 14225
Kimberly Zalenski	Depew, NY 14043
Carin Marks	Cheektowaga, NY 14225
Perry Roszczyk	Cheektowaga, NY 14227

And, BE IT FURTHER

RESOLVED, that said appointments shall become effective July 20, 2000, and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Assistant Building Inspector in the Building and Plumbing Department, AND

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

WHEREAS, no full-time employee bid on said vacancy, AND

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

WHEREAS, the existing Civil Service list was canvassed, AND

WHEREAS, Gail Milburth appears on said Civil Service list and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Gail Milburth of Cheektowaga, New York 14225 be and hereby is appointed to the position of Assistant Building Inspector in the Building and Plumbing Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 17, 2000.

MOTION BY COUNCILMEMBER ROGOWSKI, SECONDED BY COUNCILMEMBER MAZUR TO AMEND THE ABOVE RESOLUTION, ITEM 16B, AS FOLLOWS AND THE VOTING IS AS FOLLOWS:

Upon roll call ....

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

NAYES: 0

ABSENT: 0

AMENDED

WHEREAS, a vacancy exists in the position of Assistant Building Inspector in the Building and Plumbing Department, AND

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

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

WHEREAS, the existing Civil Service list was canvassed, AND

WHEREAS, Gail Milburth appears on said Civil Service list and meets all the necessary qualifications, NOW, THEREFORE BE IT

**MEETING NO. 13  
JULY 3, 2000**

RESOLVED, that Gail Milburth of Cheektowaga, New York 14225 be and hereby is appointed to the position of Assistant Building Inspector in the Building and Plumbing Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 17, 2000

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 16c Appointment to Fill Vacancy in Position of Records Inventory Clerk in Justice Court  
This item was withdrawn.

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

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

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

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

RESOLVED, that Daniel Carrier of Cheektowaga, New York 14225 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. 16e Motion By Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, two (2) temporary vacancies exist in the position of Laborer in the Sanitation Department, AND

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

WHEREAS, Raymond Full, currently employed as a Light Motor Equipment Operator-B in the Recycling Department, and David Longo, currently employed as a Light Motor Equipment Operator-B in the Recycling Department, bid on said vacancies and meet the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Raymond Full of Cheektowaga, New York 14225 and David Longo of Cheektowaga, New York 14225 be and hereby are appointed to the temporary position of Laborer in the Sanitation Department in accordance with 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. 16f Appointment to Fill Two (2) Temporary Vacancies in the Position of Light Motor Equipment Operator-B in the Recycling Department  
This item was withdrawn.

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



MEETING NO. 13  
JULY 3, 2000

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

SEASONAL

From Recreation Leader V to Recreation Leader VII – 7140.1654 - \$7.65  
Peter J. Odrobina, Jr.

From 7180.1903 to Conservation Corps  
Participants – 7310.1812 - \$\$5.15

From 7180.1901 to Camp Flamingo – 7310.1810

Counselor I - \$5.15  
Corey Burzynski  
Amy Schnettler  
Samantha Wood

From Part-Time to Seasonal  
Marissa Fallacaro  
Jay Paradowski

Upon roll call ....

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

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

BE IT RESOLVED, that the following individuals be and hereby are hired as Seasonal employees in the Department of Parks, Recreation and Youth Services, effective July 5, 2000:

Arts and Crafts Rotation – 7140.1648

Recreation Attendant I - \$5.15  
Christina Mantione 14043

Tennis – 7140.1642

Recreation Attendant I - \$5.15  
Nicole Neyerlin 14225

Youth Conservation Corps – (YCC)  
Participants – 7310.1812  
Nicholas Schanne 14227  
Melanie Esskuchen 14227

Camps  
Camp Flamingo – 7310.1810

Counselor I - \$5.15  
Kristin Mills 14225

Counselor III - \$5.65  
Katherine Lewis 14225

Pools  
Lifeguard – 7180.1903

Level I (WSI) - \$6.15  
Jonathan M. Miller 14227

Item No. 18 cont'd

Pools

MEETING NO. 13  
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Level I - \$5.90

Laura Elizabeth Mayle 14215

Parks, Recreation and Youth Services (Parks Division)

Laborers – 7110.1491 - \$6.00

Charles Tulledge 14211

Upon roll call ....

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 Jankowiak

WHEREAS, Erie I BOCES has established an Action Learning Internship Program for its students to give them on-the-job experience in difference field of work, AND

WHEREAS, this internship program allows students to earn unit credits in school for such internship, AND

WHEREAS, said internship is non-salaried, AND

WHEREAS, Jeremy Juliano, a student of Cheektowaga Central High School, has expressed a desire to conduct a six (6) week Action Learning Internship Program at twenty (20) hours a week commencing July 5, 2000 and terminating August 12, 2000, in the Town of Cheektowaga Justice Court, AND

WHEREAS, Erie 1 BOCES carries general liability and worker' compensation insurance to cover its interns, BE IT HEREBY

RESOLVED, that this Town Board accepts the non-salaried internship of Jeremy Juliano of Depew, New York 14043 through the Erie 1 BOCES Action Learning Internship Program at twenty (20) hours a week commencing July 5, 2000 and terminating August 12, 2000, in the Town of Cheektowaga Justice Court.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

**III. DEPARTMENTAL COMMUNICATIONS**

Item No. 20 Building Permits  
Received and Filed.

Item No. 21 Supervisor's Statement of Funds – May 2000  
Received and Filed.

**IV. GENERAL COMMUNICATIONS**

Item No. 22 Notice of Claim: Richard Bubliss vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 23a Petition: Opposition to Construction of Assisted Living Facility at 575 Cayuga Creek Road  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Councilmembers, Planning Board, Engineering Department, and Building Department.  
Received and Filed.

Item No. 23b Petition: Objections to Rezoning of Property Located at 2916 Union Road

**MEETING NO. 13  
JULY 3, 2000**

Copies were sent to: Dennis H. Gabryszak, Supervisor; Councilmembers; Planning Board; and Building Department  
Received and Filed.

Item No. 24 Letter from Cleveland Hill Fire District No. 6  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Councilmembers; Kenneth Kopacz, Director of Parks, Recreation and Youth Service; and William Wielinski, Parks Department.

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

**V. SUSPENSION OF RULES**

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

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

WHEREAS, the Cheektowaga Cultural Society has made application to hold its annual Family Days weekend in Cheektowaga Town Park from July 8-9, 2000, AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Highway/Facilities Department and the Department of Parks Recreation & Youth Services, and has no objection to same, AND

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

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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Cultural Society for the aforementioned Family Days Weekend celebration to be held on July 8-9, 2000.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, this Town Board held a public hearing on July 3<sup>rd</sup>, 2000 to consider the advisability of adopting proposed amendments to Chapter 76 of the Code of the said 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.**

MEETING NO. 13  
JULY 3, 2000

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

ARTICLE II

Traffic Regulations

Section 76-140(3) Truck Route System, shall be amended to delete the following therefrom:

Trucks shall use a direct route into and out of their point of delivery.

Section 76-140(3) Truck Route System, shall be amended by adding thereto the following:

Trucks and/or delivery vehicles shall use truck routes to service the street addresses of their points of pick-up or delivery. Delivery trucks or vehicles shall use Town truck route(s) to a point closest to any excluded street and address of their destination and leave via the closest truck route; provided that such delivery trucks and/or vehicles shall remain on said excluded street or thoroughfare for a period of time no longer than necessary and reasonable to make such delivery or to complete a loading of such vehicle. Pick-ups and deliveries shall minimize the use of Town and County roads not designated on the truck route system.

Section II. 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 III. Territorial Application

This amendment shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the villages of Depew and Sloan.

Item No. 26 cont'd

Section IV. Publication

That this amendment to Chapter 76 of the Code of the Town of Cheektowaga shall be entered into the minutes of the Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town, and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendment specifying the date of adoption thereof.

Upon roll call ....

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

AFFIDAVIT - NEXT PAGE

Item No. 27 Motion By Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting. This meeting was adjourned at 8:30 P.M.

Richard M. Moleski  
Town Clerk

**TOWN OF CHEEKTOWAGA**  
**MEETING NO. 14**  
**July 17, 2000**

**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 17<sup>th</sup> day of July, 2000 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; Michael Stachowski, Town Attorney; Bruce Chamberlin Chief of Police, Cheektowaga Police Department; Sal LaGreca, Planning Board Chairman; Ron Marten, Supervising Building and Plumbing Inspector; Bill Pugh, Town Engineer; Brian Krause, Director of Administration and Finance; Mark Wegner, Foreman-Facilities Department; Chris Kowal, Highway Superintendent.

**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:	0100-1430-4013	Reference Library	\$	170.00
	0100-1430-4194	Media Advertising		200.00
	0100-1430-4754	Drug Testing		400.00
	0100-1640-4165	Gasoline Allocated		50,000.00
	0100-1910-4711	Contingency		32,000.00
TO:	0100-1430-4001	Office Supplies	\$	770.00
	0100-1640-4161	Gasoline Purchases		50,000.00
	0100-1315-1306	Director of Administration & Finance		32,000.00

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to July 12, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$	273,916.05
HIGHWAY FUND		279,040.96
TRUST & AGENCY		2,635.00
HUD CDBG FUND		42,901.57
PART TOWN FUND		678.31
RISK RETENTION FUND		23,794.98
HUD HOUSING REHABILITATION		18,567.00
SPECIAL DISTRICTS FUND		469,823.89
CAPITAL FUND		<u>272,555.74</u>
		\$1,383,913.50

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

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



**MEETING NO. 14**  
**July 17, 2000**

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 August 7, 2000 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 18<sup>th</sup> day of May, 2000, said amendments being set forth in the Notice of Hearing.

**NOTICE OF PUBLIC HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on August 7, 2000 at 7:00 P.M. to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

**ARTICLE V**  
**Schedules**

**§76-505, SCHEDULE II: SPEED LIMITS, Roads with speed limit established and posted at thirty-five (35) miles per hour, shall be amended by deleting therefrom the following:**

<u>Name of Street</u>	<u>Geographic limits</u>
Pine Ridge Road	Walden Avenue (SR 952Q) northerly to Maryvale Drive

**§76-505, SCHEDULE II: SPEED LIMITS, Roads with speed limit established and posted at thirty-five (35) miles per hour, shall be amended by adding thereto the following:**

<u>Name of Street</u>	<u>Geographic limits</u>
Pine Ridge Road	Walden Avenue (SR 952Q) northerly to Genesee Street (SR 33B)
Pine Ridge Heritage Blvd.	Genesee Street (SR 33B) northerly to Maryvale Drive

**§76-520, SCHEDULE V, PROHIBITED TURNS AT INTERSECTIONS, shall be amended by:**

- Renaming this Schedule as follows: "SCHEDULE V, PROHIBITED TURNS AT INTERSECTIONS AND OTHER LOCATIONS"
- Adding thereto the following:

<b>Name of Street</b>	<b>Direction of Travel</b>	<b>Hours</b>	<b>At intersection of</b>
Nagel Drive	North	All	First driveway north of Walden Avenue On the west side of Nagel Drive

**§76-530 SCHEDULE VII, STOP INTERSECTIONS, shall be amended by adding thereto the following:**

<b><u>STOP SIGNS ON</u></b>	<b><u>DIRECTION TRAFFIC STOPS</u></b>	<b><u>AT INTERSECTION OF</u></b>
Nagel Drive	Both	North Creek Drive
Sugar Road	East	Pine Ridge Heritage Blvd.

**§76-510, SCHEDULE III, ONE WAY STREETS, shall be amended by deleting therefrom**

<b>Name of Street</b>	<b>Direction of Travel</b>	<b>Limits</b>
Beryl Drive service road	North	Between Genesee Street and Beryl Drive

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

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 Jankowiak, Seconded by Supervisor Gabryszak

**MEETING NO. 14**  
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WHEREAS, bids were duly received by this Town Board at a public bid opening held July 12, 2000 for the purchase of ONE (1) NEW AND UNUSED, 2000 or 2001 MODEL, (3/4) TON, PICKUP TRUCK WITH SNOW PLOW, as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and reports, and

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

RESOLVED that the bid for the purchase of ONE (1) NEW AND UNUSED, 2000 or 2001 MODEL, (3/4) TON, PICKUP TRUCK WITH SNOW PLOW be awarded to BISON TRUCK CENTER, INC., 2370 Walden Avenue, Buffalo, NY 14225 at a total bid price of \$24,979.50; said bidder being the lowest responsible bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof, and BE IT FURTHER

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

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

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

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting in the fall of 2000. Information for bidders and specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, August 16, 2000 at 11:00 A.M. in the Council Chambers of the Cheektowaga Town Hall.

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Wednesday, August 16, 2000 at a public bid opening at 11:00 A.M., at the Town Hall located on Broadway, New York, for the purpose of furnishing new trees for tree planting in the fall of 2000.

Specifications for new trees may be picked up at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York between the hours of 9:00 AM and 4:30 PM, Monday through Friday.

NON-COLLUSION FORMS MUST BE SIGNED AND SUBMITTED WITH EACH BID.

RICHARD M. MOLESKI  
Town Clerk  
Town of Cheektowaga

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

AFFIDAVIT – NEXT PAGE

At this time, Item No. 7a was taken out of numerical order. It will be acted upon later in the meeting.

**Item No. 7b** 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 David Gordon for a project at 2669, 2695 and 2715 Union Road,

WHEREAS, the proposal involves the converting of the seasonal pavilion at the Creekside banquet facility into an enclosed banquet hall, adding 3,100± s.f. of storage space on Dave's Craft Store and 2,999 s.f. of storage space to the former Long John Silvers restaurant, and

WHEREAS, the applicant has revised the plans to include landscaping along Union Road, pedestrian access to the store, safer traffic movement patterns in the front of the store and the elimination of a driveway, and

WHEREAS, a public sidewalk will be installed along the entire frontage of Union Road by the applicant within one year of approval of the construction plans unless they are constructed by the NYSDOT as part of the Losson/Union/William project PIN 5131.25, and

WHEREAS, the Advisory Committee, at its meeting held on February 16, 2000 rendered the determination shown on the attached memo dated February 17, 2000, and

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

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

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

NAYES: 0

ABSENT: 0

**AFFIDAVIT - NEXT PAGE**

**Item No. 7c** 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 Inc. for the construction of a 25,192 s.f. retail addition to the Borders store at 2015 Walden Avenue and a 39,600 s.f. store space near the K-Mart store, and

WHEREAS, the project involves the demolition of the T-W Truckers facility and piping the drainage ditch through the site, and

WHEREAS, the Advisory Committee, at its meeting held on July 12, 2000 rendered the determination shown on the attached memo dated July 13, 2000, and

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

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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 ATTACHMENTS**

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

WHEREAS, the Town of Cheektowaga has previously awarded the contract for engineering services to Wendel for design of the Rails-to-Historic Trails Project, and

WHEREAS, the Town of Cheektowaga has received a grant award through the Federal Intermodal Surface Transportation Efficiency Act ("ISTEA"), and

WHEREAS, Wendel has submitted a Supplemental Agreement No. 1 for additional services in the amount of \$5,855.00, and

WHEREAS, the proposal for additional services, as outlined in a letter to the Town Board dated July 11, 2000 was reviewed by Allan Blachowski, Principal Engineer Assistant, Project Manager, NOW, THEREFORE, BE IT

RESOLVED that Supplemental Agreement No. 1 for additional services between the Town of Cheektowaga and Wendel for the design of the Rails-to-Trails Project in the amount of \$5,855.00 be approved, and BE IT FURTHER

RESOLVED that funds for this project have been budgeted in Account #5705-1440-9607.

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

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

WHEREAS, the Town of Cheektowaga is in the process of finalizing plans for its Rails to Historic Trails bicycle path in the Town and has prepared maps and drawings showing the location of such proposed bicycle path have been abandoned for railroad transportation purposes, and

WHEREAS, pursuant to Section 18 of the Transportation Law of the State of New York, the New York State Department of Transportation ("DOT") is granted preferential rights to acquire abandoned railroad lines, and

WHEREAS, the DOT has no use for the aforementioned abandoned railroad line and has assigned its preferential rights to the Town, and

WHEREAS, in order for the Town to have the option to negotiate for the acquisition of this abandoned railroad line, it must notify the DOT of the Town's desire to exercise the preferential right, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby determines that it desires to exercise its preferential rights under Section 18 of the Transportation Law to begin discussions/ negotiations with Norfolk Southern to acquire the aforementioned abandoned railroad line, and BE IT FURTHER

RESOLVED that the Town Attorney's Office be and hereby is directed to notify the DOT and Norfolk Southern of the Town's exercise of this preferential right and to begin negotiations for the acquisition of such property.

