

**TOWN OF CHEEKTOWAGA
MEETING NO. 21
OCTOBER 2, 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 2nd of October, 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; 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; Christopher J. Kowal, Highway Superintendent; Ronald Marten, Supervising Building Inspector; Thomas Adamczak, Building Inspector; and Jerome Gabryszak, Director of Community Development.

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:

GENERAL FUND

From:	0100-1440-1492	Seasonal Labor	\$2,500.00
	0100-1910-4711	Contingency	3,800.00
To:	0100-1440-1377	Sr. Clerk Stenographer	2,500.00
	0100-1910-4709	Management Studies	3,800.00

PART TOWN FUND

From:	0800-9010-8141	Employee Medical Ins.	1,700.00
To:	0800-9010-8143	Retirees Medical Benefits	1,700.00

RISK RETENTION FUND

From:	0100-1930-4703	Workers' Compensation Judgments and Claims	7,000.00
To:	1000-1710-4525	Claims Administration Workers' Comp. Assessment	7,000.00

SPECIAL DISTRICTS FUND

From:	2550-8135-4431	Equipment Repair	1,250.00
To:	2550-8135-4203	Cellular Phones	1,250.00

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 29, 2000 are hereby approved and made a part hereof:

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GENERAL FUND	\$190,680.89
HIGHWAY FUND	76,129.80
TRUST & AGENCY	94,376.75
HUD CDBG FUND	50,230.38
PART TOWN FUND	5,890.27
RISK RETENTION FUND	21,697.94
HUD HOUSING REHABILITATION	6,840.00
SPECIAL DISTRICTS FUND	273,957.01
CAPITAL FUND	<u>70,693.87</u>
	 \$790,496.91

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 4 Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

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

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

RESOLVED, that Tuesday, October 31, 2000 shall be known as "Halloween Night" in the Town of Cheektowaga, and that the Town Board ask both children and their parents to cooperate in limiting the time of "trick-or-treating" activities to the period between 6:00 P.M. and 8:00 P.M. We further ask that, whenever possible, parents of the very young insure that they or other responsible adults accompany them, and to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

"DESIGNATION OF HALLOWEEN NIGHT"

BE IT RESOLVED, that Tuesday, October 31, 2000 be designated as 'HALLOWEEN NIGHT' in the Town of Cheektowaga.

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

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

HAPPY HALLOWEEN TO ALL!

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

Richard M. Moleski, Town Clerk

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga has previously established and adopted Guidelines for a Commercial Rehabilitation Revolving Loan Program, AND

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

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

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

RESOLVED, that the Town Board hereby approves the attached proposed Modifications to said Commercial Rehabilitation Loan Program Policy Guidelines, AND BE IT

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

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 Councilmember Johnson, Seconded by Councilmember Swiatek and 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 on September 2, 1999 by Peregrine Development Company (the "Developer") for the construction of a two story 85,000 s.f. building at 575 Cayuga Creek Road on a 9.2 acre site; AND

WHEREAS, the building would be used as a 100 unit adult care facility, commonly referred to as "enriching housing", 22 units of which would be designated for Alzheimer's patients; AND

WHEREAS, the Town Board had issued a Positive Declaration for the project on October 18, 1999; AND

WHEREAS, the Developer was directed to address all comments and concerns of the Town and local residents; AND

WHEREAS, the Developer submitted a Draft Environmental Impact Statement (DEIS) in April 2000 to address the comments/concerns; AND

WHEREAS, the document was found to be inadequate, requiring the Developer to revise the document; AND

WHEREAS, after a number of revisions, the revised document (DEIS) was submitted in July 2000 and was found to be adequate in that it addressed the concerns and comments raised during the course of review; AND

WHEREAS, in addition to the various revisions to the documents, there has been various correspondence between the applicant and the Town responding to issues that were raised; such documents are attached hereto and made a part hereof; AND

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WHEREAS, the Developer has modified the project to minimize anticipated impacts by relocating driveways, providing fencing and agreeing to a number of commitments including:

- * Restricting the resident's age to 65 years and older;
- * Submission of a construction plan to safeguard the cultural resource sites;
- * Safeguarding the main cultural site through conservation easements and deeding some land to the Town;
- * Providing insurance or a bond to cover potential damage during construction;
- * Paying full taxes, on a yearly basis, to the Doyle Fire District based upon assessed valuation of the project;
- * Limiting the types of delivery vehicles and the hours of delivery;
- * Maintaining the landscaping including the posting of a one year bond to replace any vegetation that does not survive; 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, this Town Board reviewed the applications submitted and the recommendations made by the Environmental Advisory Committee; AND

WHEREAS, this Town Board agrees with the statements made in the July 2000 document submitted by the Developer and therefore desires to rescind its Positive Declaration made at the October 18, 1999 Town Board meeting and to issue a Negative Declaration, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby rescinds the Positive Declaration for the project issued at the October 18, 1999 Town Board meeting and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

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 2421 Genesee Street, Cheektowaga, New York, SBL #101.28-4-1 and according to the Assessors' Office is owned by Hawley Development Corporation, P.O. Box 987, Lockport, New York 14095, 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. 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 151 Ludwig Avenue, Cheektowaga,

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New York, SBL #113.49-1-18 and according to the Assessors' Office is owned by Kenneth and Tammy Marciniak, Cheektowaga, New York 14227, AND

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

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

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 corner of Vern Lane and William, Cheektowaga, New York, SBL #113.57-2-15 and according to the Assessors' Office is owned by Tarun K. Ohri, Warsaw, New York 14569, AND

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

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

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

Item No. 8 Motioned by Councilmember Mazur, Seconded by Councilmember Jankowiak

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

RESOLVED, that the Town Board, pursuant to Section A-5 of the Ambulance Ordinance accept the recommendations of the Emergency Medical Services Board, and approve the attached list of vehicles and, BE IT FURTHER

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

LaSalle Ambulance, Inc., d/b/a Rural/Metro Ambulance Services

<u>MAKE & YEAR</u>	<u>LICENSE NO.</u>	<u>RADIO CALL NO.</u>
1991 Ford	AA4049	251

Town's Ambulance Service, Inc.

<u>MAKE & YEAR</u>	<u>LICENSE NO.</u>	<u>RADIO CALL NO.</u>
1992 Ford	AA4804	569
1993 Ford	AA4370	562

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1994 Ford

AA4373

560

Upon roll call

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

Item No. 9 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is involved in a dispute with Buffalo Crushed Stone ("BCS") relative to the existence and expansion of its quarry (the "Quarry") on Como Park Boulevard in the Town, AND

WHEREAS, URS Greiner Woodward Clyde "(URS Greiner)", on behalf of the Town, has been performing certain air quality and other testing around the vicinity of the Quarry, AND

WHEREAS, URS Greiner has submitted a proposal to collect water samples from the east and west quarries at BCS and perform a laboratory analysis of same for \$3,765.00, AND

WHEREAS, this Board desires to retain the services of URS Greiner to perform this work, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby requests BCS for permission to have URS Greiner enter the east and west quarries at the Quarry to conduct for aforesaid water sample tests and, BE IT FURTHER

RESOLVED, that this Town Board hereby retains URS Greiner to conduct water sample testing and laboratory testing of the east and west quarries at BCS's Quarry, subject to receipt of permission from BCS to enter the Quarry, at a cost not to exceed \$3,765.00 and, BE IT FURTHER

RESOLVED, that moneys for such testing shall be appropriated from budget line item number 0100-1910-4709.