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

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

WHEREAS, the Town is the owner of property located on the south side of Walden Avenue west of Harlem Road known as the Walden Commerce Exchange property, and

WHEREAS, such property has been leased to the Cheektowaga Economic Development Corporation for the purpose of arranging for the development of same as a commercial/industrial park, and

WHEREAS, in order to develop such property, it is necessary to construct a second access roadway to the Walden Commerce Exchange Property, and

WHEREAS, in order to construct such roadway, it is necessary to construct a portion of this road through a piece of property located on the south side of Walden Avenue at Pine Ridge Road, and

WHEREAS, the County of Erie has set aside \$120,000 in its 1999 budget for the purpose of making infrastructure improvements at Walden Avenue and Pine Ridge Road and has submitted an agreement to the Town for this funding, 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. 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 337 George Urban Blvd. Cheektowaga, New York, SBL #102.23-7-1 and according to the Assessor's Office is owned by Samuel J. Jr. & Jennifer M. Zarcone, Cheektowaga, New York 14225, and

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

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

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

**Item No. 12**      Motion by Councilmember Mazur,   Seconded by Supervisor Gabryszak

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

SANITATION DEPARTMENT  
Kenneth Piatek  
Michael Heh

Immediately  
"

RECYCLING DEPARTMENT  
Jason Sasiadek

Immediately

TOWN CLERK'S OFFICE  
Charles Burns

Immediately

POLICE DEPARTMENT  
Beverly Leszkowicz  
Jerome Hendel  
Thomas Bollman

Immediately  
"  
"



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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 Jankowiak

WHEREAS, two (2) temporary vacancies exist in the position of Light Motor Equipment Operator - B in the Recycling Department, and

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

WHEREAS, no full-time employees bid on said vacancies; and

WHEREAS, Donald Bzibziak currently employed as a seasonal laborer in the Recycling Department, and Peter Gerlach have expressed an interest in said vacancies and meet the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Donald Bzibziak of Cheektowaga, New York 14227, and Peter Gerlach of Cheektowaga, New York 14227 be and hereby are appointed to the temporary positions of Light Motor Equipment Operator -B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Motion by Supervisor Gabryszak, 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

WHEREAS, two (2) temporary vacancies exist in the position of Light Motor Equipment Operator - B in the Recycling Department, and

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

WHEREAS, no full-time employees bid on said vacancies; and

WHEREAS, Matthew Bzibziak currently employed as a seasonal laborer in the Recycling Department, and Peter Gerlach have expressed an interest in said vacancies and meet the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Matthew Bzibziak of Cheektowaga, New York 14227, and Peter Gerlach of Cheektowaga, New York 14227 be and hereby are appointed to the temporary positions of Light Motor Equipment Operator -B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

**Item No. 14** Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

Cheektowaga Conservation Corps (CCC) 7310.1812

Participants - \$5.15  
Michael Lewis

14225



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Arts and Crafts Rotation - 7140.1648

Recreation Attendants I - \$5.15  
Bradley Walters 14225

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

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

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

Teen Center Initiative - 7310.1814 - \$5.65  
Arts and Crafts Rotation - 7140.1648 - \$6.40

Adam Kehrer (effective 7/18)

From Level III (WSI) to Level 4 (WSI) - \$7.40  
Adam Connor  
(retro to 5/16)

Seasonal (retro to 7/3/00)

From Recreation Leader II to Recreation Leader III - \$6.40  
Jillian Pytlewski

From Recreation Attendant III to Recreation Attendant IV - \$5.90  
Courtney Hoerner

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

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

WHEREAS, the North Carolina State University is sponsoring a Supervisor's  
Management School in Oglebay Park, Wheeling, West Virginia from November 5<sup>th</sup> - 9<sup>th</sup>, 2000, and

WHEREAS, the mission of the Supervisor's Management School is to provide the  
necessary tools to improve our ability to impact the day-to-day activities of our organization, and

WHEREAS, the School will focus the following topics:

- Personal Development of the Supervisor
- Organizational Understanding and Alignment
- Workforce Development
- Employee Development

NOW, THEREFORE, BE IT

RESOLVED that Paul Marchewka, Recreation Supervisor in the Parks, Recreation and  
Youth Services Department, be reimbursed the necessary transportation, lodging, conference and meal  
expenses to attend said conference, at a cost not to exceed \$225 (transportation) \$405 (lodging), \$425  
(conference) and \$150 (meals)

Line Item Nos. 01-7140-0004-4191  
01-1910-0004-4083  
01-7310-0004-4681

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

**II. DEPARTMENTAL COMMUNICATIONS**

**MEETING NO. 14**  
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- Item No. 17a** Minutes of Cheektowaga Conservation Advisory Council - June 17, 2000  
Received and Filed
- Item No. 17b** Minutes of Cheektowaga Planning Board - June 8, 2000  
Received and Filed
- Item No. 18** Cheektowaga Justice Court - Month end report for June, 2000  
Received and Filed
- Item No. 19** Office of Emergency Services - quarterly report from April to June, 2000  
Received and Filed

**III. GENERAL COMMUNICATIONS**

- Item No. 20** NYS DOT - Designation of Restricted Highway - Union Road from Genesee St. north to NYS Thruway  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members; Council Office; Highway Department; Cheektowaga Traffic Safety Commission.  
Received and Filed
- Item No. 21** Amended Summons & Complaint - Matthew & Vaune Behr vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.  
Received and Filed
- Item No. 22** Summons & Complaint - James & Aurelia Lowmack vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.  
Received and Filed
- Item No. 23a** Notice of Claim - P & G Construction Co. vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation/Recycling Department.  
Received and Filed
- Item No. 23b** Notice of Claim - Barbara Jezioro Fritz vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Parks, Recreation and Youth Services.  
Received and Filed

**IV. SUSPENSION OF RULES**

Motion by Councilmember Johnson, Seconded by Councilmember Mazur 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 Councilmember Mazur, Seconded by Councilmember Jankowiak

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

WHEREAS, the HSBC Bank (USA) has made application to hold a softball tournament in Stiglmeier Park on August 12, 2000, and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the HSBC Bank (USA) for its softball tournament to be held on August 12, 2000 in Stiglmeier Park.

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

**Item No. 25** Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, People, Inc. Violet Housing Corporation Petitioned for a rezoning from RS-Residence Single District to NS-Neighborhood Services District on property owned by Seneca Creek Development Corporation and located at 891-893 French Road, Cheektowaga, New York which property is described in the legal notice published for the public hearing for such rezoning, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 19<sup>th</sup> day of June, 2000 at 6:30 o'clock PM 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 People, Inc. Violet Housing, Corporation for the rezoning from RS-Residence Single District to NS-Neighborhood Services District of the above referenced property be and the same is hereby approved, 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

At 7:30 PM, there was a motion by Councilmember Swiatek, and 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

At 8:30 PM, the Town Board Meeting was resumed and Item #7a, which was discussed was tabled.

**Item No. 7a** 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

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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 had been submitted by Benderson Development Company Incorporated for the redevelopment of the Thruway Mall property, and

WHEREAS, the Town Board issued a Negative Declaration on March 3, 1997 for the overall concept plan and the Wal-Mart specifically, and

WHEREAS, the applicant has submitted updated, detailed, site plans and is seeking approval for several retail buildings, more specifically a 50,000 s.f. shell and a 129,995 s.f. Sam's Club, and

WHEREAS, the two buildings will be located along the south property line, and

WHEREAS, the applicant has submitted detailed drawings for the Sam's Club and retail shell, and

WHEREAS, the plan for the stores has been amended to include additional landscaping and landscaping islands and pedestrian walkways, and

WHEREAS, the Sam's Club gasoline dispensing units shown on the plan are submitted to approval by the Zoning Board of appeals under a Use Variance to be heard on July 19, 2000, and

WHEREAS, the Environmental Advisory Committee, at its meeting held on July 12, 2000 rendered the determination shown on the attached memo dated July 13, 2000, and

WHEREAS, the Planning Board has recommended approval of the revised site plans as shown in the attached memo dated June 30, 2000, and

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

RESOLVED that this Town Board, determines that the Sam's Club/retail shell project will not have a significant effect on the environment finds the site plans acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak 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.

**Item No. 26** Motion by Supervisor Gabryszak, Seconded by Unanimous  
To adjourn the meeting in memory of Arthur J. Malek, Past Commander of Leonard Post V.F.W. , Past Police Dispatcher, and Volunteer Fireman of Doyle Hose Co. No. 2.

Time Meeting Adjourned 8:40 P.M.

RICHARD M. MOLESKI  
Town Clerk

**TOWN OF CHEEKTOWAGA**  
**SPECIAL MEETING NO. 15**  
**July 31, 2000**

**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 31<sup>st</sup> day of July, 2000 at 6:30 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.

At the conclusion of the Executive Work Session, Town Attorney, Michael Stachowski officially notified the Town Clerk that the Town Board Meeting was cancelled.

RICHARD M. MOLESKI  
Town Clerk

**TOWN OF CHEEKTOWAGA  
MEETING NO. 16  
AUGUST 7, 2000**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th of August, 2000 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; Michael Stachowski, Town Attorney; Robert Kaczmarek, Supervising Accountant; Ronald Marten, Building Inspector; Bruce Chamberlin, Police Chief; Salvatore LaGreca, Chairman of Planning Board; Patricia Wojcik, Director of Senior Services; Kenneth Kopacz, Director of Parks, Recreation and Youth; Jerome Gabryszak, Director of Community Development; Christopher Kowal, Highway Superintendent; and Brian Krause, Director of Administration and Finance.

**I. FROM THE TABLE**

Item No. 2 Issue Negative Declaration – Thruway Mall Property (Sam's Club)  
This resolution was withdrawn and replaced with a substitute resolution as follows:

Motioned by Unanimous, Seconded by Unanimous

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 had been submitted by Benderson Development Company Incorporated for the redevelopment of the Thruway Mall property, AND

WHEREAS, the Town Board issued a Negative Declaration on March 3, 1997 for the overall concept plan and the Wal-Mart specifically, AND

WHEREAS, the applicant has submitted updated, detailed, site plans and is seeking approval for several retail buildings, more specifically a 50,000 s.f. shell and a 129,995 s.f. Sam's Club, AND

WHEREAS, the two buildings will be located along the south property line, AND

WHEREAS, the applicant has submitted detailed drawings for the Sam's Club and retail shell, AND

WHEREAS, the plan for the stores has been amended to include additional landscaping, landscaping islands and pedestrian walkways, AND

WHEREAS, the Sam's Club gasoline dispensing units shown on the plan were moved to the location shown at the request of Town Officials, AND

Item No. 2 cont'd



MEETING NO. 16  
AUGUST 7, 2000

WHEREAS, the Environmental Advisory Committee, at its meeting held on July 12, 2000 rendered the determination shown on the attached memo dated July 13, 2000, AND

WHEREAS, the Planning Board has recommended approval of the revised site plans as shown in the attached memo dated June 30, 2000, AND

WHEREAS, the relocation of the gasoline dispensing units must be reviewed by the Planning Board, and a use variance must be issued by the Zoning Board of Appeals for the gasoline dispensing use requested by the Benderson Development Company, AND

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

RESOLVED, that this Town Board, determines that the Sam's Club/retail shell project will not have a significant effect on the environment and finds the site plans 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

MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER MAZUR TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AFTER ITEM NO. 2 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. 24 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, Benderson Development Company has submitted plans to the Town to develop property located at 400 Thruway Plaza for the construction of a square foot building for a Sam's Club with minor motor fuel dispensing station; AND

WHEREAS, under Section 82-25.1 of the Zoning Law, a change in use for a motor fuel dispensing station requires a Special Use Permit to be issued by this Town Board, AND

WHEREAS, the aforementioned proposed development has been reviewed by the Town Planning Board and the Environmental Advisory Committee, and such Town agencies have recommended approval of such site plan development, AND

WHEREAS, this Town Board has reviewed the revised site plan submitted by Benderson Development Company for 400 Thruway Plaza for this property depicting the relocated gasoline pumps, AND

WHEREAS, this Board previously issued a Negative Declaration under SEQRA for this property, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby grants Benderson Development Company a Special Use Permit for motor fuel dispensing station for 400 Thruway Plaza to be used in conjunction with Sam's Club for its members only at the location shown on the revised site plan, subject to approval of the use variance by Zoning Board of Appeals.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 25 Motioned by Supervisor Gabryszak

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WHEREAS, the Erie County Industrial Development Agency ("ECIDA") is a public benefit corporation charged with responsibility for economic development activities throughout Erie County, AND

WHEREAS, the Cheektowaga Economic Development Corporation ("CEDC") is a not-for-profit local development corporation formed by the Town of Cheektowaga to coordinate economic development activities within the Town of Cheektowaga, AND

WHEREAS, the ECIDA, CEDC and Town of Cheektowaga desire to improve economic development activities throughout the Town of Cheektowaga by coordinating and consolidating CEDC's and the ECIDA's respective efforts in order to enhance and improve the delivery of economic development services to eligible businesses located in the Town of Cheektowaga, AND

WHEREAS, the ECIDA has drafted a Cooperative Regional Economic Development Coordination and Consolidation Agreement in order to effectuate the coordination and consolidation of economic development activities in the Town of Cheektowaga, AND

WHEREAS, this agreement meets with the approval of this Town Board, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute this agreement on behalf of the Town of Cheektowaga.

MOTIONED BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER MAZUR 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

**II. PUBLIC HEARINGS**

Item No. 3 This being the time and place advertised for a public hearing to consider and discuss amending 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 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 V  
Schedules

§76-505, SCHEDULE II: SPEED LIMITS, Roads with speed limit established and posted at thirty-five (35) miles per hour, shall be amended by deleting therefrom the following:

<u>Name of Street</u>	<u>Geographic limits</u>
Pine Ridge Road	Walden Avenue (SR 952Q) northerly to Maryvale Drive

§76-505, SCHEDULE II: SPEED LIMITS, Roads with speed limit established and posted at thirty-five (35) miles per hour, shall be amended by adding thereto the following:

<u>Name of Street</u>	<u>Geographic limits</u>
Pine Ridge Road	Walden Avenue (SR 952Q) northerly to Genesee Street (SR 33B)
Pine Ridge Heritage Blvd.	Genesee Street (SR 33B) northerly to Maryvale Drive

§76-520, SCHEDULE V, PROHIBITED TURNS AT INTERSECTIONS, shall be amended by

- Renaming this Schedule as follows: "SCHEDULE V, PROHIBITED TURNS AT INTERSECTIONS AND OTHER LOCATIONS"
- Adding thereto the following:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Hours</u>	<u>At intersection of</u>
-----------------------	----------------------------	--------------	---------------------------

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Nagel Drive                      North                      All                      First driveway north of Walden Avenue  
On the west side of Nagel Drive

§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>
Nagel Drive	Both	North Creek Drive
Sugar Road	East	Pine Ridge Heritage Blvd.

§76-510, SCHEDULE III, ONE WAY STREETS, shall be amended by deleting therefrom the following:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Limits</u>
Beryl Drive service road	North	Between Genesee Street and Beryl Drive

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.

**III. RESOLUTIONS**

Item No. 4      Motioned 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	\$ 7,000.00
	0100-1415-3500	State Aid-Archive Grant	14,100.00
	0100-3120-4508	Medical Expenses	700.00
	0100-1355-4561	Contracted Legal	413.00
	0100-1110-3789	Other Economic Assistance	1,200.00
To:	0100-7620-2501	Equipment	\$ 7,000.00
	0100-1415-1600	Clerical Assistance	6,404.00
	0100-1415-4001	Contractual Expenses	3,484.00
	0100-1415-4003	Travel	62.00
	0100-1415-2000	Equipment	3,628.00
	0100-1415-8000	Employee Benefits	522.00
	0100-3120-4444	Police Towing	700.00
	0100-1356-4511	Transcript Services	413.00
	0100-1110-2105	Equipment	1,200.00

Upon roll call ....

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

NAYES:           0

ABSENT:          0

Item No. 5      Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to August 4, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$ 508,683.90
HIGHWAY FUND	154,636.34
TRUST & AGENCY	39,737.00
HUD CDBG FUND	34,703.73
PART TOWN FUND	8,137.07
RISK RETENTION FUND	71,665.39
HUD HOUSING REHABILITATION	28,005.00
SPECIAL DISTRICTS FUND	441,500.28
CAPITAL FUND	<u>138,127.29</u>

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\$1,425,196.00

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 6a This resolution was acted upon as the last item of the meeting after the Town Board returned from recess.

Item No. 6b Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Jones Development Co. LLC has made application and requested the Rezoning from M1-Light Manufacturing District to M2-General Manufacturing District for property located south of Walden Avenue, from Reo Avenue to Alexander Avenue (Town owned property known as the "Walden Commerce Exchange property"), NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on August 21, 2000 P.M. at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway, at the corner of Union Road.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 7 Motioned by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, it is in order that bids be advertised for the Phase I Storm Sewer Installation on Various Town Highways and Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project in the Town of Cheektowaga, AND

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

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Phase I Storm Sewer Installation on Various Town Highways and Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project, said notice to be published in the BUFFALO NEWS and THE CHALLENGER and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 23<sup>rd</sup> day of August, 2000 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 23<sup>rd</sup> day of August, 2000 at 11:00 A.M., local time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for Phase I Storm Sewer Installation on Various Town Highways and/or Phase II, Cedargrove Heights Sanitary/Storm Sewer Improvements, complete, in place and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc. prepared by the Town of Cheektowaga Engineering Department and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the Town of Cheektowaga Engineering Department, 275 Alexander Avenue, Cheektowaga, New York 14211 and at the Town Clerk's Office, Broadway and Union Road, Cheektowaga, New York 14227. Copies may be secured at the Office of the Town Clerk upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 and marked "Phase I Proposal for Storm Sewer Installation on Various Town Highways" and/or "Phase II Proposal for Cedargrove Heights Sanitary/Storm Sewer Improvements".

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

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

No bidder may withdraw his bid within forty-five days after the date set for the opening thereof, but may withdraw any time prior to the scheduled date for the opening of bids.

The successful bidder will be required to furnish a Performance Bond and Labor and Material Payment Bond acceptable to the Owner, in an amount equal to the contract award.

Project activities are Federally funded under Title I Community Development Act of 1974, as amended. The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater. All bidders must comply with Section 3 Requirements for the Provision of Training Employment and Business Opportunities, the President's Executive Order 11246, as amended, and Non-Discrimination and Equal Employment Opportunity requirements as set forth in the Contract Documents.

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

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

The work shall be completed within 120 consecutive calendar days, to begin five days after the "Order to Commence Work" has been issued.

BY ORDER OF:  
THE TOWN OF CHEEKTOWAGA

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Richard M. Moleski, Town Clerk

DATED: August 7, 2000  
PUBLISHED: August 10, 2000

Upon roll call ....

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

NAYES: 0

ABSENT: 0

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Item No. 8 Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, by resolution dated June 5, 2000, this Town Board called for a public hearing to rezone property at 891-893 French Road from RS-Single Family District to NS-Neighborhood Services District, AND

WHEREAS, thereafter, a resolution dated July 17, 2000 again stated that the property was to be rezoned to NS-Neighborhood Services District, AND

WHEREAS, such resolution should have stated that the property was to be rezoned to RSC-Residential Senior Citizen Housing District, as was stated on the rezoning application, NOW, THEREFORE BE IT

RESOLVED, that the aforementioned resolution dated June 5, 2000 and July 17, 2000 be and hereby are amended to state the property was to be rezoned to RSC-Residential Senior Citizen Housing District and, BE IT FURTHER

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

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN, that the following corrections are hereby made to the following referenced Legal Notices pertaining to the rezoning of 891-893 French Road, Cheektowaga, New York, approved by the following referenced Cheektowaga Town Board resolutions which were published in the CHEEKTOWAGA TIMES on the following referenced dates:

Resolution dated June 5, 2000, published in the CHEEKTOWAGA TIMES on June 8, 2000 giving notice of a public hearing to be held on June 19, 2000 – stated that the property was to be rezoned from RS-Residence Single District to NS-Neighborhood Services District.

Resolution dated July 17, 2000, published in the CHEEKTOWAGA TIMES on July 20, 2000 rezoning the property to NS-Neighborhood Services.

These resolutions and notices should have stated that the property was to be rezoned to RSC-Residential Senior Citizen Housing District.

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

DATED: August 7, 2000

\_\_\_\_\_  
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. 9 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga is committed to the efficient delivery of public services to its residents, and to ensuring that taxpayer resources are not improperly diverted to any purpose inconsistent with the Town's efficient delivery of public services, AND

WHEREAS, this Town Board wishes to adopt a policy with respect to this matter, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby adopts the attached Policy on Use of Town Property and Personnel for Non-Town Business, effective immediately and, BE IT FURTHER



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RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this policy to all Town departments and, BE IT FURTHER

RESOLVED, that Town department heads be and hereby are directed to post a copy of this policy in their offices.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER MAZUR TO DISPENSE WITH READING THE FEES IN THE FOLLOWING RESOLUTION, ITEM 10, 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. 10 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following recreational fees be established for the 2000-2001 Summer/Fall/Winter season:

FEES IN \$0.00 DENOTE 1999 FEE

YOUTH SPORT CAMPS

SUMMER	RESIDENT	NON-RESIDENT
Per Week/Sport 1 <sup>st</sup> Child	\$71.00 (\$67)	\$96.00 (\$91)
2 <sup>nd</sup> Child	\$61.00 (\$61)	\$82.00 (\$82)
For 3 Weeks/Sports 1 <sup>st</sup> Child	\$181.00 (\$181)	\$342.00 (\$243)
2 <sup>nd</sup> Child	\$164.00 (\$164)	\$228.00 (\$228)

DARTWOOD DAY CAMP

SUMMER	RESIDENT	NON-RESIDENT
Per Child All 6 ½ Weeks	\$518 (\$539)	\$612 (\$637)
Per Child Weekly	\$82 (\$84)	\$97 (\$93)
Second Child All 6 ½ Weeks	\$495 (\$539)	\$604 (\$617)
Second Child Weekly	\$77 (\$84)	\$92 (\$93)

CAMP FLAMINGO

SUMMER	RESIDENT	NON-RESIDENT
Per Child All 6 ½ Weeks	\$518 (\$518)	\$617 (\$617)
Per Child Weekly	\$82 (\$82)	\$97 (\$97)
Second Child All 6 ½ Weeks	\$495 (\$495)	\$604 (\$604)
Second Child Weekly	\$77 (\$77)	\$92 (\$92)

CAMP JI-IK-DO-WAH-GAH

SUMMER	RESIDENT	NON-RESIDENT
Per Child All 6 ½ Weeks	\$492 (\$492)	\$617 (\$617)
Per Child Weekly	\$82 (\$82)	\$97 (\$92)
Second Child All 6 ½ Weeks	\$468 (\$468)	\$604 (\$604)
Second Child Weekly	\$77 (\$77)	\$92 (\$92)

CAMP CRABAPPLE

SUMMER	RESIDENT	NON-RESIDENT
Per Child All 7 Weeks	\$420 (\$420)	\$617 (\$563)
Per Child Weekly	\$75 (\$75)	\$97 (\$90)

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Second Child All 7 Weeks	\$397	(\$397)	\$604	(\$563)
Second Child Weekly	\$70	(\$90)	\$92	(\$89)
<u>Item No. 10 cont'd</u>				
YOUTH SOCCER				
SUMMER	RESIDENT		NON-RESIDENT	
First Child	\$47	(\$41)	\$62	(\$56)
Each Additional	\$37	(\$31)		
LET'S WALK				
YEAR ROUND	RESIDENT		NON-RESIDENT	
One Session	\$14	(\$14)	\$19	(\$19)
Reg. For Two Session at Once	\$23	(\$23)	\$33	(\$33)
FLAG FOOTBALL				
PER SESSION	RESIDENT		NON-RESIDENT	
Youth	\$32	(\$29)	\$41	(\$37)
Adult	\$270 Per Team and \$8.00 Additional for Non-Resident			
LACROSSE				
SUMMER	RESIDENT		NON-RESIDENT	
Per Child	\$54	(\$51)	\$71	(\$67)
TINY TOTS				
SUMMER	RESIDENT		NON-RESIDENT	
Per Child	\$33.00	(\$33)	\$43.00	(\$43)
Second Child	\$30.00	(\$30)	\$40.00	(\$40)
THREE TO GET READY				
SUMMER	RESIDENT		NON-RESIDENT	
Per Child	\$29.00	(\$29)	\$39.00	(\$39)
Second Child	\$26.00	(\$25)	\$36.00	(\$35)
FALL/WINTER				
Per Child	\$25.00	(\$25)	\$35.00	(\$35)
Second Child	\$21.00	(\$21)	\$31.00	(\$31)
GYMNASTICS				
SUMMER 2 DAY	RESIDENT		NON-RESIDENT	
Per Child	\$46.00	(\$46)	\$56.00	(\$56)
Second Child	\$41.00	(\$41)	\$51.00	(\$51)
SUMMER 1 DAY				
Per Child	\$23.00		\$33.00	
Second Child	\$18.00		\$28.00	
FALL/WINTER				
Per Child	\$34.00	(\$30)	\$44.00	(\$40)
Second Child	\$29.00	(\$25)	\$39.00	(\$45)
FALL/WINTER 2 DAY				
Per Child	\$46.00		\$56.00	
Second Child	\$41		\$51	
TINY TUMBLERS				
SUMMER 3 YR OLD 1 DAY	RESIDENT		NON-RESIDENT	
Per Child	\$23.00		\$33.00	
Second Child	\$18.00		\$28.00	
4 YR. OLD 1 DAY				
Per Child	\$23.00		\$33.00	
Second Child	\$18.00		\$28.00	
FRIDAY GYMNASTICS				
SUMMER	RESIDENT		NON-RESIDENT	

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Per Child	\$23.00	(\$23)	\$33.00	(\$33)
Second Child	\$18.00	(\$18)	\$28.00	(\$26)
<u>Item No. 10 cont'd</u>				
ADVANCED GYMNASTICS				
SUMMER	RESIDENT		NON-RESIDENT	
Per Child	\$51.00	(\$51)	\$61.00	(\$61)
Second Child	\$46.00	(\$46)	\$56.00	(\$56)
FALL/WINTER 12 CLASSES				
Per Child	\$37.00	(\$35)	\$47.00	(\$45)
Second Child	\$32.00	(\$31)	\$42.00	(\$41)
AEROBICS				
YEAR ROUND	RESIDENT		NON-RESIDENT	
Per Class	\$2.00	(\$2)	\$3.00	(\$3)
YOUTH BASKETBALL				
FALL/WINTER	RESIDENT		NON-RESIDENT	
Per Participant	\$31.00	(\$31)	\$41.00	(\$41)
SWIMMING				
SUMMER	RESIDENT		NON-RESIDENT	
Youth	\$24.00	(\$23)	\$34.00	(\$33)
Second Child	\$14.00		\$24.00	
Toddler	\$14.00	(\$13)	\$24.00	(\$23)
Second Child	\$11.00		\$21.00	
Water Aerobics	\$24.00	(\$23)	\$24.00	(\$23)
Adult	\$22.00	(\$22)	\$32.00	(\$32)
Synchronized	\$18.00	(\$17)	\$28.00	(\$27)
Second Child	\$15.00		\$25.00	
Water Slide/Animals	\$1.00	(\$1)	\$1.00	(\$1)
Daily User Fee	\$1.00	(\$1)	\$2.00	(\$2)
FALL/WINTER				
Youth	\$22.00	(\$20)	\$32.00	(\$30)
Second Child	\$18.00	(\$16)	\$28.00	(\$26)
Open/Family	\$24.00	(\$24)	\$32.00	(\$32)
Adult	\$20.00	(\$20)	\$24.00	(\$24)
Walk-In Fee	\$1.00		\$2.00	
Synchronized	\$22.00	(\$20)	\$32.00	(\$30)
Second Child	\$18.00	(\$16)	\$28.00	(\$26)
INSTRUCTIONAL TENNIS				
SUMMER	RESIDENT		NON-RESIDENT	
Youth	\$23.00	(\$23)	\$33.00	(\$33)
Adult	\$23.00	(\$29)	\$33.00	(\$39)
ADULT BASKETBALL				
Per Team	\$59.00	(New)		
VOLLEYBALL (teams pay referee fees each week)				
FALL/WINTER			\$12 Per Week	
Indoor	Saturdays		18 per team	
	Thursday and Friday			
			12 Sept.-Dec	
			18 Jan.-May	
	Non-Residents After 4 Per Team			\$10.00 each
SUMMER				
Outdoor	\$75.00	(\$75)		
WEE THREE-TWICE THE FUN				
FALL/WINTER	RESIDENT		NON-RESIDENT	
Per Child	\$88.00	(\$88)	\$98.00	(\$98)
Second Child	\$83.00	(\$83)	\$93.00	(\$93)

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Item No. 10 cont'd

WINTER/SPRING 12 WEEK			
Per Child	\$88.00		\$98.00
Second Child	\$83.00		\$93.00
TEA TIME FOR TWO			
FALL/WINTER	RESIDENT		NON-RESIDENT
Per Child	\$46.00 (\$43)		\$56.00 (\$53)
Second Child	\$41.00 (\$38)		\$51.00 (\$48)
PRE K			
2000-2001 SEPT.-MAY	RESIDENT		NON-RESIDENT
Three Days			
Paid in Full at Registration	\$468.00 (\$468)		\$523.00 (\$518)
Per Session Sept.-Feb.	\$244.00 (\$244)		\$272.00 (\$269)
Per Month (8 Months)	\$61.00 (\$61)		\$68.00 (\$67.25)
Two Day 2½ Hours			
Paid in Full at Registration	\$394.00 (\$390)		\$444.00 (\$440)
Per Session Sept.+Feb.	\$207.00 (\$205)		\$244.00 (\$232)
Per Month (8 Months)	\$51.75 (\$51.25)		\$58.00 (\$57.50)
PUBLIC SKATE			
FALL/WINTER			
General Admission	\$3		(\$3)
	W/RESIDENT DISCOUNT CARD		
Children 3 and Under	Free		(Free)
Children 4 to 15	\$1		\$1
Adults 16 and Up	\$2		\$2
Senior Citizens	\$1		\$1
LEARN TO SKATE			
FALL/WINTER	RESIDENT		NON-RESIDENT
Per Individual	\$43 (\$41)		\$63 (\$59)
SKATE AND SHOOT			
FALL/WINTER			
General Admission	\$7		(\$7)
Admission w/Resident Card	\$5		(\$5)
First 2 Goalies	Free		(Free)
ICE RENTALS			
FALL/WINTER			
Per Hour	Prime Time	\$124	(\$121) 5:00 pm-11:00 pm M-F All day Sat and Sun
	Non-Prime	\$103	(\$100) 8:00 am-5:00 pm M-F
SPORT COURT RENTALS			
Per Hour	\$50		
Per Hour and Half	\$70		
Per 2 hours	\$85		
DIAMOND PERMITS			
SUMMER (per 2 hour time block)	RESIDENT		NON-RESIDENT
No Lights	\$45 (\$40)		\$65 (\$60)
Lights	\$75 (\$70)		\$90 (\$95)
13 WEEK SERIES			
No Lights	\$425 (\$375)		\$650 (\$600)
Lights	\$725 (\$675)		\$900 (\$875)
Additional games added to 13 week series are charged at the regular 2 hour block rate			

Item No. 10 cont'd

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**SOCCER/FOOTBALL FIELD RENTAL**

	RESIDENT	NON-RESIDENT
Per Two Hour Time Block	\$55 (\$55)	\$70 (\$70)

**VOLLEYBALL COURT RENTAL**

	RESIDENT	NON-RESIDENT
1 Court Per Hour Two Hour Block	\$50 (\$50)	\$65 (\$65)

**ADULT SOFTBALL LEAGUES  
SUMMER**

LEAGUE	FRANCHISE FEE
Coed	\$255 (\$245)
Women's	\$255 (\$245)
Men's Leisure	\$255 (\$250)
Men's Over 40	\$290 (\$285)
Open Men's	\$430 (\$425)
Men's Over 35	\$255 (\$250)

**\*\*All Non-Residents Must Pay \$18.00 Additional**

**\*\*Business Teams (Businesses Within the Town), All Players Must Work For That Business, \$300 (\$290). This includes the First 11 on the Rooster.**

**Non-Residents After 11 Must Pay \$18 Each.**

**\*\*All Teams Are Responsible for Paying the Umpires Each Week.**

**\*\*All Teams Must Pay \$15 Registration Fee Directly to ASA.**

**KIDERCIZE**

	RESIDENT	NON-RESIDENT
First Child	\$23.00 (New)	\$32.00 (New)
Second Child	\$18.00 (New)	\$28.00 (New)

**INLINE HOCKEY  
SUMMER**

	RESIDENT	NON-RESIDENT
Youth Participant	\$81 (\$79)	\$112 (\$109)
Adult Team	\$790	Each Non-Resident \$10 Additional

**\*\*Adult Inline Teams are Responsible for Payment of Referees Prior to the Start of Each Game\*\***

**ICE HOCKEY**

FALL/WINTER	RESIDENT		NON-RESIDENT	
	HOUSE	TRAVEL	HOUSE	TRAVEL
Novice	\$253 (\$233)	N/A	\$418 (\$398)	N/A
Mite	\$293 (\$273)	\$408 (\$388)	\$468 (\$448)	\$583 (\$563)
Squirt	\$343 (\$323)	\$458 (\$438)	\$518 (\$498)	\$633 (\$613)
Pee Wee	\$393 (\$373)	\$508 (\$488)	\$568 (\$548)	\$683 (\$663)
Bantam	\$443 (\$423)	\$558 (\$538)	\$618 (\$598)	\$733 (\$713)
Midget	\$513** (\$493)	\$413 (\$393)	\$688** (\$668)	\$588 (\$568)

**\*\* No Travel or High School Players**

--All Head Coaches Will Receive a \$30.00 Reduction for One Child

--Second Child Enrolled From a Family \$30.00 Reduction

--Third Child Enrolled From a Family \$70.00 Reduction

--2000 -2001 Travel Try-Out Fee \$7.00

**CULTURAL CENTER (BAND SHELL) LOCATED IN TOWN PARK**

The rental fee is for four hours any time prior to or after the specified rental time. The renter is responsible for the costs of keeping staff on.

**RESIDENTS**

\$400 for a four hour period. Additional hours before or after the specified rental time will be billed at \$125 per hour

Item No. 10 cont'd.

**NON-RESIDENTS**

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\$800 for a four hour period. Additional hours before or after the specified rental time will be billed at \$195 per hour.

Upon roll call ....

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

Item No. 11a Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

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

WHEREAS, the Polish-American Arts Festival Committee has made application to hold its annual Polish-American Cultural Festival in Cheektowaga Town Park from August 18-20, 2000, AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Town Board on behalf of the Building Inspections Department, Highway/Facilities Department, the Department of Parks, Recreation and Youth Services and the Police Department, and has no objection to same, AND

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

1. Submittal of plan for sanitary facilities;
2. Submittal of site plan;
3. Requirement that application be made at least 60 days prior to the date of the special event;
4. Submittal of Security Plan;
5. Submittal of Fire Prevention/Emergency Services Plan;
6. Approvals from Building Inspections Department, Highway/Facilities Department, Department of Parks, Recreation and Youth Services and the Police Department.

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Polish-American Arts Festival Committee for the aforementioned Polish-American Cultural Festival to be held on August 18-20, 2000.

Upon roll call ....

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

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

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

WHEREAS, the South Cheektowaga Baseball Association has made application to hold a league picnic in Stiglmeier Park on August 19, 2000 from 12:00 noon to 4:00 P.M., AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Cheektowaga Police Department, Facilities Department and Department of Parks, Recreation and Youth Services and has no objection to same, AND

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

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



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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the South Cheektowaga Baseball Association for the aforementioned league picnic to be held on August 19, 2000.

Upon roll call ....

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

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

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

WHEREAS, the Federation of German-American Societies has made application to hold its annual German Fest in Cheektowaga Town Park from September 2-3, 2000, AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, the Building Department, Highway/Facilities Department and the Department of Parks, Recreation and Youth Services, and has no objection to same, AND

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

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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Federation of German-American Societies for the aforementioned German Fest celebration to be held on September 2-3, 2000.

Upon roll call ....

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

Item No. 11d Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

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

WHEREAS, the Buffalo AFL-CIO Council and United Way of Buffalo and Erie County have made application to hold a parade on September 4, 2000 beginning at 12:00 P.M. as follows:

- Parade will assemble at the Thruway Plaza, corner of Harlem Road and Walden Avenue, and proceed down Harlem Road to the Cheektowaga Town Park

and

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WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Cheektowaga Police Department, and has no objection to same, AND

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

1. Submittal of plan for sanitary facilities;
2. Submittal of site plan;
3. Submittal of Security Plan;
4. Submittal of Fire Prevention/Emergency Services Plan.