Upon roll call

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

MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER MAZUR TO DISPENSE WITH READING THE NAMES 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 Parks, Recreation and Youth Services employees be and hereby are terminated, effective 10/3/00:

Sean Agnew
Kimberly Arnold
William Battaglia
Daniel Boland
Christine Gulisano
Diane Halter-Addesa
Matthew Arnold
Katie Astran
Julie Babulski
Angela Bies
Adam Bogacz
Rayshawn Bolden

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Brooke Bodkin
Laura Brown
Eric Burns (7140.1642)
Michael Cercone
Jill Chwojak
James Coleman
Joseph Conti
Cathleen Cramer
Sean Dohoney
Teri-Ann Duszynski
Nicholas Emmanuele
Erin Finn
Jillian Franz
Scott Flick
Derek Gabryszak
Laura Garcea
Kathleen Gibbs
Keith Grabowski
Peter Greenauer

Item No. 10 cont'd

David Guercio
Courtney Hartman
Jamie Hathaway
Demise Heffernan
Courtney Hoerner
Jamie-Lynn Hoffman
Jack Hornung
Nathan Hua
Amy Hughes
David Jachimiak
Denise Jarvis
Jillian Jasinski
Amanda Jaworowicz
Jocelyn Jones
Christine Kempa
Lindsay Kaminsky
Alison Kaznowski
Stephanie Ketterl
Melissa King
Stephanie King
Justin Krazinski
John Kulesz
Jessica Kurdziel
Shannon Lach
Katherine Lewis
Michael Lewis
Michael Lukasik
Daniel Lysiak
Christina Mantione
Kathleen Mastandrea
Jill Matuszewski
Kelly McCulloch
Brion McGhee
Jeff McManus
Jonathan Menczyski
Patrick Mudd
Kristina Nosal
Adam Nowicki
Adam Odrobina
Thomas Panasiewicz
Bernadette Pasek
Michael Pawlowski
Nicole Petruniak
Christopher Pew
Zachery Porterfield

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Jennifer Potratz
Paul Ray
Michael Rainville
Eric Reinheimer
Alexa Rink
Melissa Rowland
Sandra Rutkowski
Joshua Rutski
David Schiess
Nicholas Shanne
Jill Sieczkarek
Chris Sienkiel
Jonathan Sinski
Maria Solecki
Angela Stallone
Tracy Stallone
Constance Stewart

Item No. 10 cont'd

Sara Stortz
Krystyna Szymczuk
Laura Thompson
William Vannelli
Jacqueline Vesona
Katherine Wagner
Cheryl Wazny
Lisa Wittman
Denise Wolff
Kristina Wood
Ashley Wozniak
Nicole Zawadski
Adam Zakrzewski
Matthew Zamoyski

Upon roll call

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

Item No. 11 Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

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

	<u>EFFECTIVE</u>
<u>POLICE DEPARTMENT – Dog Warden - \$7.00 per hour</u>	
Brian Gibbs Cheektowaga 1425	Immediately
<u>POLICE DEPARTMENT – Detention Officer - \$14.00 per hour</u>	
William Hay, Jr. Cheektowaga 14227	Immediately
William O'Rourke Depew 14043	"
<u>POLICE DEPARTMENT – Clerk - \$6.00 per hour</u>	
Nicole Marcello Cheektowaga 14227	Immediately
<u>POLICE DEPARTMENT – School Crossing Guard - \$7.107 per hour</u>	
Carol Andruszko Cheektowaga 14211	Immediately
<u>PARKS DEPARTMENT – Laborer - \$6.00 per hour</u>	
Matthew Culley Cheektowaga 14227	Immediately
<u>SENIOR SERVICES DEPARTMENT – Laborer - \$6.00 per hour</u>	
Lisa Duszynski Cheektowaga 14211	Immediately

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

EFFECTIVE

SEWER MAINTENANCE

John Arcese
Ryan Czubaj
Leo Dominczak
Jacob Dormann
William Dormann
Joseph Gruber
Donald Hartman

Item No. 11 cont'd.

Jacob Hartman
Marcus Hartman
D. Scott Klosko
Mark Klosko
Louis Mueller
Alan Ross
Phil Tasillo

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the initial two-year term of appointment of James LiPuma to the Cheektowaga Youth Board has expired, AND

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

WHEREAS, Mr. LiPuma has expressed his interest in being re-appointed, NOW, THEREFORE BE IT

RESOLVED, that James LiPuma be, and hereby is, appointed to the Cheektowaga Youth Board, for one additional year, effective this date and expiring October 2, 2001, to complete a full three-year term of membership.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 13 Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, a vacancy exists in the position of Court Clerk in the Justice Court; AND

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

WHEREAS, no valid Civil Service list currently exists for the title of Court Clerk; AND

WHEREAS, Judith Smith, currently employed as a Part-Time Clerk in the Justice Court, has applied for said position and meets the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Judith Smith of Cheektowaga, New York 14227 be and hereby is appointed to the position of Court Clerk on a provisional basis, pending the establishment of a valid Civil Service list for said position, in accordance with the terms and conditions of the Town's collective

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bargaining agreement with the Town of Cheektowaga Employees Association, effective October 3, 2000.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 14 Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, earlier this year, this Town Board appointed Brian Krause to the position of Director of Administration and Finance; and promoted Kathleen Travers to the position of Accountant in the Town Accounting Department, AND

WHEREAS, the Town has bank accounts and investments at various institutions and such institutions require that the Town designate certain individuals as official signatories in order to transact business with the Town, NOW, THEREFORE BE IT

RESOLVED, that, effective immediately, Brian Krause and Kathleen Travers be and hereby are appointed as official signatories for the purpose of making banking and investment transactions at the various institutions where the Town has such accounts and/or investments and, BE IT FURTHER

RESOLVED, that, Angela Lynn Nenni, the former Accountant in the Town Accounting Department be and hereby is removed as an official signatory of the Town and, BE IT FURTHER

RESOLVED, that effective December 30, 2000, Supervising Accountant Robert E. Kaczmarek shall also be removed as an official signatory of the Town due to his retirement.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, previously, this Town Board granted a leave of absence to Robert N. Sprada from his position as Working Foreman in the Highway Department to enable him to serve as Deputy Superintendent of Highways, AND

WHEREAS, Robert N. Sprada has requested an additional one (1) year leave of absence, NOW, THEREFORE BE IT

RESOLVED, that Robert N. Sprada be and hereby is granted an additional one (1) year leave of absence from his position as Working Foreman in the Highway Department.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, previously, this Town Board granted a leave of absence to James E. Demler, an MEO-A in the Sanitation/Recycling Department for educational reasons, AND

WHEREAS, James E. Demler has requested an additional six (6) months leave of absence for educational reasons, AND

WHEREAS, the collective bargaining agreement between the Town and Town of Cheektowaga Employee's Association, authorizes extensions of leaves of absence for educational reasons, NOW, THEREFORE BE IT

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RESOLVED, that James E. Demler be and hereby is granted an additional six (6) months leave of absence from his position as MEO-A in the Sanitation/Recycling Department, from November 2, 2000 to May 2, 2001.

Upon roll call

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

NAYES: 0

ABSENT: 0

MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER MAZUR TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 16, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 16 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 as indicated:

Seasonal to Part-Time

Scott Becker

Jacques Desjardins

Gregory Fischer

Wilmer Froman

Eric Godzich

Robert Halter

Amy McGill (7140.1611)

Peter Odrobina

Tony Pierino

Jeffrey Rogowski

Shaun Rozewicz

Andrew Saskowski (7140.1611)

Ben Stein

Cher Stucke

Justin Stucke

Part-Time to Seasonal

Glenn Au

Matthew Bean

Lynne Butts

Transfer From Camp Crabapple to Adapted Recreation Program (ARP) – 7310.1803

Barbara Czaplicki

Pamela Szeffler

Barbara Walters

Activity Director - \$8.15

Victor Nosal

Transfer from Camp JI-IK-DO-WAH-GAH to ARP

Jennifer Etzel

Christina Karlinski

Brian Pane

Daniel Quigley

Melissa Uhteg

Timothy Zgliczynski

Transfer from Camp Flamingo to ARP

Corey Burzynski

Kristen Catalano

Sara Chapman

Robert Gladwell

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Mindy Keiser
Kelly Ludtka
Tracy Malczewski
Kristin Mills
Jennifer Odrobina
Nicole Ritzenthaler
Larry Roedl
Amy Schnettler
Julie Suto
Amber Tracy
Kelly Williams
Samantha Wood

Program Coordinator - \$13.20
Deborah Fleetwood

Upon roll call

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

Item No. 17 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individual be and hereby is hired as a Part-Time employee in the Department of Parks, Recreation and Youth Services, effective October 3, 2000:

Gymnastics – 7140.1630/Recreation Attendants – 7310.1614

Recreation Attendant I - \$5.15
Sally Lipinoga

14211

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 18 Building Permits
Received and Filed.

Item No. 19 Supervisor's Statement of Funds – July 2000
Received and Filed.

Item No. 20a Tentative Benefit Basis Budget
Received and Filed.

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

Item No. 21a Minutes of Cheektowaga Planning Board – September 14, 2000
Received and Filed.

Item No. 21b Minutes of Cheektowaga Youth Board – May 4, 2000
Received and Filed.

Item No. 21c Minutes of Cheektowaga Youth Board – September 7, 2000
Received and Filed.

III. GENERAL COMMUNICATIONS

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

**MEETING NO. 21
OCTOBER 2, 2000**

Item No. 23 Summons and Complaint: Erin Cogan and Marilyn Gentile vs. the Town of Cheektowaga and Joseph Bashaw and Christina Newman, both individually and as Town of Cheektowaga Police Officers.
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Police Department/Chief and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 24a Deloitte & Touche: Statement of Changes in Cash Balances and Statements of Cash Receipts and Disbursements – Year Ended 12/31/99
Received and Filed.

Item No. 24b Deloitte & Touche: General Financial Statements and Single Audit Reports – Year Ended 12/31/99
Received and Filed.

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

Upon roll call

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

NAYES: 0

ABSENT: 0

IV. SUSPENSION OF RULES

Item No. 25 Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, William A. DeLuca has made application and requested the Rezoning from R-Residence District to C-Retail Business District for property located on Princeton Court (Map Cover 1628, Sublot 59 and part of Sublot 60), NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on October 16, 2000 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. 26 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of soft body armor for police officers, which bids were duly received and opened at a public bid opening called for that purpose.

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

RESOLVED, that the contract for the furnishing of soft body armor will be awarded to the following bidders:

The bid for the American Body Armor Series 1000 Plus, Model 102 awarded to: United Uniform at \$380.00 per unit.

The bid for the American Body Armor Xtreme series Armor System Model XT2F awarded to: North Eastern Uniforms & Equipment at \$516.00 per unit.

The bid for the Point Blank Model A02 is awarded to: Emergency Apparel & Supply at \$315.00 per unit.

**MEETING NO. 21
OCTOBER 2, 2000**

The bid for the Point Blank Model TGZL-2 is awarded to: Emergency Apparel & Supply at \$430.00 per unit.

BE IT RESOLVED, that funds are available from the Bullet Proof Vest Program from the Federal Bureau of Justice Assistance.

MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER MAZUR TO TABLE THE ABOVE RESOLUTION, ITEM 26.

Item No. 27 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 Ryder Truck Services, in September of 1999, to rezone a 9.4 acre site adjacent to 2777 Walden Avenue from M1-Light Manufacturing to MS-Motor Services, AND

WHEREAS, the Town Board of the Town of Cheektowaga issued a Negative Declaration on December 27, 1999 for the project, AND

WHEREAS, the applicant has modified the plan by showing the utilization of the rear six acres by Ryder Truck and the front three acres for future development, through sale or lease, AND

WHEREAS, the applicant has designed a combined driveway with Raymour & Flanigan as required by the original rezoning, AND

Item 27 cont'd

WHEREAS, the Advisory Committee, at its meeting held on September 20, 2000 rendered the determination shown on the attached memo dated September 21, 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. 28 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the New York State Division of Criminal Justice Services, in conjunction with the New York State Governor's Traffic Safety Committee, is offering a grant which will reimburse the Town of Cheektowaga one-half (1/2) of the state contract purchase price of a Laser Speed/Distance measuring device, AND

WHEREAS, the Town of Cheektowaga Police Department wishes to purchase a Laser Speed/Distance measuring device and has been notified that it has been awarded the sum of \$1,542.00 to purchase the device, NOW, THEREFORE BE IT

**MEETING NO. 21
OCTOBER 2, 2000**

RESOLVED, that this Town Board hereby authorizes and directs the Cheektowaga Police Department to complete the necessary application form and other documentation necessary for the Town to obtain these funds and, BE IT FURTHER

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

Upon roll call

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

Item No. 29 Motioned by Supervisor Gabryszak, 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 application, AND

WHEREAS, the Town Board, pursuant to the Open 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 Cheektowaga Central High School to conduct an open fire on October 27, 2000 on the property located at Cheektowaga Central School athletic field, AND

WHEREAS, the applicant intends to have a bond fire for home coming weekend festivities, AND

WHEREAS, the Fire Inspector has received this application and finds that all requirements have been met, and that this application 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 Cheektowaga Central High School and the recommendations of the Fire Inspector, NOW, THEREFORE BE IT

RESOLVED, that this Town Board authorizes the Fire Inspector to issued such permit.

Upon roll call

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

Item No. 30 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the International Association of Chief's of Police (IACP) will be holding a training seminar on Planning, Designing and Constructing Police Facilities" in Alexandria, Virginia on October 23-26, 2000.

WHEREAS, Chief Chamberlin is requesting authorization to send Captain John Howlett to this training seminar. This program resolves potentially antagonistic issues by carefully orchestrating the planning process into a sequence of operations that will result in an efficient facility. The training has been approved by the Police Committee meeting on September 26, 2000. The Police Department will be responsible for travel, lodging and meals amounting to approximately \$1,500.00, NOW, THEREFORE BE IT

RESOLVED, that Captain Howlett is authorized to attend this training seminar and that the time he spends there be authorized as normal duty time. The expense will be charged to 0100-3120-4093 and 0100-3120-4085.

Upon roll call

**MEETING NO. 21
OCTOBER 2, 2000**

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

Item No. 31 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the Cleveland Hill School District be and hereby is authorized to hold their annual cross country track meet in Cheektowaga Town Park on Tuesday, October 3, 2000 from 3:45 P.M. – 6:30 P.M.