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Buffalo AFL-CIO Council and United Way of Buffalo and Erie County for the aforementioned parade to be held on September 4, 2000 and, BE IT FURTHER

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 11e Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

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

WHEREAS, the Cheektowaga Central High School Senior Student Council has made application to hold its Homecoming Parade on September 29, 2000 from 6:00 P.M. to 8:00 P.M. as follows:

- Parade will assemble on South Creek Drive, and proceed down Nagel Drive to Zoerb Avenue to Union Road, and end at the Cheektowaga Central School grounds

and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Cheektowaga Police Department, and has no objection to same, AND

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

1. Submittal of plan for sanitary facilities;
2. Submittal of site plan;
3. Submittal of Security Plan;
4. Submittal of Fire Prevention/Emergency Services Plan.

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Central High School Senior Student Council for the aforementioned parade to be held on September 29, 2000 and, BE IT FURTHER

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

Upon roll call ....

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

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NAYES: 0  
ABSENT: 0

Item No. 12 Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, Buell Avenue is a Town highway located in the Town of Cheektowaga maintained by the Cheektowaga Highway Department, AND

WHEREAS, Ciminelli Development, the developer of a commerce park located on Genesee Street at Buell Avenue, has requested that the Town re-name a portion of Buell Avenue, from Genesee Street south to a point at the dead-end of same (northerly property line of 123 Buell Avenue) to "Concourse Center Road", AND

WHEREAS, pursuant to Section 64(9) of the Town Law of the State of New York, the Town Board can change street names within the Town, AND

WHEREAS, no residential properties will be affected by the re-naming of this portion of Buell Avenue, NOW, THEREFORE BE IT

RESOLVED, that the portion of Buell Avenue, from Genesee Street to the dead-end of Buell Avenue (northerly property line of 123 Buell Avenue) be and hereby is renamed CONCOURSE CENTER ROAD and, BE IT FURTHER

RESOLVED, that any reference to the portion of Buell Avenue which is being changed to Concourse Center Road hereinabove in any law, ordinance, rule regulation or map shall be amended and changed to reflect said changes and, BE IT FURTHER

RESOLVED, that, within ten (10) days, the Town Clerk is directed to forward certified copies of this resolution to:

TOWN ASSESSOR  
TOWN HIGHWAY DEPARTMENT  
TOWN PLANNING BOARD  
ERIE COUNTY DPW, DIVISION OF HIGHWAYS  
ERIE COUNTY CLERK  
U.S. POSTAL SERVICE

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SWIATEK TO AMEND THE ABOVE RESOLUTION, ITEM 12, 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, Ciminelli Development, the developer of a commerce park located on Genesee Street at Buell Avenue, has requested that the Town re-name a portion of Buell Avenue, from Genesee Street south to a point at the dead-end of same (northerly property line of 123 Buell Avenue) to "Concourse Center Road", AND

WHEREAS, pursuant to Section 64(9) of the Town Law of the State of New York, the Town Board can change street names within the Town, AND

WHEREAS, no residential properties will be affected by the re-naming of this portion of Buell Avenue, NOW, THEREFORE BE IT

RESOLVED, that the portion of Buell Avenue, from Genesee Street to the dead-end of Buell Avenue (northerly property line of 123 Buell Avenue) be and hereby is renamed CONCOURSE CENTER ROAD, subject to the requirement that Ciminelli Development Company:

1. Fulfill the commitments it made with respect to both projects it submitted to the Town for the Concourse property, including the installation of landscaping and berms, installation of sidewalks, and remitting payment to the Town for the repair of the gate at the dead-end of Buell Avenue;

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2. Commit to an updated Traffic Impact Study for its projects and mitigation for effects upon the car rental businesses on such street.

And, BE IT FURTHER

RESOLVED, that any reference to the portion of Buell Avenue which is being changed to Concourse Center Road hereinabove in any law, ordinance, rule regulation or map shall be amended and changed to reflect said changes and, BE IT FURTHER

RESOLVED, that, within ten (10) days, the Town Clerk is directed to forward certified copies of this resolution to:

TOWN ASSESSOR  
TOWN HIGHWAY DEPARTMENT  
TOWN PLANNING BOARD  
ERIE COUNTY DPW, DIVISION OF HIGHWAYS  
ERIE COUNTY CLERK  
U.S. POSTAL SERVICE

Upon roll call ....

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

Item No. 13 Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the Niagara Frontier Transportation Authority (NFTA), as part of the BNIA East Access Improvements and Parking Lot Expansion Project, has constructed various public improvements, including new sidewalks and underground street lighting facilities within the Genesee Street right-of-way on the north side of Genesee Street from the current airport entrance to Holtz Drive, AND

WHEREAS, said street lighting facilities installation is a continuation of a prior NFTA project, namely; Contract F, which has allowed removal of NYSEG overhead electric distribution facilities and deteriorated Town owned lighting equipment providing aesthetic improvements, as well as enhanced lighting for vehicular and pedestrian safety, NOW, THEREFORE BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and hereby is authorized to remove thirteen (13) 400 watt mercury vapor luminaires under S.C. #3 and to energize seventeen (17) 400 watt high pressure sodium luminaires under S.C. #2 at an annual increase to the General Lighting District of \$141.58 per year, including a one-time unrecovered removal cost of \$1,231.00 in accordance with the attached proposal dated June 20, 2000 and, BE IT FURTHER

RESOLVED, that the following completion of the lighting system in accordance with plans and specification requirements on file in the office of the Town Engineer, the Town shall own, operate and maintain the newly installed Genesee Street lighting facilities and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the attention of:

Mr. James Latello  
NYSEG  
150 Erie Street  
Lancaster, New York 14086

Mr. Richard Zynda, P.E.  
NFTA Project Engineer  
181 Ellicott Street  
Buffalo, New York 14203

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. 14 Motioned by Unanimous, Seconded by Unanimous

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WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at EMERALD GARDENS SUBDIVISION, Cheektowaga, New York, Whitney Place SBL #114.18-8-15 thru 32, Garnet Drive SBL #114.18.8-1 thru 40, Topaz Drive SBL #114.18-8-9 thru 14 and according to the Assessors' Office is owned by EMERALD GARDNES, INC., 5270 Transit Road, Depew, New York 14043.

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 Authorize Supervisor to Execute Contract of Sale  
This item was withdrawn.

Item No. 15b Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

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

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

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

RESOLVED, that the Supervisor be and hereby is authorized to execute a subrecipient agreement with the Cheektowaga Economic Development Corporation pertaining to the use and expenditure of Community Development Block Grant funds for the 2000-2001 Program Year.

Upon roll call ....

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

Item No. 16 Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

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

WHEREAS, the Office of Employee Relations has been performing these functions and is the proper office in the Town's departmental structure for these functions; AND

WHEREAS, the Coordinator of Employee Relations position was vacated July 14, 2000; AND

WHEREAS, Councilmember Thomas J. Mazur is the current Personnel Committee Chairperson; NOW, THEREFORE BE IT

RESOLVED, that Councilmember Thomas J. Mazur, Personnel Committee Chairperson, be designated as "Appointing Officer" to perform such functions, and that a copy of this resolution be forwarded to the Commissioner of the Erie County Personnel Department effective July 17, 2000.



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Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 17 Return Employee to Position of Motor Equipment Operator-B in Sanitation Department  
This item was withdrawn.

Item No. 18 Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

BUILDING AND PLUMBING – Assistant Building Inspector - \$12.00 per hour

Randall Sevilla Cheektowaga 14225 Immediately

TOWN CLERK'S OFFICE – S.A.R.A. GRANT – Legal Records Assistant - \$12.00 per hour

Helen Lemke Angola, NY 14006 Immediately

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 – Laborers - \$7.00 per hour

David Passalugo Cheektowaga 14225 Immediately

Christine Batcho Cheektowaga 14225 7/24/00

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

EFFECTIVE

BUILDING AND PLUMBING DEPARTMENT

Gary Kadow 07/11/00

RECYCLING DEPARTMENT

Patrick McCloskey Immediately

PARKS DIVISION

Justin Tricoli Immediately

ASSESSOR'S DEPARTMENT

Joan Szymanski Immediately

Upon roll call ....

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

NAYES: 0

ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 19 Building Permits  
Received and Filed.

Item No. 20a Minutes of Cheektowaga Conservation Advisory Council – July 22, 2000  
Received and Filed.

Item No. 20b Minutes of Cheektowaga Traffic Safety Commission – June 20, 2000



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Received and Filed.

**V. GENERAL COMMUNICATIONS**

- Item No. 21 Summons: Richard Ryan vs. the Town of Cheektowaga and W.C.S. of N.Y., Inc.  
Copies sent to Town Attorney's Office.  
Received and Filed.
- Item No. 22a Notice of Claim: David M. Kline vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22b Notice of Claim: Keith W. Brand vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Parks Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22c Notice of Claim: Lillian Mesner vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22d Notice of Claim: Jerome M. Whigham vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Justice Court and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22e Notice of Claim: Thomas Trzaska vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22f Notice of Claim: Greg Heine vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 23 Petition: Opposition to Construction of Assisted Living Facility at 575 Cayuga Creek Road  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members; Building Department; and Planning Board.  
Received and Filed.

**V. SUSPENSION OF RULES**

*Item No. 24 and item No. 25 were acted upon after Item No. 2*

MOTION BY SUPERVISOR GABRYSZK, SECONDED BY COUNCILMEMBER MAZUR TO RECESS AT 9:05 P.M. TO DISCUSS ITEM 6A. THE SUPERVISOR AND ALL COUNCILMEMBERS RETURNED FROM RECESS AT 9:25 P.M.

Item No. 6a Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, the New York State Legislature adopted and the Governor signed into law, Chapter 86 of the Laws of 2000, which authorizes local municipalities to provide a retirement incentive for certain employees, AND

WHEREAS, Chapter 86 of the Laws of 2000 requires the Town Board of the Town of Cheektowaga to enact local law to provide such early retirement incentive, AND

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

RESOLVED, that a public hearing be held on the 21<sup>st</sup> day of August, 2000 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2000-2 of the Year 2000, entitled "A Local Law enacting a retirement

MEETING NO. 16  
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incentive program as authorized by Chapter 86, Laws of 2000, for the eligible employees of the Town of Cheektowaga and, BE IT FURTHER

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 21<sup>st</sup> day of August, 2000 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the following proposed Local Law:

LOCAL LAW INTRO NO. 2000-2

A Local Law enacting a retirement incentive program as authorized by  
Chapter 86, Laws of 2000, for the eligible employees of the  
Town of Cheektowaga

Item No. 6a cont'd

- Section 1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 86, Laws of 2000.
- Section 2. The commencement date of the retirement incentive program shall be October 1, 2000.
- Section 3. The open period during eligible employees may retire and receive the additional retirement benefit shall be 90 days in length.
- Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.
- Section 5. This act shall take effect immediately.

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

Dated: August 7, 2000  
Cheektowaga, New York

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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

A PETITION WAS ACCEPTED AT THIS MEETING REGARDING THE PROPOSED INSTALLATION OF A GASOLINE FACILITY AT SAM'S CLUB LOCATION IN THE THRUWAY PLAZA.

Copies were sent to Supervisor Gabryszak and all Councilmember.  
Received and Filed.

Item No. 26 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting at 9:25 P.M.

Richard M. Moleski  
Town Clerk

**TOWN OF CHEEKTOWAGA**  
**MEETING NO. 17**  
**August 21, 2000**

**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 21<sup>st</sup> of August, 2000 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; Michael Stachowski, Town Attorney; Bruce Chamberlin Chief of Police, Cheektowaga Police Department; Sal LaGreca, Planning Board Chairman; Ron Marten, Supervising Building and Plumbing Inspector; Bill Pugh, Town Engineer; Brian Krause, Director of Administration and Finance; Robert Kaczmarek, Supervising Accountant; Jerry Gabryszak, Economic Development Director; Pat Wojcik, Director of Senior Services; Kevin Glascott, President of the Town of Cheektowaga Employees Association; Ken Kopacz, Executive Director of Youth, Recreation and Parks.

**I. FROM THE TABLE**

**Item No. 2** Authorize Supervisor to execute Cooperative Regional Economic Development Coordination and Consolidation Agreement  
This item was withdrawn.

**II. PUBLIC HEARING**

**Item No. 3** This being the time and place advertised for a public hearing to consider and discuss proposed Local Law Intro No. 2000-02 entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 87, Laws of 2000, for the eligible employees of the Town of Cheektowaga" hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

- Section 1. The Town of Cheektowaga hereby elects to provide all of its eligible employees with a retirement incentive program authorized by Chapter 86, Laws of 2000
- Section 2. The commencement date of the retirement incentive program shall be October 1, 2000.
- Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit shall be 90 days in length
- Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this law.
- Section 5. This act shall take effect immediately.

**I. 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:	0100-1440-1492 Reference Library	\$3,000.00
TO:	0100-1440-1402 Principal Engineer Asst.	\$3,000.00

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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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to August 18, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$ 198,416.84
HIGHWAY FUND	16,582.45
TRUST & AGENCY	6,562.58
HUD CDBG FUND	36,655.67
PART TOWN FUND	10,335.24
RISK RETENTION FUND	30,113.29
SPECIAL DISTRICTS FUND	173,573.36
CAPITAL FUND	<u>117,079.30</u>
	\$ 589,318.73

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

**Item No. 6** Bond Resolution - Improvements to various parks in the Town

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

AFFIDAVIT - NEXT PAGE

**Item No. 7a** Decision on Local Law #2 of 2000 - retirement incentive program  
This item was withdrawn.

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

WHEREAS, this Town Board held a public hearing on August 7, 2000 to consider the advisability of adopting 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 determines it is in the public interest to adopt the following amendments to Chapter 76 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE V  
Schedules

**§76-505, SCHEDULE II: SPEED LIMITS, Roads with speed limit established and posted at thirty-five (35) miles per hour, shall be amended by deleting therefrom the following:**

<b><u>Name of Street</u></b>	<b><u>Geographic limits</u></b>
Pine Ridge Road	Walden Avenue (SR 952Q) northerly to Maryvale Drive

**§76-505, SCHEDULE II: SPEED LIMITS, Roads with speed limit established and posted at thirty-five (35) miles per hour, shall be amended by adding thereto the following:**

<b><u>Name of Street</u></b>	<b><u>Geographic limits</u></b>
Pine Ridge Road	Walden Avenue (SR 952Q) northerly to Genesee Street (SR 33B)

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Pine Ridge Heritage Blvd.                      Genesee Street (SR 33B) northerly to Maryvale Drive

**§76-520, SCHEDULE V, PROHIBITED TURNS AT INTERSECTIONS**, shall be amended by:

- Renaming this Schedule as follows: "SCHEDULE V, PROHIBITED TURNS AT INTERSECTIONS AND OTHER LOCATIONS"
- Adding thereto the following:

Name of Street	Direction of Travel	Hours	At intersection of
Nagel Drive	North	All	First driveway north of Walden Avenue On the west side of Nagel Drive

**§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>
Nagel Drive	Both	North Creek Drive
Sugar Road	East	Pine Ridge Heritage Blvd.

**§76-510, SCHEDULE III, ONE WAY STREETS**, shall be amended by deleting therefrom

Name of Street	Direction of Travel	Limits
Beryl Drive service road	North	Between Genesee Street and Beryl Drive

Item No. 7b cont'd

Section 2. Time to take effect

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

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

Section 3. Territorial Application

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

Section 4. Publication

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered into the minutes of the town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town, and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, bids were duly received by this Town at a public bid opening for the purchase of new trees for the Town's fall, 2000 planting season by the Cheektowaga Highway Department. As a result of advertisement, therefore, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and



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

RESOLVED that the bid be awarded to Concord Nurseries, Inc., 10175 Mile Block Road, North Collins, New York 14111, said bidder being the lowest responsible bidder meeting specifications as set forth in the tabulation attached hereto and made a part hereof, and BE IT FURTHER

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

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**Item No. 9** Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of Motor Oils, Lubricants, Anti-freeze, Unleaded Gasoline and Diesel Fuel, etc. for use by various departments in the Town.

Information for bidders and specifications may be obtained from the office of the Town Clerk located at the Town Hall, Broadway and Union Road, Cheektowaga, 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 A.M. on September 6, 2000.

**TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT**  
**LEGAL NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN that the Town of Cheektowaga Highway Department will receive proposals for the purchase of quantities of MOTOR OILS, LUBRICANTS, ANTI-FREEZE, UNLEADED GASOLINE and DIESEL FUEL. Etc. for use of the Highway Department and various other Departments in the Town of Cheektowaga at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on September 6, 2000 at 11:00 AM.

Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk at his office located at Town Hall, Cheektowaga, NY. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR MOTOR OILS, LUBRICANTS, ANTI-FREEZE, UNLEADED GASOLINE AND DIESEL FUEL."

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

RICHARD M. MOLESKI  
Town Clerk

DATED: August 21, 2000  
PUBLISHED: August 24, 2000

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, in 1989, based on a report prepared by The Saratoga Associates, this Town Board adopted a Parks Needs Assessment for the development of all town parks, and recreational facilities owned and operated by the Town, and

WHEREAS, such Parks Needs Assessment was subsequently amended by resolution dated February 14, 1995, and



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WHEREAS, there is a need to further amend this Parks Master Plan based on recommendations by Wendel Duchscherer Architects and Engineers and the Executive Director of the Cheektowaga Department of Parks, Recreation and Youth Services, NOW, THEREFORE, BE IT

RESOLVED that the attached amendments to the Town of Cheektowaga Parks Needs Assessment be and hereby is adopted and approved by this Town Board.

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**Item No. 11** 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 Architectural Resources to construct a 8,000 s.f. warehouse addition to the existing J.J. Juliano construction office/warehouse at 3788 Broadway, and

WHEREAS, the applicant previously had approval for a 4,000 s.f. warehouse addition in the same location, and

WHEREAS, the Advisory Committee, at its meeting held on April 19, 2000 rendered the determination shown on the attached memo dated April 20, 2000, and

WHEREAS, the Planning Board reviewed the site plan is recommending approval, and

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

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

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

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

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

WHEREAS, the Community Action Partnership has made application to hold its Annual Kite Day in Stiglmeier Park on August 27, 2000, and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Highway/Facilities Department, and the Department of Parks, Recreation and Youth Services, and has no objection to same, and

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

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Community Action Partnership, Inc. for the aforementioned Annual Kite Day event to be held on August 27, 2000.

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

**Item No. 13** Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, various renovations are required to rehabilitate Town Park and improve the recreational facilities available in the community, NOW, THEREFORE, BE IT

RESOLVED that Dennis H. Gabryszak, as Supervisor, of the Town of Cheektowaga, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or Title 3 of the Clean Water/Clean Air Bond Act, in an amount not to exceed \$500,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Cheektowaga for Town Park Renovations, and BE IT FURTHER

RESOLVED that the Town's matching funds for the above referenced grant will be raised through a sale of bonds to be conducted in 2000.

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, the contract for the installation of storm drainage improvements within Cedargrove Heights on Shirley Drive and Donlen Drive, awarded by Town Board resolution dated August 17, 1998 to Visone Construction, Inc., in the amount of \$138,455.00 has been substantially completed in accordance with the contract requirements, and

WHEREAS, the Town Engineer has recommended approval of Change Order No. 1 (Final) for the aforesaid project, which provides for final adjustment to contract item quantities to those actually incorporated into the project, as outlined in the change order documents dated August 14, 2000, NOW, THEREFORE, BE IT

RESOLVED THAT Changer Order No. 1 (Final) for the Shirley Drive-Donlen Drive Storm Drainage Project in the amount of \$10,128.00 as a deduction to the contract of Visone Construction, Inc., 79 Sheldon Avenue, Depew, New York 14043, be and hereby is approved, and BE IT FURTHER

RESOLVED that the Supervisor is hereby authorized and directed to execute said Change Order No. 1 (Final) and the Owner's acceptance statement for the completed project on behalf on this Town Board.

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

**August 21, 2000**

**Item No. 14b** Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga seeks grant monies to create a computer lab at the Cheektowaga Senior Citizens Center for use by senior citizens, and

WHEREAS, grant monies are available through the Erie County Public Benefit Fund via Legislator Raymond Dusza for this purpose, NOW, THEREFORE, BE IT

RESOLVED that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Public Benefit Fund 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 Gabrysak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur

NAYES: 0

ABSENT: 0

**Item No. 14c** Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak  
Councilmember Johnson

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$75,000 to purchase and install a picnic shelter in Town Park, and

WHEREAS, grant monies are available through Erie County for this purpose, 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 Erie County for the purpose of securing this grant, and BE IT FURTHER

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

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

NAYES: 0

ABSENT: 0

**Item No. 14d** Contract of sale regarding vacant land on south side of Walden Avenue, west of Harlem Road.  
This item was withdrawn.

**Item No. 14e** Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga seeks grant monies to purchase and install office furniture in the Town Court offices; and

WHEREAS, grant monies are available through the Erie County Public Benefit Fund via Legislator Raymond Dusza for this purpose; NOW, THEREFORE, BE IT

RESOLVED that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc., to be submitted to the Erie County Public Benefit Fund 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. 14f** Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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WHEREAS, moneys are available from the State of New York Division of Criminal Justice Services ("DCJS") to assist the Town Police Department with its anti-drug abuse efforts through its Points of Entry Interdiction Program with the Buffalo Police Department, the NFTA Police Department, the Erie County Central Police Services Crime Lab and the Erie County District Attorney's Office, and

WHEREAS, the Town applied for and was awarded a grant of \$49,145 by the DCJS under this program, and

WHEREAS, the Town wishes to avail itself of this funding, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute this grant award agreement with the State of New York and all other documents necessary to effectuate this grant, and BE IT FURTHER

RESOLVED that the Town's matching funds for this grant, \$16,382, shall be appropriated from budget line item number.

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

**Item No. 14g** Motion by Councilmember Mazur, 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 from the Villages of Depew and Sloan for the 2000 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 2000 Program Year.

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

**Item No. 14h** 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 18 Applewood Road in an amount not to exceed \$26,413, 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 18 Applewood Road, Cheektowaga, New York, for a housing rehabilitation loan not to exceed \$26,413.

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

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, and

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WHEREAS, the Town wishes to amend its Final Statements on the Use of Community Development Block Grant Funds in order to reallocate funds for various activities and amend, cancel and add projects as outlined in the attached report, and

WHEREAS, citizens and interested parties were provided the opportunity to comment on the proposed amendment pursuant to the Citizen Participation Plan previously adopted by the Town Board, and

WHEREAS, the Director of Community Development recommends approval of the proposed amendments, NOW, THEREFORE, BE IT

RESOLVED that the Town board hereby amends the Town of Cheektowaga's Final Statement on the Use of Community Development Block Grant Funds as indicated on the attached Community Development Block Grant Final Statement Amendment Report, and authorizes the transfer of funds as indicated in said report.

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**Item No. 16** 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:

<u>JUSTICE COURT - Court Officer - \$12.50 per hour</u>	<b><u>EFFECTIVE</u></b>
Elisabeth Sankey Cheektowaga, NY 14227	Immediately

and BE IT FURTHER

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

<u>POLICE DEPARTMENT - Court Officer</u>	<b><u>EFFECTIVE</u></b>
Jacqueline Federowicz	Immediately
<u>POLICE DEPARTMENT - Matron</u>	
Elisabeth Sankey	Immediately

and BE IT FURTHER

RESOLVED that Waltraud Piffl, who was appointed to the temporary position of Deputy Tax Receiver, be returned to her position as a seasonal clerk in the Tax Office at the hourly rate of \$6.50 per hour effective September 11, 2000.

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 Jankowiak

WHEREAS, Maureen MacDonald is employed by the Town of Cheektowaga as a Account Clerk Typist in the Cheektowaga Parks Department, and

WHEREAS, Maureen MacDonald has requested a leave of absence from her Town job for a period of six (6) months due to extenuating health problems, and



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WHEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Employee's Association states that a union employee may be granted a leave of absence for no more than one (1) year for reasonable purpose, NOW, THEREFORE, BE IT

RESOLVED that Maureen MacDonald be and hereby is granted a leave of absence for a period of six (6) months, commencing September 11, 2000 through March 11, 2001, from her position of Account Clerk Typist in the Parks Department for extenuating health reasons.

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

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

WHEREAS, vacancies currently exist on the Cheektowaga Youth Board; and

WHEREAS, John Grande, an assistant principal for the Cleveland Hill School District, is interested in serving on the voluntary board; and

WHEREAS, Dawn Kinney, of Cheektowaga is interested in serving on the voluntary board, NOW, THEREFORE, BE IT

RESOLVED that John Grande and Susan Kinney be and hereby are appointed to the Cheektowaga Youth Board, for a three year term, effective this date and expiring August 21, 2003.

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

**Item No. 19a** 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 211 French Road, Cheektowaga New York, SBL #125.09-18-1 and according to the Assessor's Office is owned by Laszio Friedman, Monsey, New York 10952, 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. 19b** 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 14 Hoerner Avenue, Cheektowaga New York, SBL #101.60-4-20 and according to the Assessor's Office is owned by Valeria J. Duffy, Cheektowaga, New York 14211, 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



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NAYES: 0  
ABSENT: 0

**Item No. 19c** 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 Kennedy Road, Cheektowaga New York, SBL #113.06-4-6 and according to the Assessor's Office is owned by Damiano Bruscani, Sloan, New York 14212, and

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

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

**Item No. 19c**

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

**Item No. 19d** Motion by Unanimous., Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at the South West Corner of Maryvale Drive and Linda Drive, Cheektowaga New York, SBL #91.12-3-5 and according to the Assessor's Office is owned by Maryvale Court, Inc., Chapel Court Apartments, P.O. Box 227, West Seneca, New York 14224, 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

**IV. DEPARTMENTAL COMMUNICATIONS**

**Item No. 20** Supervisor's Statement of Funds - June, 2000  
Received and Filed

**Item No. 21a** Minutes of Cheektowaga Conservation Advisory Committee - August 3, 2000  
Received and Filed

**Item No. 21b** Minutes of Cheektowaga Planning Board - July 13, 2000  
Received and Filed

**Item No. 21c** Minutes of Cheektowaga Traffic Safety Commission - July 18, 2000  
Received and Filed

**Item No. 22** Cheektowaga Justice Court - Month end report for July, 2000  
Received and Filed

**Item No. 23** Neighborhood Preservation Office - Semi-annual report from January 1 to June 30, 2000

MEETING NO. 17  
August 21, 2000

Received and Filed

**V. GENERAL COMMUNICATIONS**

- Item No. 24a** Notice of Claim - State Farm Mutual Auto Insurance Co. vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.  
Received and Filed
- Item No. 24b** Notice of Claim - Keith Brown vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.  
Received and Filed
- Item No. 24c** Notice of Claim - Kristine A. Murszewski vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation Department.  
Received and Filed
- Item No. 24d** Notice of Claim - Al Deplato vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.  
Received and Filed
- Item No. 24e** Notice of Claim - Pamela S. E. Maconaghy vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Facilities Department.  
Received and Filed
- Item No. 24f** Notice of Claim - Charles McAllister vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.  
Received and Filed
- Item No. 25** Notice of Petition and Petition - Ames Department Stores vs William R. Conway, Assessor and the Town of Cheektowaga  
Received and Filed

**VI. SUSPENSION OF RULES**

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

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

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

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

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

RESOLVED that the following individuals are hereby reappointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately for a term of three years and expiring at the time of reappointment to said Board of Directors positions but not later than May 31, 2003; Robert Buczynski, Richard Cielinski, Joseph Funk, William Kuropatwinski and William Scarafia.

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

**MEETING NO. 17**  
**August 21, 2000**

**Item No. 27**      Motion by Councilmember Johnson,   Seconded by Unanimous  
To adjourn the meeting.  
Time meeting adjourned 9:00 P.M.

RICHARD M. MOLESKI  
Town Clerk

**TOWN OF CHEEKTOWAGA  
SPECIAL MEETING NO. 18  
August 29, 2000**

**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 29<sup>h</sup> of August, 2000 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember Thomas Mazur

Also present were: Richard M. Moleski, Town Clerk; Michael Stachowski, Town Attorney; Sal LaGreca, Planning Board Chairman; Bill Pugh, Town Engineer; Robert Kaczmarek, Supervising Accountant; Ken Kopacz, Executive Director of Youth, Recreation and Parks.

## I. RESOLUTIONS

**Item No. 2a** Motion by Councilmember Johnson. Seconded by Councilmember Swiatek  
Councilmember Jankowiak

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 Parks, Recreation & Youth Services to construct improvements at the Town Park on Harlem Road, and

WHEREAS, the proposal is to construct a new zero-depth children's pool, move the existing playground further north and install new and safer equipment, construct a new pavilion near the cultural center and replace several small shelters, and

WHEREAS, the children's pool with its interactive features will replace a wading pool in need of significant repairs, and

WHEREAS, the moving of the playground will address suggestions made by the Town Park Homeowners Association that it be located further from the residents and that the entrance gate be near the pool parking lot, and

WHEREAS, the pavilion will provide a permanent shelter to be used in conjunction with various cultural activities including the Polish-American and German Festivals and other youth and senior activities, and

WHEREAS, the proposed improvements are consistent with proposed amendments to the Town of Cheektowaga Parks Needs Assessment Plan (Master Plan) as put forth by Wendel Duchscherer, and

WHEREAS, the Advisory Committee, at its meeting held on August 23, 2000 rendered the determination shown on the attached memo dated August 24, 2000, and

**SPECIAL MEETING NO. 18**  
**August 29, 2000**

**Item No. 2a cont'd**

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 consistent with the proposed amendments to the Town Park Master Plan, and therefore issues a "Negative Declaration" for the purposes of SEQRA with respect to the subject projects and revised master plan.

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**August 29, 2000**

[illegible]

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 Jones Development Company to rezone, from M1-Light Manufacturing to M2-General Manufacturing, 13.8 acres of vacant land on the south side of Walden Avenue west of Harlem road, a part of the Walden Commerce Exchange, and

WHEREAS, the proposal is to construct a 73,000+ s.f. package sorting and distribution facility to be used by the Federal Express Corporation, and

WHEREAS, the developer will maintain a 65 ft. wide landscaped buffer between the facility and properties along Walden Avenue, and

WHEREAS, the developer will modify the intersection of Reo Avenue to include left turn lanes and a signal face for the facility

WHEREAS, the developers will direct all full-size trucks and semi-trailers serving FedEx to enter and exit from and to the east, and

WHEREAS, the access road to the facility will be constructed by the developer along with a sidewalk from the facility to the Walden Avenue sidewalk, and

WHEREAS, the developer is committed to providing off-street parking for the affected section of Walden Avenue, and

WHEREAS, the developer would provide vehicle access to Harlem Road should a service road be constructed at a later date with CSX Railroad permission, and

WHEREAS, a contingency plan for dealing with hazardous materials during the course of construction has been submitted, and

WHEREAS, the developer will provide a rodent control plan prior to earth moving operations, and

WHEREAS, the developer has provided traffic data indicating an optimum distribution of vehicle movements, and

WHEREAS, the developer has submitted a letter of commitment regarding the abatement/mitigation of noise encompassed in the design and use of these facilities, and

WHEREAS, the Advisory Committee, at its meeting held on August 23, 2000 rendered the determination shown on the attached memo dated August 24, 2000, and

WHEREAS, the Town Planning Board have recommended approval of the rezoning and site plan in a memo dated July 14, 2000, and

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

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



**SPECIAL MEETING NO. 18**  
**August 29, 2000**

**Item No. 2b cont'd**

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**SPECIAL MEETING NO. 18**  
**August 29, 2000**

**Item No. 3**      Motion by Unanimous ,   Seconded by Unanimous

WHEREAS, the New York State Legislature adopted and the Governor signed into law, Chapter 86 of the Laws of 2000, which authorizes local municipalities to provide a retirement incentive for certain employees, and

WHEREAS, Chapter 86 of the Laws of 2000 requires the Town Board of the Town of Cheektowaga to enact a local law to provide such early retirement incentive, and

WHEREAS, a public hearing was held on the 21<sup>st</sup> day of August, 2000 at 7:00 P.M., at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2000-2 of the Year 2000, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 86, Laws of 2000, for the eligible employees of the Town of Cheektowaga," and

WHEREAS, at such public hearing, the public was given an opportunity to comment on such proposed local laws, and

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

RESOLVED that Local Law No. 2 of the Year 2000, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 86, Laws of 2000, for the eligible employees of the Town of Cheektowaga", which is attached hereto and made a part hereof, be the same is hereby enacted, and BE IT FURTHER

RESOLVED that eligible employees under this retirement incentive are limited to those employees shown on the attached list of Members Eligible for the 2000 Retirement Incentive Program, and BE IT FURTHER

RESOLVED that the Town Clerk shall file one (1) certified copy of this local law in his office, one (1) certified copy with the Secretary of State and One (1) certified copy with the New York State and Local Retirement Systems, Employees' Retirement System, together with the necessary affidavit and list of members eligible, and BE IT FURTHER

RESOLVED that Local Law No. 2 of the Year 2000 shall take effect immediately, upon filing with the Secretary of State.

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

NAYES:        0

ABSENT:       Councilmember Mazur

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**SPECIAL MEETING NO. 18**  
**August 29, 2000**

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

WHEREAS, Jones Development Co., LLC petitioned for a rezoning from M1-Light Manufacturing District to M2-General Manufacturing District on 13.8 acres of property owned by the Town of Cheektowaga and located on the south side of Walden Avenue west of Harlem Road, Cheektowaga, New York, which property is described in the legal notice published for the public hearing for such rezoning, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 21<sup>st</sup> day of August, 2000 at 6:30 P.M., after publication and services of the notices required by the provisions of the code of the town of Cheektowaga ("Zoning Law"), and that 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 Jones Development Co., LLC for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing District of the above referenced property be and the same is hereto approved, 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, and Jankowiak  
NAYES:         0  
ABSENT:        Councilmember Mazur

AFFIDAVIT - NEXT PAGE

**SPECIAL MEETING NO. 18**  
**August 29, 2000**

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

WHEREAS, the Town is the owner of 55± acres of vacant land on the south side of Walden Avenue, west of Harlem Road, and

WHEREAS, Jones Development Company, LLC is interested in purchasing 13.8 acres on the easterly end of such property and leasing such property to Federal Express for its business, and

WHEREAS, Jones Development Company, LLC has submitted a contract to purchase the 13.8± acres for \$615,700, and

WHEREAS, the Town is interested in selling this property to Jones Development Company, LLC, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby approves and accepts the Contract of Sale for the above referenced property with Jones Development, LLC, subject to final approval of the form of the contract by the Town Attorney, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the aforementioned Contract of Sale with Jones Development, LLC, and BE IT FURTHER

RESOLVED that this resolution is subject to permissive referendum under Article 7 of the Town Law, and BE IT FURTHER

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



**NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM**

**NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Cheektowaga, on August 29, 2000 adopted a resolution authorizing the Town of Cheektowaga to enter into a contract of sale with Jones Development Company, LLC for the purchase of 13.8± acres of Town-owned property located on the south side of Walden Avenue west of Harlem Road.