Upon roll call

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

Item No. 32 Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

RESOLVED, that this Town Board does hereby prepare and approve as the Preliminary Ad Valorem Budget of this Town for the Fiscal Year beginning on the 1st day of January, 2001, the itemized statement of estimated revenues and expenditures hereto attached and made a part of this resolution, and also an itemized statement of estimated revenues and expenditures of the Lighting Districts and Consolidated Garbage District hereto attached and made a part of this resolution, AND, BE IT FURTHER

RESOLVED, that such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours, effective October 5, 2000, AND, BE IT FURTHER

RESOLVED, that this Town Board shall meet at 6:00 P.M. on the 11th day of October, 2000, for the purpose of holding a Public Hearing upon such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District budgets, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give Notice of such Public Hearing in the manner provided in Section 108 of the Town Law and that such Notice be published in the CHEEKTOWAGA TIMES, the official Town newspaper on October 5, 2000, and post same on the signboard maintained by the Town Clerk.

Item No. 32 cont'd

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

NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 2001, has been completed and filed in the Office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it is available for inspection by any interested person at all reasonable hours, effective October 5, 2000.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 6:00 P.M. on the 11th day of October, 2000, and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item therein contained.

**MEETING NO. 21
OCTOBER 2, 2000**

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

SUPERVISOR	\$69,350.00
TOWN CLERK	\$62,225.00
HIGHWAY SUPERINTENDENT	\$68,775.00
COUNCILMEMBER	\$19,099.33

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

Richard M. Moleski, Town Clerk

Dated: October 2, 2000
Published: October 5, 2000

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

AFFIDAVIT - NEXT PAGE

Item No. 33 Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, this Town Board has prepared detailed estimates of the anticipated 2001 revenues and expenditures for every district in which the expenses of the improvement is to be assessed on a benefit basis, AND

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

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

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

RESOLVED, that this Town Board shall meet at 6:00 P.M. on the 11th day of October, 2000 for the purpose of holding a Public Hearing upon such estimates and assessment rolls, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give notice of such Public Hearing in the manner provided in Section 239 of the Town Law, and that such notice be published in substantially the following form in the CHEEKTOWAGA TIMES, the official Town newspaper on October 5, 2000

PUBLIC NOTICE

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

NOTICE IS ALSO GIVEN that a public hearing on such Estimates and Assessment Rolls will be held on October 11, 2000 at 6:00 P.M. at the Town Hall, corner of Broadway and Union Roads, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.

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

MEETING NO. 21
OCTOBER 2, 2000

Richard M. Moleski
Town Clerk

Dated: October 2, 2000
Published: October 5, 2000

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

AFFIDAVIT - NEXT PAGE

Item No. 34 Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson to adjourn
this meeting. This meeting was adjourned at 7:55 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 22
OCTOBER 11, 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 11th of October, 2000 at 6:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Michael Stachowski, Town Attorney; Bruce Chamberlin, Police Chief; Salvatore LaGreca, Chairman of Planning Board; Patricia Wojcik, Director of Senior Services; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; Brian Krause, Director of Administration and Finance; William Pugh, Town Engineer; Christopher J. Kowal, Highway Superintendent; Ronald Marten, Supervising Building Inspector; Thomas Adamczak, Building Inspector; and Jerome Gabryszak, Director of Community Development; Ronald Kmietek, Town Justice; Thomas Kolbert, Town Justice, Arthur Ferdinand, General Crew Chief; and Tom Malecki, Deloitte and Touche.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised to consider the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 2001. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such Notice has been duly published and posted and upon the order of the Supervisor, such proof was duly filed.

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

(The Preliminary Ad Valorem Budget for 2001 is on file in the Town Clerk's Office.)

Item No. 3 This being the time and place advertised to consider the Preliminary Benefit Basis Budget of the Town of Cheektowaga for the year 2001. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such Notice has been duly published and posted and upon the order of the Supervisor, such proof was duly filed.

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

(The 2001 Preliminary Benefit Basis Budget is on file in the Town Clerk's Office.)

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 23
October 16, 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 16th day of October, 2000 at 7:00 o'clock PM, 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; Sal LaGreca, Planning Board Chairman; Ron Marten, Supervising Building and Plumbing Inspector; Bill Pugh, Town Engineer; Chris Kowal, Highway Superintendent; Bruce Chamberlin, Chief of Police; Jerry Gabryszak, Director of Economic Development; Earl Loder, Coordinator-Office of Emergency Services; Pat Wojcik, Director of Senior Services.

I. FROM THE TABLE

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of soft body armor for police officers, which bids were duly received and opened at a public bid opening call for that purpose, and

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

RESOLVED that the contract for the furnishing of soft body armor will be awarded to the following bidders:

The bid for the American Body Armor Series 1000 Plus, Model 102
Awarded to: United Uniform at \$380.00 per unit

The bid for the American Body Armor Extreme series Armor System
Model XT2F Awarded to: North Eastern Uniforms & Equipment at
\$516.00 per unit.

The bid for the Point Blank Model AO2 is Awarded to: Emergency
Apparel & Supply at \$315.00 per unit.

The bid for the Point Blank Model TGZL-2 is Awarded to: Emergency
Apparel & Supply at \$430.00 per unit.

And BE IT FURTHER

RESOLVED that funds are available from the Bullet Proof Vest Program from the Federal Bureau of Justice Assistance.

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

NAYES: 0

ABSENT: 0

MEETING NO. 23
October 16, 2002

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	\$ 1,500.00
	0100-1220-2201	Office Equipment	1,000.00
	0100-1110-1371	Justice Court Clerk	6,600.00
	0100-3120-4085	Education	3,200.00
	0100-1420-4013	Law Books	150.00
TO:	0100-1410-1391	Part-Time Clerical	\$ 1,500.00
	0100-1220-4001	Office Supplies	1,000.00
	0100-1110-1303	Justice Clerk	6,600.00
	0100-3120-4031	Prisoner Meals	3,200.00
	0100-1420-4001	Office Supplies	150.00

HUD-CDBG FUND

FROM:	0700-5099-0600	Depew Housing Rehabilitation	\$ 4,513.00
	0700-9098-0600	Sloan Housing Rehabilitation	650.00
TO:	0700-1099-0600	Housing Rehabilitation Cheektowaga	\$ 4,513.00
	0700-1098-0600	Housing Rehabilitation Cheektowaga	650.00

SPECIAL DISTRICTS FUND

FROM:	1500-8160-8141	Employee Medical Insurance	\$ 18,300.00
	2550-8135-8143	Retiree's Medical	15,500.00
TO:	1500-8173-8141	Employee Medical Insurance	\$ 18,300.00
	2550-8135-8141	Employee's Medical Benefits	15,500.00

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 October 13, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$ 404,711.63
HIGHWAY FUND	92,514.58
TRUST & AGENCY	30,561.50
HUD CDBG FUND	37,108.28
PART TOWN FUND	4,907.40
RISK RETENTION FUND	14,680.00
HUD HOUSING REHABILITATION	9,362.00
SPECIAL DISTRICTS FUND	429,141.42
CAPITAL FUND	34,675.19
	<u>\$1,057,662.00</u>

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

NAYES: 0

ABSENT: 0

MEETING NO. 23
October 16, 2002

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 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 DiDonato Associates for the relocation of the driveway entrance at Budget Rent-A-Car at 3999 Genesee Street, and

WHEREAS, the driveway would be relocated to the east and south sides of the building for safer, more efficient traffic movements, and

WHEREAS, the Planning Board, at its meeting held on September 14, 2000 rendered the determination shown on the attached memo dated September 25, 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

AFFIDAVIT - NEXT PAGE

MEETING NO. 23
October 16, 2002

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 Architecture Unlimited, L.L.C. to amend the site plan of 2345 Walden Avenue, the former F.N. Burt facility, and

WHEREAS, the new parking areas along the east side of the building were revised to show a different landscaping scheme, the west side showed additional landscaping and the south side showed a relocated berm, and

WHEREAS, the Planning Board, at its meeting held on September 14, 2000 rendered the determination shown on the attached memo dated September 25, 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

AFFIDAVIT - NEXT PAGE

MEETING NO. 23
October 16, 2002



Item No. 12D was taken out of order, and acted upon at this time.



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

WHEREAS, the Town of Cheektowaga is the owner of a parcel of property known as the unpaved portion-cul-de-sac of Princeton Court, and

WHEREAS, William A. DeLuca and Nancy C. Deluca owned adjacent property at 1500 Cleveland Drive and are in the process of purchasing additional land on Princeton Court, and

WHEREAS, William A. DeLuca and Nancy DeLuca are interested in leasing the Town-owned property, and

WHEREAS, the Town Highway Superintendent and Town Engineer have stated that the Town has no use for this prpoerty and they have no objection to the least of same, and

WHEREAS, the Town Attorney's Office has drafted a lease for this property, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute the aforementioned lease on behalf of this Town, and BE IT FURTHER

RESOLVED that this lease 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 Cheektowga, on October 16, 2000, adopted a resolution authorizing the Town of Cheektowaga to enter into a Lease with William A. and Nancy A. DeLuca for Town-owned property located at the end of the Princeton Court behind 1500 Cleveland Drive.

A copy of such lease 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: October 16, 2000



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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

MEETING NO. 23
October 16, 2002

Item No. 6a 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 Bill DeLuca to rezone a vacant parcel of land on Princeton Court at the rear of Mr. Bill's Restaurant at 1500 Cleveland Drive, and

WHEREAS, the rezoning request includes a portion of the Princeton Court right-of-way, and

WHEREAS, the proposal is to construct a parking lot for an additional thirty vehicles, and

WHEREAS, the applicant will eliminate parking along Cleveland Drive and, when the lot is completed, will turn the blacktop in front of the restaurant into landscaping, and

WHEREAS, the Advisory Committee, at its meeting held on October 4, 2000 rendered the determination shown on the attached memo dated October 5, 2000, and

WHEREAS, this Town Board has reviewed the application 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

MEETING NO. 23
October 16, 2002

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

WHEREAS, William A. DeLuca petitioned for a rezoning from R-Residence District to C-Retail Business District for vacant property owned by David Gillian and the Town Of Cheektowaga and located to the rear of 1500 Cleveland Drive adjacent to Princeton Court, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 16th day of October, 2000 at 6:30 o'clock P.M. after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law") and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

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

RESOLVED that the application of William A. DeLuca for the rezoning from R-Residence District to C-Retail Business District of the above referenced property be and the same is hereby approved, and BE IT FURTHER

RESOLVED that the Zoning ap 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

*SEE NEXT PAGE(s) FOR ATTACHMENTS

AFFIDAVIT - NEXT PAGE

MEETING NO. 23
October 16, 2002

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

WHEREAS, the Town of Cheektowaga is eligible to receive funding from the Department of Housing and Urban Development under the Community Development Block Grant and HOME Investment Partnerships Programs for the 2001 Program Year, and

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

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

WHEREAS, the Town of Cheektowaga is a member of the HOME Consortium with the Towns of Tonawanda and Amherst, will submit its Annual Plan in conjunction with the Towns of Tonawanda and Amherst, and

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

RESOLVED that a public hearing be held on November 6, 2000 at 6:30 P.M. at the Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, NY 14227 for the above stated purpose, and BE IT FURTHER

RESOLVED that a public notice of such public hearing be published in the Cheektowaga Times on Thursday, October 26, 2000.



Notice of Public Hearing
Town of Cheektowaga FY 2001 Annual Plan
Community Development Block Grant/HOME Programs

A Public Hearing will be held on Monday, November 6, 2000 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway Avenue, Cheektowaga, New York regarding the Town of Cheektowaga's Year 2001 Annual Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs

In 2000, the Town of Cheektowaga received \$924,000 under Title I of the Housing and Community Development Act of 1977 as amended. The Town also received \$318,878 in HOME Investment Partnership funds through the Amherst HOME Consortium, of which the Town of Cheektowaga is a member. The amount of Community Development Block Grant and HOME Program funding for which the Town will be eligible next year has not yet been made available by the Department of Housing and Urban Development. The purpose of the hearing is to solicit the views of citizens, public agencies and other interested parties on housing and community development needs throughout the town and to review program performance of the Town's Community Development Program during the 2000 program year. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

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

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

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Item No. 7 cont'd

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

AFFIDAVIT - NEXT PAGE

MEETING NO. 23
October 16, 2002

Item No. 8 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 and Urban Development, and

WHEREAS, the Town wishes to amend its Final Statements on the Use of Community Development Block Grant Funds in order to reallocate program income funds received the Cheektowaga Economic Development Corporation to the Town's housing Rehabilitation loan program, and

WHEREAS, citizens and interested parties were provided the opportunity to comment on the proposed amendment pursuant to the Citizens 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.

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

*SEE NEXT PAGE(s) FOR ATTACHMENTS

MEETING NO. 23
October 16, 2002

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

WHEREAS, it is in order that bids be advertised to cover the purchase of a Sport Utility Vehicle for the K-9 Unit of the Police Department, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for a 1999 or newer 4 door sport utility for purchase, said notice to be published in the Cheektowaga Times, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 1st day of November, 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 November 1, 2000 at 11:00 AM, Eastern Standard Time at Town Hall, corner of Broadway and Union Roads for the purchase of sport utility vehicle 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 vehicles listed in the bid specifications.

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: October 16, 2000



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

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MEETING NO. 23
October 16, 2002

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

WHEREAS, it is in order that bids be advertised for the furnishing and installation of one (1) Large Park Shelter at Cheektowaga Town Park, NOW, THEREFORE, BE IT

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders for the furnishing and installation of one (1) Large Park Shelter, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received by the Town of Cheektowaga on November 15, 2000 at 11:00 AM, Local Time, at the Town Hall, at which time they will be publicly opened and read.



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 15th day of November, 2000 at 11:00 AM, Local Time, in the Town Hall, Town of Cheektowaga, New York, for furnishing all labor, tools, equipment, materials and incidentals required for the Construction of a Large Park Shelter at Cheektowaga Town Park, 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 for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be secured at the Office of the Town Clerk in the Town Hall, Town of Cheektowaga, Union Road at Broadway, Cheektowaga, New York.

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for Construction of a Large Park Shelter".