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

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

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

Dated: August 29, 2000

RICHARD M. MOLESKI  
Town Clerk



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

AFFIDAVIT - NEXT PAGE

**SPECIAL MEETING NO. 18**  
**August 29, 2000**

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

WHEREAS, a clerical vacancy exists within the Youth & Recreation Division of the department of Parks, Recreation and Youth Services, and

WHEREAS, Phyllis Dennis of is eligible for "call back rights" as stipulated by the Town of Cheektowaga Employees Association under her previous employment with the Town of Cheektowaga under a federal grant program, NOW, THEREFORE, BE IT

RESOLVED that Phyllis Dennis of is re-called to employment in her classification of Administrative Clerk at the stipulated rate of Clerk-Typist effective August 30<sup>th</sup>.

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

**Item No. 7**      Motion by Supervisor Gabryszak,   Seconded by Unanimous  
To adjourn the meeting.  
Time Meeting Adjourned: 5:40 PM

**TOWN OF CHEEKTOWAGA  
MEETING NO. 19  
SEPTEMBER 5, 2000**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th of September, 2000 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; Michael Stachowski, Town Attorney; Robert Kaczmarek, Supervising Accountant; Bruce Chamberlin, Police Chief; Salvatore LaGreca, Chairman of Planning Board; Patricia Wojcik, Director of Senior Services; Kenneth Kopacz, Director of Parks, Recreation and Youth; Brian Krause, Director of Administration and Finance; William Pugh, Town Engineer; William Conway, Town Assessor; and Mark Wegner, Maintenance Foreman.

**I. RESOLUTIONS**

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

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

**GENERALFUND**

From:	0100-7620-2036	Special Event Revenues	\$ 5,000.00
	0100-7620-4680	Van Expenses	3,600.00
	0100-1910-4711	Contingency	20,000.00
	0100-1910-4711	Contingency	16,500.00
	0100-1910-4711	Contingency	20,000.00
To:	0100-7620-4491	Special Events	\$ 5,000.00
	0100-7620-4027	Center Supplies	3,600.00
	0100-1910-4709	Management Studies	20,000.00
	0100-1910-4709	Management Studies	16,500.00
	0100-1910-4785	Neighborhood Emergency	20,000.00

**SPECIAL DISTRICTS FUND**

From:	1500-1910-2799	Appropriated Fund Balance	\$100,000.00
	1500-8160-9131	Bond Principal	4,750.00
	1500-8160-9211	Bond Interest	4,650.00
To:	1500-8160-4468	Composting	\$100,000.00
	1500-8160-4501	Contracted Legal	9,500.00

Upon roll call ....

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

Item No. 3 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to September 1, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$141,169.70
HIGHWAY FUND	67,800.14



**MEETING NO. 19  
SEPTEMBER 5, 2000**

TRUST & AGENCY	7,821.17
HUD CDBG FUND	21,692.08
PART TOWN FUND	1,513.78
RISK RETENTION FUND	43,347.43
HUD HOUSING REHABILITATION	4,326.01
SPECIAL DISTRICTS FUND	135,195.45
CAPITAL FUND	<u>210,542.62</u>
	\$633,408.38

Upon roll call ....

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

Item No. 4 Motioned 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 Peter Friol for the conversion of 592 Aero Drive, a single family dwelling, into an office and an addition of a 3,800 s.f. storage/welding facility, AND

WHEREAS, the applicant has provided a drainage easement for a storm pipe that runs from Aero Drive to Ellicott Creek as well as an easement along Ellicott Creek, AND

WHEREAS, the applicant will coordinate with the Erie County Highway Department on the installation of a public sidewalk along Aero Dive, AND

WHEREAS, the Advisory Committee, at its meeting held on March 1, 2000 rendered the determination shown on the attached memo dated March 2, 2000, AND

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

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

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 5 Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, a contract for the rehabilitation of sanitary sewers in the Consolidated Sanitary Sewer District utilizing cured in place lining technology within the Town was awarded by Town Board Resolution dated June 5, 2000 to New Hope Pipe Liners, Inc., 625 Mt. Hope Road, Wharton, New Jersey 07885 for a total approved bid price of \$180,535.50, AND

WHEREAS, the Town Engineer has further recommended the approval of Change Order

**MEETING NO. 19  
SEPTEMBER 5, 2000**

No. 1 which provides for the addition of contract item quantities to be incorporated into the project as outlined in the change order document and the attached letter dated August 28, 2000 from Allan Blachowski, Principal Engineer Assistant, NOW, THEREFORE BE IT

RESOLVED, that Change Order No. 1 in the amount of \$65,992.00 as an addition to the contract of New Hope Pipe Liners, Inc. be and hereby is approved and, BE IT FURTHER

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute Change Order No. 1 and, BE IT FURTHER

RESOLVED, that the cost for the associated rehabilitation work has been budgeted in the Consolidated Sewer District Capital Account No. 5017-2550-2001.

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 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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 is also 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 on January 1, 2000 and terminates on December 31, 2000 with the County of Erie concerning its STOP-DWI program and, BE IT FURTHER

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

Upon roll call ....

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

Item No. 7a Motioned 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 116 Carol Drive, Cheektowaga, New York, SBL #90.68-5-5 and according to the Assessors' Office is owned by Martyn D. Hill, 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.

**MEETING NO. 19  
SEPTEMBER 5, 2000**

Upon roll call ....

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

Item No. 7b Motioned 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 240 Cleveland Drive, Cheektowaga, New York, SBL #80.69-1-24 and according to the Assessors' Office is owned by Edward G. Clark, Jr., Cheektowaga, New York 14215, AND

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

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

Upon roll call ....

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

Item No. 7c Motioned 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 36 Euclid Avenue, Cheektowaga, New York, SBL #101.60-2-16 and according to the Assessors' Office is owned by Eileen M. Schwenk, Cheektowaga, New York 14211, 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. 7d Motioned 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 89 Gardenvale Drive, Cheektowaga, New York, SBL #91.06-14-19 and according to the Assessors' Office is owned by George A. Young Jr. and Wife, 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 ....

**MEETING NO. 19  
SEPTEMBER 5, 2000**

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

Item No. 7e Motioned 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 36E Glenwood Court, Cheektowaga, New York, SBL #91.15-1-72 and according to the Assessors' Office is owned by Richard L. Yancey Jr., Buffalo, New York 14215, AND

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

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

Upon roll call ....

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

Item No. 7f Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at the South East Corner of Maryvale Drive and Linda Drive, Cheektowaga, New York, SBL #91.12-3-10.1 and according to the Assessors' Office is owned by Siena Builders Incorporated, 5528 Main Street, Williamsville, New York 14221, AND

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

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

Upon roll call ....

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

Item No. 7g Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at the South side of Maryvale Drive, West of Union Road, Cheektowaga, New York, SBL #91.12-3-6 and according to the Assessors' Office is owned by Siena Builders Incorporated, 5528 Main Street, Williamsville, New York 14221, AND

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

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

Upon roll call ....

**MEETING NO. 19  
SEPTEMBER 5, 2000**

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

Item No. 7h Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at the Southwest corner of Maryvale Drive and Union Road, Cheektowaga, New York, SBL #91.12-3-7.1 and according to the Assessors' Office is owned by Siena Builders Incorporated, 5528 Main St, Williamsville, New York 14221, AND  
Item No. 7h 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 ....

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

Item No. 8 Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

POLICE DEPARTMENT - SCHOOL CROSSING GUARD - \$7.107 Per Hour

John Sajecki	Sloan, NY 14212	Immediately
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BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL employees, not to exceed 24 weeks in a calendar year, in the various departments listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

EFFECTIVE

RECYCLING DEPARTMENT - Laborers - \$7.00 per hour

Jose Aviles	Cheektowaga, NY 14211	Immediately
Geoffrey Roeser	Cheektowaga, NY 14225	Immediately

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

EFFECTIVE

PARKS, RECREATION AND YOUTH SERVICES

Michael Stachewicz	Cheektowaga, NY 14227	Immediately
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POLICE - Matron

Lorinda Burgess	Cheektowaga, NY 14225	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. 9a Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, a vacancy exists in the position of Accountant in the Accounting Office, AND

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

WHEREAS, there currently exists no valid Civil Service list for said position, AND

WHEREAS, Kathleen Travers, currently employed as Junior Accountant in the Accounting Office, applied for this position and meets all the necessary requirements, NOW, THEREFORE BE IT

RESOLVED, that Kathleen Travers of Cheektowaga, New York 14225, be and hereby is appointed to the position of Accountant in the Accounting Office, on a provisional basis, pending the establishment of a valid Civil Service list for said position at a salary of \$46,313.33, effective immediately.

Upon roll call ....

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

Item No. 9b Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

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

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

WHEREAS, Joann Machnica, currently employed as a Clerk-Typist in the Police Department, appears on said Civil Service list and is eligible for the position, NOW, THEREFORE BE IT

RESOLVED, that Joann Machnica of Depew, New York 14043, be and hereby is appointed to the position of Payroll Clerk in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call ....

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

Item No. 10 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, a review of hiring resolutions identified an error relative to the starting pay of certain individuals, BE IT

RESOLVED, that the hiring resolution submitted at the June 5<sup>th</sup> Town Board meeting, be amended to adjust the hourly rate for the following Parks, Recreation and Youth Services employees by \$.40 per hour, effective their first day of employment:

7180.1901



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Adam Bogacz  
Joseph Conti  
Nicholas Emmanuele  
Jillian Franz  
Derek Gabryszak

Item No. 10 cont'd.

Laura Garcea  
Keith Grabowski  
David Guercio  
Lindsay Kaminsky  
Shannon Lach  
Brandon Lehman  
Daniel Lysiak  
Zachery Porterfield  
Melissa Rowland  
Joshua Rutski  
Jonathan Sinski  
Maria Solecki  
Tracy Stallone

Upon roll call ....

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

NAYES: 0

ABSENT: 0

MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JAWOROWICZ TO  
DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 11, 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. 11 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

From Seasonal to Part-Time

(Part-Time status - effective immediately)

(upgrade - effective 9/11/00)

Joseph Alberta  
Nicole Kunkel (7140.1614)  
Amy Monkelbaan  
Jillian Pytlewski

From 7140.1642 to 7140.1614

Nicole Neyerlin

From 7140.1642 to 7140.1614

Louis Bystrak

Pre-K - 7140.1664

Senior Recreation Supervisor XI - \$9.15

Mary Beth Seivert

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Item No. 11 cont'd.

Recreation Leader V - \$7.15  
Joy Donnelly-Smith

Recreation Instructor VII - \$6.65  
Barbara Odrobina  
Ann Sheldon

Recreation Instructor - VI - \$6.40  
Sandra Suwalski

Recreation Supervisor X --\$8.90 - 7140.1664 (Pre-K) Recreation Supervisor XI - \$9.15 - 7140.1612  
(Aerobics)  
Laila Desjardins

Aerobics - 7140.1612 - \$6.65  
Valerie Mrzyglad

Recreation Attendants - 7140.1614

Recreation Attendant II - \$5.40  
Stephanie Gretch  
Andrew Rozak

Recreation Attendant III - \$5.90  
Chris Maciock

Recreation Attendant V - \$6.15  
Lori Burdzy

Recreation Attendant VI - \$6.40  
George Hunger  
Joelle Panting

Recreation Attendant VII - \$6.65  
Scott Gretch

Recreation Supervisor II - \$6.65  
Jennifer Garrison

Recreation Supervisor IV - \$7.15  
Dawn Hunger  
Dawn Smith

From 7140.1645 to 7310.1814

Recreation Attendant III - \$5.65  
Randy Matuszewski

From 7140.1648 to 7310.1814  
Recreation Attendant I - \$5.15  
Jennifer Weishaupt

From 7140.1648 to 7310.1814/7140.1614

Recreation Attendant I - \$5.15  
Bradley Walters

Recreation Attendant V - \$6.15  
Adam Kehrer

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From 7310.1810 to 7310.1814/7140.1614

Recreation Attendant V - \$6.15

Jeremy Hoffman

From 7140.1648 to 7140.1614

Recreation Attendant I - \$5.15

Julie Mastandrea

Recreation Attendant II - \$5.40

Elena Kehrer

Recreation Attendant IV - \$5.90

Stephanie Gerace

Andrea Ketterl

Recreation Attendant VIII - \$6.65

Jill Zarazinski

From 7140.1645 to 7140.1614

Recreation Attendant I - \$5.15

Jessica Porter (7140.1614/7140.1654)

Recreation Attendant IV - \$5.90

Andrea Dueser

Recreation Attendant VI - \$6.40

Craig Mahalic

From 7140.1632 to 7140.1614

Recreation Attendant II - \$5.40

Debra Garrison

Erin Finn

Recreation Attendant III - \$5.65

Robert Swiatkowski

From 7140.1645 to 7140.1614/7140.1627 - Recreation Attendant VIII - \$6.90

Mindy Greenauer

Volleyball - 7140.1627-\$6.90

Recreation Supervisor III - \$6.90

Cheryl Witt

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 12 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be hired as indicated, in the Parks, Recreation and Youth Services Department, effective immediately:

Part-Time

Recreation Attendants - 7140.1614

Recreation Attendant I - \$5.15

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Joelle Reinheimer 14043

Pre K - 7140.1664

Recreation Instructor III - \$6.15

Joann Gareis 14225

Recreation Instructor V - \$6.65

Shannon Cultrara 14227

Seasonal

Recreation Leader VI - \$7.15

Michelle Filippi 14086

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 13a Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, Chief Bruce Chamberlin holds a seat on the advisory board of the National Law Enforcement & Technology Center (NLETC). They will be holding a meeting on September 28-29, 2000 in Rome, New York.

WHEREAS, Chief Chamberlin is requesting authorization to attend this meeting. This advisory board is comprised of about 20 people from police and correction agencies. The board reviews various technology applications for policing and correction purposes. NOW, THEREFORE BE IT

RESOLVED, that Chief Chamberlin is authorized to attend this board meeting. Chief Chamberlin's expenses will be covered by the NLETC with no expense to the Town. This travel request was approved by the Police Committee at work session on August 30, 2000.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 13b Motioned by Councilmember Swiatek, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Assessor's Association is conducting a seminar on Assessment Administration at Four Points Sheraton Hotel, Rochester, New York on September 24 through September 27, 2000, AND

WHEREAS, said seminar is administered by the New York State Board of Real Property Services for Assessors to obtain continuing education credits, AND

WHEREAS, expenses are not to exceed \$700.00 and reimbursement of part of the expenses will be made by the New York State Board of Real Property Services, NOW, THEREFORE BE IT

RESOLVED, that William R. Conway, Assessor, be and hereby is authorized to attend said seminar on September 24 through September 27, 2000, and BE IT

FURTHER RESOLVED, that the registration fee and all other reasonable expenses, not to exceed \$700.00, incurred by William R. Conway be paid by the Town from budget line account #0100-1355-4082.

Upon roll call ....

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

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NAYES: Jankowiak, and Mazur  
0  
ABSENT: 0

Item No. 13c Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, Hornell Police Department in conjunction with Eastern Police Canine Association is hosting the Annual Working K-9 Seminar, September 11-15, 2000 at Johnstown, Pennsylvania.

WHEREAS, Chief Chamberlin is requesting authorization to send K-9 Officer Daniel Smith and Breston to this training. Officer Smith has once again been requested to attend this seminar as an instructor, All lodging and meal expenses for this training will be covered by the Johnstown Police Department. The K-9 Police Vehicle will be used for transportation to and from this training, NOW, THEREFORE BE IT

RESOLVED, that Officer Smith is authorized to attend this training, and that the time spent there is normal duty time. This training was approved at the Police Committee Work Session on August 30, 2000. The expense will be charged to 0100-3120-4095.

Upon roll call ....

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

Item No. 13d Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the New York State Emergency Management Association ("NYSEMA") will be holding its annual meeting at the Four Points Sheraton in Rochester, New York on September 11, 2000, AND

WHEREAS, the New York State Disaster Conference will thereafter be held at the Four Points Sheraton in Rochester from September 12-14, AND

WHEREAS, the Town's Disaster Coordinator has requested permission to attend these conferences, AND

WHEREAS, Mr. Loder's attendance at these conferences will enable him to learn the most up-to-date techniques and information concerning the handling of natural and man-made disasters, AND

WHEREAS, the State Emergency Management Office will pay one-half of the costs associated with Mr. Loder's attendance at these conferences, NOW, THEREFORE BE IT

RESOLVED, that Earl Loder be and hereby is authorized to attend the above referenced conferences and to utilize his town vehicle to travel to and from such conferences and, BE IT FURTHER

RESOLVED, that the Town's cost for Mr. Loder's attendance at this conference, \$250.00, shall be appropriated from Town budget line item number 0100-1220-4008.

Upon roll call ....

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

Item No. 13e Motioned by Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, the New York State Office of Fire Prevention and Control will be conducting a "Fire Marshals and Inspectors Seminar" in Montour Falls, New York, on October 3-5, 2000, AND

WHEREAS, Matthew D. Kawczynski and Edward J. Saternus, Fire Inspectors for the

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Town of Cheektowaga, have requested permission to attend such seminar, AND

WHEREAS, such seminar will provide the Town's Fire Inspector with up-to-date 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 3-5, 2000 and, BE IT FURTHER

RESOLVED, that the Town pay Mr. Kawczynski and Mr. Saternus' registration fee of \$25.00 each, meals and lodging costs of \$90.00 each, and travel costs not to exceed \$30.00 each, for attending such seminar, and such expenses be charged to account number 0800-3620-4191.

Upon roll call ....

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

**II. DEPARTMENTAL COMMUNICATIONS**

Item No. 14 Building Permits  
Received and Filed.

Item No. 15a Minutes of Cheektowaga Conservation Advisory Council - August 19, 2000  
Received and Filed.

Item No. 15b Minutes of Cheektowaga Planning Board - August 10, 2000  
Received and Filed.

**III. GENERAL COMMUNICATIONS**

Item No. 16 Notice of Order: Genesee Street, Route 33, SH 1212, at its intersection with the East Airport Access Driveway and Veridian Corporation (Signal 568).  
Received and Filed.