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

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

No bidder may withdraw his bid within forty-five (45) days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

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

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

The Town of Cheektowaga is an exempt organization under the Tax Law and is exempt from payment of sales and compensating use taxes in the State of New York and citizens and

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counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

Item No. 9b cont'd

The work shall be completed within 100 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWGA, 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. 10 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, by resolution dated May 17, 1999, this Town Board dedicated a roadway known as Walden Commerce Drive on Town-owned land ("Walden Commerce Exchange") on the south side of Walden Avenue, from Reo Avenue to Pine Ridge Road as a Town highway, and

WHEREAS, with the pending sale of 13+ acres of Walden Commerce Exchange property to Jones Development Company, there is a need to rescind this resolution and to abandon this highway, and

WHEREAS, this highway has never been built and has never been opened and worked as a highway since its dedication, NOW, THEREFORE, BE IT

RESOLVED that Walden Commerce Drive, as described on the attached Schedule A be and the same is hereby abandoned as Town highway as provided in Section 205 of the Highway Law of the State of New York, and BE IT FURTHER

RESOLVED that this Town Board shall execute a written consent that the Town Superintendent of Highways shall file and cause to be recorded in the Town Clerk's Office and the Erie County Clerk's Office a written description signed by him and this Town Board of the highway, so abandoned.



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

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



Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, by resolution dated May 17, 1999, this Town Board dedicated a roadway known as Walden Commerce Drive on Town-owned land ("Walden Commerce Exchange") on the south side of Walden Avenue, from Reo Avenue to Pine Ridge Road as a Town highway, and

WHEREAS, with the pending sale of 13+ acres of Walden Commerce Exchange property to Jones Development Company, there is a need to rescind this resolution and to abandon this highway, and

WHEREAS, this highway has never been built and has never been opened and worked as a highway since its dedication, NOW, THEREFORE, BE IT

RESOLVED that Walden Commerce Drive, as described on the attached Schedule A be and the same is hereby abandoned as Town highway as provided in Section 205 of the Highway Law of the State of New York, and BE IT FURTHER

RESOLVED that this Town Board shall execute a written consent that the Town Superintendent of Highways shall file and cause to be recorded in the Town Clerk's Office and the Erie County Clerk's Office a written description signed by him and this Town Board of the highway **right-of-way or easement**, so abandoned.

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

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*SEE NEXT PAGE(s) FOR ATTACHMENTS

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

WHEREAS, this Town Board, by resolution dated November 1, 1999 authorized the preparation of easement documents to be executed by property owners on Cayuga Creek Road and Ceil Drive in advance of a drainage improvements project to alleviate a poorly drained area generally bounded by the aforementioned streets, and

WHEREAS, property owners AT \$560 AND 568 Cayuga Creek Road and #127 Ceil Drive have executed and submitted permanent drainage easement documents to the town enabling a portion of the originally designed drainage improvements project to proceed, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney, following review and approval of the executed easement documents, be and hereby is directed to file the aforesaid easements in the Erie county Clerk's Office, and BE IT FURTHER

RESOLVED that the Town Engineer, following the acceptance and filing of the subject easements, be and hereby is directed to schedule and initiate installation of planned drainage improvements utilizing Town wide Drainage District funding.

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

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

WHEREAS, as part of the development of the Airborne Business Park property on Holtz Drive near Genesee Street, The Uniland Partnership of Delaware, L.P. agreed to convey a conservation easement over a portion of its property adjacent to the bed and banks of Ellicott Creek to the Town, and

WHEREAS, the Uniland Partnership of Delaware, L.P. has drafted and submitted each conservation easement to the Town, and

WHEREAS, such conservation easement is acceptable to the Town Engineer and the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforementioned Conservation Easement, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute this Conservation Easement on behalf of the Town, and BE IT FURTHER

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

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

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

WHEREAS, the Town of Cheektowaga has applied for a SARA grant for records and information management for the Cheektowaga Justice Court, and

WHEREAS, pursuant to the terms of such grant, the Town must retain a consultant to prepare a Business Process Analysis to assist the Justice Court in significantly reducing the time required to process case files, reduce personnel costs and improve the quality of records management practices, and

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WHEREAS, Gallego Information Services has submitted a proposal to perform this Business Process Analysis for the sum of \$8,000, and

Item No. 12b cont'd

WHEREAS, the owner of Gallego Information Services is a Certified Records Manager and possesses the necessary experience to conduct the Analysis, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Services Agreement with Gallego Information Services, and BE IT FURTHER

RESOLVED that moneys for such services shall initially be appropriated from Town budget line item number 0100-1110-4501, to be reimbursed out of the SARA grant.



Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson to table the above item, and the voting was as follows:

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



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

WHEREAS, the Town of Cheektowaga is the owner of property known as S.B.L. Number 102.53-6-18.3 located to the south side of Walden Avenue opposite Reo Avenue, which parcel is contiguous to Town-owned acreage known as the Walden Commerce Exchange, and

WHEREAS, said parcel was formerly used as a gasoline service station and recent site environmental investigation has determined the presence of underground petroleum storage tanks and petroleum contaminated soil, necessitating remediation of the property, and

WHEREAS, the Town Engineer has engaged the services of Nature's Way Environmental Consultants and Contractors, Inc., 3553 Crittendon Road, Crittendon, New York 14038 based on its submission of the lowest quotation for tank removal, and has further recommended that petroleum contaminated soils be bio-remediated on the southwest portion of the Walden Commerce Exchange parcel to minimize project remediation costs to move the contaminated soil from such property onto adjoining Town-owned property for remediation of the contaminated soil, NOW, THEREFORE, BE IT

RESOLVED that the Town Engineer be and hereby is directed to proceed with the remedial activities associated with the clean-up of S.B.L. 102.53-6-18-3 using a portion of the southwest corner of the Walden Commerce Exchange property for on-site soil treatment to be performed by Nature's Way Environmental Consultants and Contractors, Inc. and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement with Nature's Way to remediate the above referenced Town-owned property, and BE IT FURTHER

RESOLVED that moneys for such work shall be appropriated from account Number 0100-1910-4785.

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

Item No. 13 Motion by Unanimous, Seconded by Unanimous

**MEETING NO. 23
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WHEREAS, the Town of Cheektowaga has received notification of an unsafe, vacant structure at 50 Olcott Place, Cheektowaga, New York SBL #101.36-3-6 that is unsecured open to unauthorized entry and a danger to the safety of others, and according to the Assessor's Office is owned by Kevin C. Fischer, Niagara Falls, New York 14304-1163, and

Item No. 13 cont'd

WHEREAS, these conditions required the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard and secure the front door opening and a crawl space opening in the vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article VIII, Section 37-60 and Article VIII, Section 37-61 of the Housing Standards of the Town of Cheektowaga, and the Town Law of the State of New York, that all openings in this structure be safeguarded and secured and all costs incurred be assessed against the property hereinbefore described.

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

Item No. 14a Motion by 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 79 East Toulon Drive, Cheektowaga, New York, SBL #125.06-6-19 and according to the Assessor's Office is owned by Mr. & Mrs. Robert Porter, Cheektowaga, New York 14227, and

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

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

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

Item No. 14b Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 50 Olcott Place, Cheektowaga, New York, SBL #101.36-3-6 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

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

WHEREAS, a vacancy exists in the position of Public Safety Dispatcher, and

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

WHEREAS, the existing Civil Service list was canvassed, and

Item No. 15a cont'd

WHEREAS, Paul M. Hager appears on said Civil Service list and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Paul M. Hager of Cheektowaga, New York, 14227 be and hereby is appointed to the position of Public Safety Dispatcher in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Public Safety Dispatchers Association, effective October 30, 2000.

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

NAYES: 0

ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Clerk-Typist 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, 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, Linda R. Cymerman of Cheektowaga, New York 14227 be and hereby is appointed to the position of Clerk-Typist 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 October 30, 2000.

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the New York Parks & Conservation Association will be presenting the First Statewide Greenway & Community Trail Conference in Syracuse, New York from October 27-28, 2000, and

WHEREAS, items to be discussed at such conference will include trail planning, design and management and funding sources, and

WHEREAS, the Town has received a Federal grant to construct a bicycle trail in the Town and has been actively preparing plans to construct such trail system, and

WHEREAS, Frank Mikler, who is a member of the Town's Rails to Trails Committee and has been assigned to matters relating to fundraising for this bicycle trail, has requested permission to attend this conference, and

WHEREAS, this Town Board feels that his attendance at the aforementioned conference will provide valuable information to the Town concerning our bicycle trail, NOW, THEREFORE, BE IT

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RESOLVED that Frank Mikler be and hereby is authorized to attend the aforementioned First Statewide Greenway & Community Trail Conference in Syracuse, New York from October 27-28, 2000, and BE IT FURTHER

RESOLVED that the Town shall reimburse Frank Mikler for the \$100.00 registration fee for this conference out of budget line item 0600-0898-0310.

Item No. 16 cont'd

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

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

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

EFFECTIVE

POLICE DEPARTMENT – Clerk - \$7.00 per hour

Vicky Manos Chktg, 14225 10/01/00

SENIOR SERVICES – Substitute Site Manager (Nutrition) - \$6.00 per hour

Agnes Kalinowski Chktg. 14227 Immediately

and BE IT FURTHER

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

EFFECTIVE

POLICE DEPARTMENT – Animal Control

Adel Keller Immediately

Erika Felilcetta “

Andrew Korzen “

John Schuler “

POLICE DEPARTMENT – Clerk

Lauren Howlett Immediately

Elizabeth Manos “

Candace Solecki “

Kristin Wozniak “

POLICE DEPARTMENT – Sign Maintenance

Daniel Barber Immediately

Sean Glascott “

Michael Urbanski “

RECYCLING DEPARTMENT

Christine Batcho Immediately

Jerome Foks “

Michael Full “

Marvin Rowland “

Bryan Kazmierczak “

Francis Kasprzyk “

Nicholas Astyk “

Patrick McCloskey “

Jeffrey Speaker “

Michael Zarembo “

SANITATION DEPARTMENT

Marc Beang Immediately

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Jeffrey Piechowiak

“

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Robert Malicki is a laborer in the Sanitation Department, and

WHEREAS, Mr. Malicki has requested an unpaid leave of absence for personal reasons for a period of 60 days, and

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association ("TCEA") does not contain any language concerning the granting of such personal leaves of absence, and

WHEREAS, the Town is agreeable to the granting of this personal leave of absence provided the TCEA does not consider the granting of this personal leave to have any precedent setting value in the future to other TCEA employees and provided that the TCEA agrees not to commence any grievance or other action relating to a violation of Section 3.06 of the collective bargaining agreement between the Town and the TCEA, and

WHEREAS, the TCEA has stated that it will not file any grievances as a result of the granting of this leave of absence and the Town's failure to temporarily fill the position, and the TCEA has also pledged that it will not consider the granting of this leave to have any precedent setting value, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, based on the aforementioned commitments from the TCEA, hereby grants Robert Malicki an unpaid leave of absence for 60 days from his position as laborer in the Sanitation Department.



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

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

NAYES: 0

ABSENT: 0



Motion by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, Robert Malicki is a laborer in the Sanitation Department, and

WHEREAS, Mr. Malicki has requested an unpaid leave of absence for personal reasons for a period of 60 days, and

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees' Association ("TCEA") does not contain any language concerning the granting of such personal leaves of absence, and

WHEREAS, the Town is agreeable to the granting of this personal leave of absence provided the TCEA does not consider the granting of this personal leave to have any precedent setting value in the future to other TCEA employees and provided that the TCEA agrees not to commence any grievance or other action relating to a violation of Section 3.06 of the collective bargaining agreement between the Town and the TCEA, and

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WHEREAS, the TCEA has stated that it will not file any grievances as a result of the granting of this leave of absence and the Town's failure to temporarily fill the position, and the TCEA has also pledged that it will not consider the granting of this leave to have any precedent setting value, NOW, THEREFORE, BE IT

Item No. 18 cont'd

RESOLVED that this Town Board, based on the aforementioned commitments from the TCEA, hereby grants Robert Malicki an unpaid leave of absence for 60 days from his position as laborer in the Sanitation Department. **This action is expressly condition upon receipt from the TCEA in writing, a statement that no grievance or action relating to Section 3.06 will be filed on this issue and acceptable**

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 19a Minutes of Cheektowaga Conservation Advisory Committee – September 23, 2000
Received and Filed.

Item No. 19b Minutes of Cheektowaga Traffic Safety Commission – September 19, 2000
Received and Filed.

Item No. 20 Office of Emergency Services – quarterly report from July to September, 2000
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 21 NYS Department of Transportation – Notice of Order – Parking Restrictions on Clinton Street
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members; Highway Department; Cheektowaga Traffic Safety Commission; Bruce Chamberlin, Chief of Police.
Received and Filed.

Item No. 22 Summons & Complaint – Gregory Wells vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Maintenance.
Received and Filed.

Item No. 23a Notice of Claim - Joanne Kowalski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Attorney; Council Office
Allied Claims, Insurance Company; Sewer Maintenance; Highway
Received and Filed.

Item No. 23b Notice of Claim - Laura D. Leach 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. 23c Notice of Claim - Norman F. Frank vs Town of Cheektowaga

MEETING NO. 23
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Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Attorney; Council Office
Allied Claims, Insurance Company; Sewer Department
Received and Filed.

Item No. 23d Notice of Claim - Jodie J. Ames 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.

V. 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 Swiatek, Seconded by Councilmember Johnson
Councilmember Jankowiak

WHEREAS, Bernard Rusiniak has made application and requested the rezoning of
property located at 2916-2926 Union Road from C-Retail Business 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 November 6, 2000 at 6:30 o'clock P.M. at the Cheektowaga Town Hall,
corner of Broadway and Union Roads.

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

AFFIDAVIT – NEXT PAGE

MEETING NO. 23
October 16, 2002

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

WHEREAS, a seminar is being offered on "Internal Affairs: Managing Police Discipline" in Myrtle Beach, SC on October 30th through November 1st, 2000, and

WHEREAS, Chief Chamberlin is requesting authorization to send Captain Thomas Rowan to this seminar. This seminar will provide the information and training necessary to bring the Cheektowaga Police Department into compliance with the requirements of the Justice Department regarding the Early Warning System, as well as, recent court decisions and national trends in this important topic area. This seminar addresses discipline issues for all public employees. Other town departments, specifically, the Town Attorney's office and Employee Relations, will also benefit from the policies and procedures presented at this seminar. This seminar is critical to the maintenance of effective police discipline and limiting liability in civil lawsuits, and

WHEREAS, the police department will be responsible for registration, transportation and lodging amounting to approximately \$850.00. A police vehicle will be used for transportation to and from this seminar, NOW, THEREFORE, BE IT

RESOLVED, that Captain is authorized to attend this training and that the time spent there be authorized as normal duty time. The expenses will be charged to 0100-3120-4093 and 0100-3120-4085.