Item No. 17 Designation of Restricted Highway: Walden Avenue from Harlem Road to Harlequin Drive in the Town of Cheektowaga and Village of Depew.  
Received and Filed.

Item No. 18a Notice of Claim: Martin Zelaski vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Sewer Maintenance and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 18b Notice of Claim: Muriel J. Taylor vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 19a Notice of Petition: Avis Rent-A-Car System, Inc. vs. the Assessor and the Board of Assessment Review  
Received and Filed.

Item No. 19b Notice of Petition: Buffalo Inn Associates, c/o Richfield Hospitality Services, Inc.; RHM Operating LLC vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.  
Received and Filed.

Item No. 19c Notice of Petition: Calspan Corporation (a/k/a Veridian Inc.) vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.  
Received and Filed.

Item No. 19d Notice of Petition: Cello-Pack Corporation vs. the Assessor and the Board of



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Assessment Review.  
Received and Filed.

- Item No. 19e Notice of Petition: Conway Transportation Services vs. the Assessor and the Board of Assessment Review.  
Received and Filed.
- Item No. 19f Notice of Petition: Cooper Industries, Inc. vs. the Assessor, the Board of Assessment Review and the Cheektowaga School District.  
Received and Filed.
- Item No. 19g Notice of Petition: Cooper Turbocompressor, a Division of the Cooper Cameron Corporation vs. the Assessor, the Board of Assessment Review and the Cheektowaga School District.  
Received and Filed.
- Item No. 19h Notice of Petition: E.C.I.D.A., c/o Harlequin Books, Inc. vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.  
Received and Filed.
- Item No. 19i Notice of Petition: Musarra Realty Holding Company, Ltd., Musarra Management and Investment Company, Ltd., Arthur F. Musarra, Arthur F. Musarra and Eva M. F. Musarra, Arthur FPA DuC Musarra, Claudette R. M. Musarra, Diane M. F. Musarra Schwach, DMFS Trust, and Arthur F. Musarra and Trustees DMFS Trust vs. the Town of Cheektowaga, the Assessor and the Board of Assessment Review.  
Received and Filed.
- Item No. 19j Notice of Petition: National Car Rental vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.  
Received and Filed.
- Item No. 19k Notice of Petition: New York State Electric & Gas Corporation vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.  
Received and Filed.
- Item No. 19l Notice of Petition: Normpal Genesee Corp., G.G. Zent Corp. and Gary Fradin and Gail F. Silberstein vs. the Town of Cheektowaga, the Assessor and the Board of Assessment Review.  
Received and Filed.
- Item No. 19m Notice of Petition: Quebecor Printing Buffalo, Inc. (Arcata Graphics Buffalo GMTA Corp.) vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.  
Received and Filed.
- Item No. 19n Notice of Petition: Reichold Chemical Corp. vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.  
Received and Filed.
- Item No. 19o Notice of Petition: Wood Buffalo Associates, LLC vs. the Assessor and the Board of Assessment Review.  
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

Item No. 20 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the

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Code of the Town of Cheektowaga (Vehicle and Traffic) be held on September 18, 2000 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 7<sup>th</sup> day of September, 2000, said amendments being set forth in the Notice of Hearing.

**NOTICE OF PUBLIC HEARING**

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on September 18, 2000 at 7:00 P.M. to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

**ARTICLE V  
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>
Countryside Lane	South	Countryside Lane
Toelsin Road	Both	Oriole Place

§76-545, SCHEDULE X, PARKING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by deleting therefrom the following:

<u>NAME OF STREET</u>	<u>DIRECTION OF TRAVEL</u>	<u>LIMITS</u>
Alaska Street	East side	from south curbline of William Street to north curbline of Parker Street
Alaska Street	West side	from south curbline of Parker Street to north curbline of Dingens Street
Alaska Street	West side	from south curbline of William Street southerly to a point one hundred fifty (150) feet.

§76-545, SCHEDULE X, PARKING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by adding thereto the following:

<u>NAME OF STREET</u>	<u>DIRECTION OF TRAVEL</u>	<u>LIMITS</u>
Alaska Street	West side	from south curbline of William Street, southerly to the north curbline of Dingens Street

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

Dated: September 5, 2000

Upon roll call ....

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

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**AFFIDAVIT - NEXT PAGE**

Item No. 21      Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting at 7:40 P.M.

Richard M. Moleski  
Town Clerk

Item No. 1 At an regular session 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 18<sup>th</sup> of September, 2000 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 Jankowiak  
Councilmember Thomas Mazur

Also present were Richard M. Moleski, Town Clerk; Michael J. Stachowski, Town Attorney, Sal LaGreca, Planning Board Chairman; Ron Marten, Supervising Building and Plumbing Inspector; Bill Pugh, Town Engineer; Brian Krause, Director of Administration and Finance; Pat Wojcik, Director of Senior Services

**I. PUBLIC HEARING**

Item No. 2. This being the time and place advertised for a public hearing to consider and discuss amending 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 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 V  
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>
Countryside Lane	South	Countryside Lane
Toelsin Road	Both	Oriole Place

**§76-545, SCHEDULE X, PARKING PROHIBITED IN DESIGNATED LOCATIONS**, shall be amended by adding thereto the following:

<u>NAME OF STREET</u>	<u>DIRECTION OF TRAVEL</u>	<u>LIMITS</u>
Alaska Street	East side	from south curb line of William Street to North curb line of Parker Street
Alaska Street	West side	from south curb line of Parker Street to North curb line of Dingens Street
Alaska Street	West side	from south curb line of William Street Southerly to point one hundred fifty (150) ft.

**§76-545, SCHEDULE X, PARKING PROHIBITED IN DESIGNATED LOCATIONS**, shall be amended by adding thereto the following:

<u>NAME OF STREET</u>	<u>DIRECTION OF TRAVEL</u>	<u>LIMITS</u>
Alaska Street	West side	from south curb line of William Street Southerly to the north curb line of Dingens Street

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 was closed; decision was reserved.

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I. 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:	0100-9010-8111	Police Retirement	\$14,000.00
	0100-3120-2205	Grant Line	77,342.00
	0100-3020-4022	Maintenance Contracts	8,000.00
	0100-1415-4001	Contractual Expenses	3,484.00
TO:	0100-3120-1355	Payroll Clerk-Police	\$14,000.00
	0100-3120-2206	LLEBG Line	77,342.00
	0100-3020-4203	Cellular Phones	8,000.00
	0100-1415-4500	Supplies & Materials	3,484.00

HUD-CDBG FUND

FROM:	0700-1000-0704	Contingency	\$ 1,867.28
	0700-5097-0722	Depew Rehm Road Water Lines	33,500.00
	0700-5097-0722	Depew Rehm Road Water Lines	40,250.00
	0700-5095-0770	Depew Senior Citizen Center	26,246.00
	0700-5095-0770	Depew Senior Citizen Center	30,000.00
TO:	0700-1000-0679	Summer Day Camp	\$ 1,867.28
	0700-1097-0661	Wilshire Area Drainage	33,500.00
	0700-1095-0664	Cedargrove Hgts Drainage & Sewer Imp.	40,250.00
	0700-1095-0664	Cedargrove Hgts Drainage & Sewer Imp.	26,246.00
	0700-1095-0662	U-Crest Area Drainage	30,000.00

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

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

BE IT RESOLVED, that the following Vouchers & Warrants are submitted to the Town Of Cheektowaga prior to September 15, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$ 726,605.24
HIGHWAY FUND	104,060.19
TRUST & AGENCY	16,285.48
PART TOWN FUND	5,671.02
RISK RETENTION FUND	57,996.50
HUD HOUSING REHABILITATION	12,808.00
SPECIAL DISTRICTS FUND	707,697.54
CAPITAL FUND	82,904.08
	<u>\$ 1,724,971.38</u>

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

Item No. 5a      Motion by Councilmember Swiatek; Seconded by Councilmember Johnson

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various applications for building permits, rezonings, special permits, etc. and renders its

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recommendation concerning the compatibility of such application with the zoning regulars, Town Master Plan and neighborhood character, and

Item No. 5a cont'd.

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

WHEREAS, an application was submitted by Charles Gordon to convert the former Raymour & Flanigan showroom at 6450-6470 Transit Road into professional offices and other tenants space, and

WHEREAS, the renovation work will include a new façade, a sidewalk along Transit Road and additional landscaping, and

WHEREAS,, the Planning Board, at its meeting held on August 10, 2000 rendered the determination shown on the attached memo dated, August 17, 2000, 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 FOR ATTACHMENT



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Item No. 5b      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 D.R. Chamberlain Corporation to construct an 800 s.f. addition to the Basil Ford dealership at 1540 Walden Avenue, and

WHEREAS, the addition would provide administrative and sales space, and

WHEREAS, the Planning Board, at its meeting held on August 10, 2000 rendered the determination shown on the attached memo dated August 17, 2000, 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 FOR ATTACHMENT

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Item No. 6a      Motion by Councilmember Jankowiak; Seconded by Supervisor Gabryszak

WHEREAS, bids were duly received by this Town Board at a public bid opening held on September 6, 2000 for Motor Oils, Lubricants, Anti-freeze, Diesel fuel, Unleaded gasoline, etc. for use by various departments of the Town of Cheektowaga, as a result of advertisement thereof and such bids were referred to the Superintendent of Highways for analysis, tabulation and reports, and

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

RESOLVED, that the bid for Diesel Fuel, Kerosene and Unleaded Gasoline be awarded to T.F. Kurk, Inc. 2130 Clinton Street, Buffalo, New York 14206. The bid for Motor Oils, Lubricants, Anti-freeze, etc. is awarded to the following companies:

American Lubricants, Inc.  
619 Bailey Ave.  
Buffalo, NY 14206

Lakeland Supply, Inc.  
536 Niagara Falls Boulevard  
Buffalo, NY 14223-2698

Superior Lubricants Co. Inc  
32 Ward Road  
North Tonawanda, NY 14120

Please see attached tabulation for bid item and award.

AND, BE IT FURTHER

RESOLVED, that the payment of these items be charged to line item 0300-5110-4162.

Upon roll call ....

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

NAYES:        0

ABSENT:       0

\*SEE NEXT PAGE FOR ATTACHMENT

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Item No. 6b      Motion by Councilmember Johnson; Seconded by Councilmember Mazur

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Phase I Storm Sewer Installation on Various Town Highways and Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project, which bids were duly received and opened on August 23, 2000 at 11:00AM by the Town Clerk, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated September 12, 2000, and

WHEREAS, said letter recommends the contract for the Phase I Storm Sewer Installation on various Town Highways and Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project be awarded to Janik Paving & Construction, Inc. for their submission of the lowest bid, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Phase I Storm Sewer Installation on Various Town Highways and Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project be and hereby is awarded to Janik Paving and Construction, Inc., 97 Evans Street, PO Box 706, Hamburg, New York 14075-0706 for bid price of \$330,719.76, being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

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

RESOLVED, that said award shall be contingent upon receipt of Release of Funds form the US Department of Housing and Urban Development.

Upon roll call ....

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

NAYES:            0

ABSENT:           0

\*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, it is in order that bids be advertised to covered the purchase of soft body armor for the Police Department NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to bidders for two (2) different models of soft body armor for purchase, said notice to be published in the Cheektowaga Times, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 28<sup>th</sup> day of September, 2000 at 11:00 AM Eastern Standard Time at a public bid opening to be held in the Cheektowaga Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on September 28<sup>th</sup>, 2000 at 11:00 AM Eastern Standard Time at Town Hall, corner of Broadway and Union Roads, for the purchase of Ballistic Vests as specified.

Information for bidders and specifications may be obtained from the Town Clerk at this office in said Town. One bid is to be submitted for all Ballistic Vests listed per unit. The Town of Cheektowaga reserves the right to buy from one (1) to one-hundred (100) units the bid price. Any questions regarding this bid can be directed to Capt. John A. Howlett, Administrative Commander at 716-686-3520 E-Mail: [Capt\\_Howlett@cpdny.org](mailto:Capt_Howlett@cpdny.org)

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, or should it be in the best interest of the Town to reject any or all bids.

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

Richard m. Moleski  
Town Clerk

Dated: September 18, 2000



Upon roll call ....

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

AFFIDAVIT – NEXT PAGE

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Item No. 8      Motion by Councilmember Johnson; Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has operated and managed and currently operates and manages Town Water Districts Nos. 8, 9 and 10 which are located entirely within the Town of Cheektowaga, and

WHEREAS, such districts are currently under lease management with the Erie County Water Authority and

WHEREAS, the Erie County Water Authority is an agency whose expertise is in the area of provisions of water supply to residents of Erie County, and, as such, the Town should no longer be involved in providing water service to Town residents, and

WHEREAS, it would be in the Town's best interest to transfer responsibility for the operation and maintenance of the water lines and systems in Water Districts Nos. 8, 9 and 10 to the Erie County Water Authority, and subsequently dissolve Water Districts 8, 9 and 10, NOW, THEREFORE, BE IT

RESOLVED, that the Town Attorney's Office and Town Engineer be and hereby are authorized and directed to initiate discussions with the Erie County Water Authority to negotiate the transfer of responsibility for the operation and maintenance of the water lines of Town Water Districts 8, 9 and 10 from the Town of Cheektowaga to the Erie County Water Authority.

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

Item No. 9a      Motion by Supervisor Gabryszak; Seconded by Councilmember Jankowiak

WHEREAS, grant monies are available from the Erie County Public Benefit Fund; and

WHEREAS, the Town of Cheektowaga Police Department seeks grant monies to cover the "Wednesday in the Park" program in conjunction with the Cheektowaga Parks, Recreation and Youth Services Department, NOW, THEREFORE, BE IT

RESOLVED, that the Police Department be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Public Benefit Fund 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 the acquisition of said funding.

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

Item No. 9b      Motion by Supervisor Gabryszak; Seconded by Councilmember Jankowiak

WHEREAS, grant monies are available from the Erie County Public Benefit Fund; and

WHEREAS, the Town of Cheektowaga Police Department seeks grant monies to cover the "Circle of Success for At Risk Youth" Program run in conjunction with the Maryvale School District, NOW, THEREFORE, BE IT

RESOLVED, that the Police Department, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Public Benefit Fund for the purpose of securing this grant, AND, BE IT FURTHER

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

Item No. 9b cont'd.

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

Item No. 9c Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, grant monies are available from the State of New York Criminal Justice Services, and

WHEREAS, the Town of Cheektowaga Police Department seeks grant monies to continue the Motor Vehicle Theft and Insurance Fraud Demonstration Program (Watch Your Car); NOW, THEREFORE, BE IT

RESOLVED, that the Police Department, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Division of Criminal Justice Services for the purpose of securing this grant, AND, BE IT FURTHER

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

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

Item No. 9d Motion by Councilmember Mazur; Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 62 Montfort Drive, Cheektowaga, New York, and

WHEREAS, the owners of said property have applied for a mortgage loan from Indymac Mortgage Holdings, Inc. which has conditioned its mortgage approval on the subordination of the Town's mortgage of that of Indymac Mortgage Holdings, Inc. and

WHEREAS, the Community Development Director has recommended approval of the subordination request, which is consistent with the Town's policies governing such requests, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Indymac Mortgage Holdings, Inc. with its primary office located at 3000 Atrium Way, Mt. Laurel, New Jersey 08054, pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 62 Montfort Drive, Cheektowaga, NY

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

Item No. 9e Motion by Supervisor Gabryszak; Seconded by Councilmember Mazur

WHEREAS, the Town has previously approved an agreement with Be-A-Friend Program, Inc. which is scheduled to expire on September 30, 2000 and

WHEREAS, the funds authorized under the current agreement have not yet been fully utilized, and



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WHEREAS, Be-A-Friend Program, Inc. has requested an extension for time of the existing agreement in order to complete the services provided for therein, and

Item No. 9e cont'd.

WHEREAS, the Director of Community Development has recommended an extension of said agreement for a period of one year from the date of original expiration, NOW, THEREFORE, BE IT

RESOLVED, that the Agreement between the Town of Cheektowaga and Be-A-Friend Program, Inc. dated October 1, 1997, be and hereby is extended to September 30, 2001, said action authorizing an extension for time only, AND, BE IT FURTHER

RESOLVED, that terms and conditions of the original Agreement shall remain the effect during the contract extension period, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute any documents necessary to affect said contract extension.

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

Item No. 9f Motion by Councilmember Jankowiak; Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga seeks grant monies to create a computer lab at the Cheektowaga Senior Citizens Center for use by senior citizens, and

WHEREAS, Grant monies are available through the New York State Office for the Aging Capital Grant Program to enhance the operation at Senior Citizens Centers, NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application forms, etc. to be submitted to the New York State Office for the Aging 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. 9g Motion by Councilmember Mazur; Seconded by Councilmember Swiatek

WHEREAS, the Maryvale Senior High School has established a Career Exploration Internship program for its students to given them on-the-job experience in different fields of work, and

WHEREAS, this internship program allows students to earn unit credits in school for such internship and such internship is non-paid, and

WHEREAS, Heidi Planck, a student at Maryvale Senior High School, has expressed a desire to conduct a fifty-four hour career exploration internship in the Cheektowaga Housing and Neighborhood Preservation Office and

WHEREAS, the Maryvale School System carries general liability and workers compensation insurance to cover its interns, and

WHEREAS, the Supervising Building Inspector agreed to the internship of Heidi Planck, NOW, THEREFORE, BE IT

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RESOLVED, that this Town Board hereby accepts the non-paid internship of Heidi Planck through Maryvale Senior High School, said internship to take place in the Cheektowaga Housing and Neighborhood Preservation Office AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the memorandum of Agreement with Maryvale Senior High School for this internship.

Item No. 9g cont'd.

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

Item No. 10 Motion by Councilmember Mazur; Seconded by Supervisor Gabryszak

WHEREAS, on the 7<sup>th</sup> 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>
Aminoff, Sarah	Getzville, NY 14068	01/31/01
Anstett, James R.	Montrose, NY 14548	06/30/01
Artanis, Joseph III	Amherst, NY 14226	06/30/02
Augustini, David	Olean, NY 14760	06/30/02
Baker, Alexander	Tona, NY 14150	05/31/03
Bart, Joseph A.	Tona, NY 14150	05/31/03
Bartel, Richard R.	Depew, NY 14043	06/30/03
Bishop, Earl	Bflo, NY 14211	03/31/03
Blackchief, Troy	W. Seneca, NY 14224	02/28/03
Bono, John	Bflo, NY 14211	08/31/02
Borrero, Joseph J.	Bflo, NY 14213	03/31/03
Bosiacki, Jill	Sloan, NY 14212	01/31/03
Bowen, Eric	Derby, NY 14047	01/31/03
Breitwieser, James`	Orchard Park, NY 14127	06/30/03
Brown, Jeffrey	Newfane, NY 14108	07/31/01
Brooder, Kevin	Tona, NY 14150	01/31/03
Bull, Timothy S.	Chktg., NY 14225	06/30/03
Caruana, Laura E.	Clarence, NY 14031`	01/31/03
Castello, Anthony	Chktg., NY 14225	09/30/03
Chellino, Christopher	Chktg., NY 14227	02/28/01
Cooley, Steven	Middleport, NY 14105	07/31/03
Cuillo, Denise	Hamb. NY 14219	08/31/02
Dalton, Kevin R.	Angola, NY 14006	06/30/01
Damstetter, Leonard III	Orchard Park, NY 14127	03/31/03
D'Arcy, Richard Jr.	Lanc. NY 14086	02/28/03
Davies, Richard K.	Depew, NY 14043	05/31/03
Dimitroff, Russell	Hamb. NY 14075	09/30/03
Dockery, Janet	Bflo, NY 14215	06/30/03
Drews, Colette	Bflo, NY 14222	08/31/03
Duggan, Patrick	Bflo, NY 14220	01/31/02
Dunn, Shannon	Williamsville, NY 14221	01/31/03
Eagler, Mark	Lewiston, NY 14092	08/31/02
Fizzano, Kristen	Lakeview, NY 14085	01/31/03
Forzano, Michael A.	Univ. at Bflo, NY 14261	01/31/03
Galanis, Michael	N. Falls, NY 14301	02/28/03

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Gannon, Keith	Hamburg, NY 14075	01/31/01
Gibson, Robert Lee	Bflo, NY 14209	03/31/03
Hamor, Charles H.	Lockport, NY	11/30/00
Hill, Brian M.	Niagara Falls, NY 14304	06/30/03
Hope, Darryl	Bflo., NY 14209	07/31/01
Hughes, Mary Beth	W. Seneca, NY 14224	08/31/03
Jasper, Shawn	N. Falls, NY 14305	06/30/01

Item No. 10 cont'd

Kauzala, Michael	Angola, NY 14006	04/30/03
Kelly, David F.	Kenmore, NY 14217	02/28/02
Kenward, Richard	Medina, NY 14103	07/31/01
Kenney, Scott	Bflo, NY 14210	03/31/03
Knight, Carrie	E. Amherst, NY 14051	02/28/03
Krauss, Robert	Lancaster, NY 14086	06/30/03
Krieger, Melissa	Bflo., NY 14216	06/30/02
Krytus, Karyn	Chktg., NY 14227	06/30/03
LaBelle, Thomas	Bflo., NY 14215	01/31/03
Licht, Timothy	Lockport, NY 14094	01/31/03
Lightcap, Dale R.	E. Concord, NY 14055	08/31/03
Lilly, James	Kenmore, NY 14217	06/30/01
Lindquist, Allen	Gowanda, NY 14070	08/31/02
McAvoy, John	Lockport, NY 14094	06/30/01
McCrossan, Michael	Hamburg, NY 14075	03/31/01
Mann, Tricia	Bflo, NY 14214	05/31/03
Marra, Sherri	Bflo, NY 14214	01/31/03
Martelle, James	Tonawanda, NY 14150	03/31/03
Mergi, Michael C.	Amherst, NY 14226	09/30/02
Montesano, William	Amherst, NY 14226	03/31/03
Murchison, Kristin	Amherst, NY 14226	06/30/01
Napieralski, Jay	Cheektowaga, NY 14206	07/31/02
Norek, Timothy	Depew, NY 14043	06/30/03
Pease, Christopher	Lockport, NY 14094	01/31/03
Perkins, Jesse	Machias, NY 14101	08/31/00
Phillippi, Melissa G.	Hamb 14075	02/28/03
Pietrzyk, Brian	Kenmore, NY 14223	04/30/03
Pollard, Steven	W. Seneca, NY 14224	08/31/02
Rath, Gregory	Cktg., NY 14215	06/30/02
Rivers, Edward	N. Falls, NY 14304	08/31/03
Ruppert, Dawn	Farnham, NY 14061	07/31/02
St. Peter, Christopher	Bflo, NY 14223	06/30/03
Schaefer, Edward	Chktg., NY 14211	07/31/03
Secor, Michael	Blflo, NY 14216	06/30/01
Schneck, Wendy	Bflo, NY 14210	02/28/03
Schribner, Harold	Medina NY 14103	06/30/02
Seyler, Dean J.	Lancaster, NY 14086	01/31/01
Shaw, Timothy	Strykersville, NY 14145	06/30/01
Smeller, Ronald J. Jr.	Amh, NY 14228	07/31/01
Stablewski, Kevin	Chktg., NY 14227	05/31/03
Stuewe, Richard	Getzville, NY 14068	01/31/03
Taylor, Timothy	Bflo, NY 14207	07/31/03
Tiranno, Charles	Chktg., NY 14225	09/30/00
Traina, Robert	Hamburg, NY 14075	08/31/02
Triz, Jeffrey S.	Orchard Park, NY 14127	06/30/01
Vaccaro, James	Marilla, NY 14052	02/28/03
VanDeWater, Jason	Cheektowaga, NY 14225	06/30/01
Velez-Uebelhoer, Christina	Chktg., NY 14225	07/31/02
Vittie, Josh	Niagara Falls, NY 14301	05/31/03
Wells, David	Bflo, NY 14210	01/31/03
Wells, Kimberly	Colden, NY 14033	01/31/03
Whitaker, Emmett	N. Tonawanda, NY 14120	02/28/03
Wieberg, Alan	Bflo, NY 14212	03/31/03
Williams, Alicia	Bflo, NY 14207	03/31/03
Wilson, Michael S.	Bflo., NY 14220	06/30/02
Wolf, Harold	Williamsville, NY 14221	08/31/02
Woodford, Robert	Eggertsville, NY 14226	02/28/01

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Young, Kristopher	Angola, NY 14006	07/31/02
Yung, Donald	Lockport, NY 14094	08/31/03
Zemrac, Christopher	Chktg., NY 14215	08/31/03
Zogaria, Michael	Depew, NY 14043	01/31/03

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

NAYES: 0

ABSENT: 0

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

WHEREAS, pursuant to the Open Burning Law of the Town of Cheektowaga, the Fire Inspector reviews various applications for open fires and open burning and renders his recommendation concerning the fire safety and impact to the general public of such applications, and

WHEREAS, the Town Board, pursuant to the Opening Burning Law of the Town of Cheektowaga, is designated the Approval Agency, and

WHEREAS, since the Town Board is the Approval Agency, it must affirm, modify or reject any recommendations or permits submitted to it by the Town Fire Inspector, and

WHEREAS, an application for a permit was submitted by the Cleveland Hill Union Free School District to conduct an open fire on September 29, 2000 on the property located at North End of Athletic Field, and

WHEREAS, the applicant intends Bond Fire for Home Coming activities, and

WHEREAS, the Fire Inspector has received this application and finds that all requirements have been met, and that this applications is in compliance with conditions and requirements of the Town of Cheektowaga Fire Prevention Code and the Open Burning Law. He requests the Town Board approve issuance of a permit, and

WHEREAS, this Town Board has reviewed the application submitted by the Cleveland Hill Union Free School District and the recommendations of the Fire Inspector, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, authorizes the Fire Inspector to issue such permit.

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, the Town Board hereby creates the position of Court Clerk pursuant to Civil Service Laws and Rules effective immediately.

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

NAYES: 0

ABSENT: 0

Item No. 12b Motion by Councilmember Mazur; Seconded by Supervisor Gabryszak

BE IT RESOLVED, the Town Board hereby creates the position of Payroll Clerk pursuant to Civil Service Laws and Rules effective September 5, 2000.

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

NAYES: 0

ABSENT: 0

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Item No. 12c Motion by Councilmember Mazur, Seconded by Councilmember Johnson  
Councilmember Swiatek

BE IT RESOLVED, the Town Board hereby creates two (2) Senior Clerk-Stenographer positions pursuant to Civil Service Laws and Rules effective immediately and that the wage rate for such position shall be equivalent to the pay rate for Recreation Supervisor pursuant to the collective negotiations between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Item No. 12c cont'd.

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

Item No. 13 Motion by Councilmember Mazur, Seconded by

WHEREAS, two vacancies exist in the position of Senior Clerk-Stenographer in the Engineering Department, and

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

WHEREAS, Diane Swiatek, currently employed as a Clerk-Stenographer in the Engineering Department, bid on said vacancy, and

WHEREAS, Mary Jane Jarnot, currently employed as a Clerk Stenographer in the Engineering Department, bid on said vacancy, and

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

WHEREAS, the existing Civil Service promotional list was canvassed, and

WHEREAS, Diane Swiatek of Cheektowaga, New York 14225, and Mary Jane Jarnot of Grand Island, New York 14072, be and hereby are appointed to the position of Senior Clerk Stenographer in the Engineering Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective.



Motion by Councilmember Johnson; Seconded by Councilmember Mazur  
To amend the above resolution, and the voting was as follows:

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



Motion by Councilmember Mazur; Seconded by Councilmember Jaworowicz  
Councilmember Johnson

WHEREAS, two vacancies exist in the position of Senior Clerk Stenographer in the Engineering Department, and

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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, Diane Swiatek, currently employed as a Clerk-Stenographer in the Engineering Department, bid on said vacancy, and

WHEREAS, Mary Jane Jarnot, currently employed as a Clerk-Stenographer in the Engineering Department, also bid on said vacancy, and

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

Item No. 13 cont'd.

WHEREAS, the existing Civil Service promotional list was canvassed, and

WHEREAS, Diane Swiatek and Mary Jane Jarnot appear on said Civil Service list and meet all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Diane Swiatek of Cheektowaga, New York 14225, and Mary Jane Jarnot of Grand Island, New York 14072, be and hereby are appointed to the position of Senior Clerk-Stenographer in the Engineering Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately, AND, BE IT FURTHER

RESOLVED, that two (2) Clerk Stenographer positions in the Engineering Department are hereby abolished.

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

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

EFFECTIVE

POLICE DEPARTMENT – matron - \$12.50 per hour

Kimberly Kent-Chojnacki	Cheektowaga, NY 14211	immediately
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PARKS DIVISION – Laborer - \$6.00 per hour

Dale Czybaj	Cheektowaga, 14206	immediately
Jason Rydzynski	Cheektowaga 14227	immediately

POLICE DEPARTMENT - Dog Warden - \$7.00 per hour

Lori A. Rovision	Cheektowaga 14227	immediately
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AND, BE IT FURTHER

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

SENIOR SERVICES

Gene Stroka	immediately
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SENIOR SERVICES

Jeremy Gaca	immediately
Jay Morosey	“
John Paluszynski	“

PARKS DIVISION



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Joshua Kaier  
Christopher Meszaros  
James Bolszio

immediately  
“  
“

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

**Item No. 15** Motion by Councilmember Jankowiak; Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be hired as part-time employees in the Parks, Recreation and Youth Services Department, effective September 19, 2000:

Recreation Attendants – 7140.1614  
Recreation Attendants I - \$5.15

Jenelle Kostran 14043  
Amanda Penski 14227

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

**Item No. 16** Motion by Councilmember Jankowiak; Seconded by Supervisor Gabryszak

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

**Part-Time**  
**Administrative Interns – 7310-1804**  
**Program Coordinator I - \$7.40**

Amy Pruski

**From Part-time to Seasonal**  
**Recreation Supervisors – 7140.1613**  
**Recreation Supervisor VI - \$7.65**

Camille Russell

**From Seasonal to Part-time**

Roger Newhouse  
Catherine Tomasik

**Volleyball – 7140.1627**  
**Recreation Attendant VI - \$6.40**  
Todd Bush

**From 7180.1901 to 7140-1614**  
Brendon Lehmann

(Seasonal or part-time status- effective 9/19  
upgrades – effective 9/25

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

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Item No. 17      Motion by Councilmember Swiatek; Seconded by Councilmember Johnson

WHEREAS, William Conrad for Benderson Development has made application and requested the rezoning of property located at 1649-1669 Walden Avenue (Dale Road) from C-General Commercial District to MS-Motor Services District, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on October 2, 2000 at 6:30 o'clock PM at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Item No. 17 cont'd.

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      Motion by Councilmember Swiatek; Seconded by Supervisor Gabryszak

WHEREAS, the Institute of Assessing Officers, affiliated with the New York State Assessor's Association, is conducting a seminar on the valuation of restaurants. The seminar is to be held in Hamburg, New York on September 21, 2000, and

WHEREAS, said seminar is administered by the New York State Assessor's Association for Assessor's to obtain continuing education credits, and

WHEREAS, expenses are not to exceed \$250.00, NOW, THEREFORE, BE IT

RESOLVED, that the following Assessor's Office staff persons be and hereby are authorized to attend the above referenced course, and to utilize a Town vehicle to travel to and from such courses:

William R. Conway  
Kevin J. Gawel  
Dennis G. Krysztofowicz

AND, BE IT FURTHER

RESOLVED, that all reasonable expenses incurred be paid by the Town budget line account #0100-1355-4082.

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

**III. DEPARTMENTAL COMMUNICATIONS**

Item No. 19      Minutes of Cheektowaga Conservation Advisory Committee – September 7, 2000  
Received and Filed.

Item No. 20      Cheektowaga Justice Court – Month end report for August 2000  
Received and Filed.

**IV. GENERAL COMMUNICATIONS**

Item No. 21a      Notice of Claim: Lynn Silver-Herring vs. Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 21b      Notice of Claim: Mason Herring vs. Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 21c      Notice of Claim: Sandra Krytus vs. Town of Cheektowaga

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Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sewer Maintenance Dept. and Allied Claims Insurance Carrier.  
Received and Filed.

- Item No. 21d Notice of Claim: Dolores Burgio vs. Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 21e Notice of Claim: Roslyn Gatti vs. Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 21f Notice of Claim: Karen Smith vs. Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22 Notice of Petition: Affidavit and Petition – Robert & Angela Mossman vs. Town of Cheektowaga  
Copy was sent to Town Attorney  
Received and Filed.
- Item No. 23a Notice of Petition: and Petition – CJM, Inc. vs. William R. Conway, Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.
- Item No. 23b Notice of Petition: and Petition – Garden Gate Manor vs. William R. Conway, Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.
- Item No. 23c Notice of Petition: and Petition – General Mills Restaurant, Inc. vs. William R. Conway, Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.
- Item No. 23d Notice of Petition: and Petition – Eugene Jason . vs. William R. Conway, Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.
- Item No. 23e Notice of Petition: and Petition – Marc Joseffer . vs. William R. Conway, Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.
- Item No. 23f Notice of Petition: and Petition – David Gordon . vs. William R. Conway, Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.

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- Item No. 23g Notice of Petition: Prime Hospitality . vs. William R. Conway,  
Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.
- Item No. 23h Notice of Petition: and Petition – TLC West, as itself and agent-in-fact for Benderson  
vs. William R. Conway,  
Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.
- Item No. 23i Notice of Petition: and Petition – Uni-Marts, Inc. vs. William R. Conway,  
Assessor and the Town of Cheektowaga  
Copies were sent to William R. Conway, Assessor  
Received and Filed.

**V. SUSPENSION OF RULES**

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

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

- Item No. 24 Motion by Councilmember Johnson; Seconded by Supervisor Gabryszak

WHEREAS, this Town Board held a public hearing on September 18, 2000 to consider  
The advisability of adopting 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 determines it is in the public interest to adopt the following  
amendments to Chapter of the Code of the Town of Cheektowaga, County of Erie and State of New  
York, and said amendments are herewith adopted and enacted:

**ARTICLE V  
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>
Countryside Lane	South	Countryside Lane
Toelsin Road	Both	Oriole Place

**§76—545, SCHEDULE X, PARKING PROHIBITED IN DESIGNATED LOCATIONS,** shall be amended  
by deleting therefrom the following:

<u>NAME OF STREET</u>	<u>DIRECTION OF TRAVEL</u>	<u>LIMITS</u>
Alaska Street	East side	from south curb line of William St. to north Curb line of Parker Street
Alaska Street	West side	from south curb line of Parker St. to north

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		Curb line of Dingens Street
Alaska Street	West side	from south curb line of William St. southerly To a point one hundred fifty (150) feet

**§76-545 SCHEDULE X, PARKING PROHIBITED IN DESIGNATED LOCATIONS**, shall be amended by adding thereto

<u>NAME OF STREET</u>	<u>DIRECTION OF TRAVEL</u>	<u>LIMITS</u>
Alaska Street	West side	from south curb line of William St. southerly To the north cub line of Dingens Street

Item No. 24 cont'd

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 of 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 if received from the New York State Traffic Commission.

Section 3. Territorial Application

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

Section 4. Publication

That these amendments to Chapter 76 of the Code of the Town of Cheektowaga shall be entered into the minutes of the town Board and shall be published in the Cheektowaga Times. A newspaper published in this Town, and affidavits of such publication shall be filled with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of the adoption thereof.

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

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Item No. 25      Motion by Supervisor Gabryszak, Seconded by Unanimous  
To adjourn the meeting.  
Time Meeting adjourned: 8:00 P.M.

RICHARD M. MOLESKI  
Town Clerk

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