Upon roll call

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

Item No. 26 Motion by Councilmember Johnson; Seconded by Councilmember Jankowiak

WHEREAS, Como Park Boulevard is a County highway, maintained by the Erie County Department of Public Works, Division of Highways, ("ECDPW"), and

WHEREAS, the Town of Cheektowaga, as part of its proposed Rails to Historic Trails project is planning on using a portion of Como Park Boulevard in between Stiglmeier Park and Union Road for its bicycle path, and

WHEREAS, the shoulders along this portion of Como Park Boulevard are in need of reconstruction, and

WHEREAS, Congestion Mitigation and Air Quality Program ("CMAQ") funding is available to municipalities to assist them in alleviating traffic congestion problems on their highways, and

WHEREAS, the ECDPW is in the process of apply for CMAQ funding for various projects on various County highways, and

WHEREAS, representatives of the Town met with ECDPW to request CMAQ funding for roadway/shoulder improvements along that portion of Como Park Boulevard from Stiglmeier Park to Union Road, AND, BE IT FURTHER

RESOLVED, that this Town Board further request that the ECDPW initiate traffic intersection studies for the Como Park Boulevard-Bennett Road intersection and to take necessary action to make such intersection safer.

MEETING NO. 23
October 16, 2002

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

Item No. 27 Motion by Councilmember Rogowski; Seconded by Councilmember Jaworowicz

WHEREAS, the Village of Sloan has requested a Town-owned televised sewer camera for a period of two (2) days to televise the sewers on Halstead Avenue; and

WHEREAS, the Town Engineer has reviewed this request and has no objection to same, and

WHEREAS, the Village of Sloan has agreed to assume responsibility for any damage, etc. to such camera while it is using same, and

WHEREAS, in the spirit of municipal cooperation and for the overall benefit of Village and Town taxpayers, this Board wishes to assist the Village of Sloan, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the request of the Village of Sloan to use the Town's televised sewer camera for a period of two (2) days, AND, BE IT FURTHER

RESOLVED, that the Town Engineer and/or the General Foreman of the Sewer Maintenance Department be and hereby is directed to contact the Village of Sloan to make arrangements for this loan of Town- owned equipment,



Motion by Councilmember Johnson, Seconded by Councilmember Rogowski
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 Rogowski; Seconded by Councilmember Jaworowicz

WHEREAS, the Village of Sloan has requested assistance from the Town and permission to utilize a Town-owned televised sewer camera and crew for a period of two (2) days to televise the sewers on Halstead Avenue, and

WHEREAS, the Town Engineer has reviewed this request and has no objection to same, and

WHEREAS, the Village of Sloan has agreed to assume responsibility for any damage, etc. to such camera while it is using same, and

WHEREAS, in the spirit of municipal cooperation and for the overall benefit of Village and Town Taxpayers, this Board wishes to assist the Village of Sloan, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approved the request of the Village of Sloan to use the Town's televised sewer camera for a period of two (2) days, AND, BE IT FURTHER

MEETING NO. 23
October 16, 2002

RESOLVED, that the Town Engineer and/or the General Foreman of the Sewer Maintenance Department be and hereby is directed to contact the Village of Sloan to make arrangements for this loan of Town-owned equipment, and crew, as scheduling permits.

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

Item No. 28 Motion by Supervisor Gabryszak, Second by Councilmember Mazur

WHEREAS, the Town of Cheektowaga Community Development Office utilizes Community Development Block grant ("CDBG") funds to assist homeowners with the purchase and renovation of their homes, and

WHEREAS, on occasion, HUD homes in Cheektowaga are placed on the market for sale, and

WHEREAS, THE Community Development Office needs to act quickly when these HUD homes are being offered for sale and needs the Town Supervisor to execute contracts for the purchase of such homes, NOW, THEREFORE, BE IT

RESOLVED that CDBG funds shall be utilized for the purchase and renovation of these properties.

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

Item No. 29 Motion by Supervisor Gabryszak, Seconded by Unanimous
To adjourn the meeting.
Time Meeting Adjourned: 8:10 P.M.

**TOWN OF CHEEKTOWAGA
MEETING NO. 24
NOVEMBER 6, 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 2nd of October, 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; Bruce Chamberlin, Police Chief; Salvatore LaGreca, Chairman of Planning Board; Patricia Wojcik, Director of Senior Services; Brian Krause, Director of Administration and Finance; William Pugh, Town Engineer; Christopher J. Kowal, Highway Superintendent; Ronald Marten, Supervising Building Inspector; Jerome Gabryszak, Director of Community Development; Robert Kaczmarek, Supervising Accountant; and William Conway, Assessor.

I. FROM THE TABLE

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

WHEREAS, the Town of Cheektowaga has applied for a SARA grant for records and information management for the Cheektowaga Justice Court, AND

WHEREAS, pursuant to the terms of such grant, the Town must retain a consultant to prepare a Business Process Analysis to assist the Justice Court in significantly reducing the time required to process case files, reduce personnel costs and improve the quality of records management practices, AND

WHEREAS, Gallego Information Services has submitted a proposal to perform this Business Process Analysis for the sum of \$8,000, AND

WHEREAS, the owner of Gallego Information Services is a Certified Records Manager and possesses the necessary experience to conduct the Analysis, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Service Agreement with Gallego Information Services and, BE IT FURTHER

RESOLVED, that moneys for such services shall initially be appropriated from Town budget line item number 0100-1110-4501, to be reimbursed out of the SARA grant.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

II. RESOLUTIONS

Item No. 3 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:	0100-1440-4325	Copy Machine Supplies	\$ 2,000.00
	0100-1680-4321	Data Processing Services	12,000.00
	0100-7620-2036	Special Events Revenues	3,000.00
	0100-1410-4001	Office Supplies	1,420.00
	0100-7110-4451	Building & Grounds Repairs	7,000.00

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	0100-1355-4575	Contracted Appraisals	1,000.00
	0100-1355-4411	Petition Filing Refunds	500.00
To:	0100-1440-1419	Miscellaneous	\$ 2,000.00
	0100-1625-4432	Repairs & Maintenance	12,000.00
	0100-7620-4491	Special Events	3,000.00
	0100-1410-4188	Equipment Rental	1,420.00
	0100-7110-4162	Gasoline	7,000.00
	0100-1355-4001	Office Supplies	1,000.00
	0100-1355-4082	Conference & Seminars	500.00

RISK RETENTION FUND

From:	1000-1936-4703	Catastrophe Reserve	\$100,000.00
To:	1000-1932-4703	General Liability Losses	50,000.00
	1000-1930-4703	Workers Compensation	50,000.00

SPECIAL DISTRICTS FUND

From:	1500-1910-4711	Contingency	1,000.00
	1500-8160-8975	Retirement Buyout	15,000.00
	2550-8135-8141	Employee's Medical Benefits	31,000.00
	2550-8125-4163	Gas, Oil and Grease	8,665.81
	4000-8140-4430	Detention Basin Maintenance	2,375.00
	4000-8140-4431	Storm Sewer Maintenance	7,000.00
To:	1500-8160-4501	Contracted Legal	\$ 7,000.00
	1500-8173-4444	Tipping	15,000.00
	2550-8135-8143	Retiree's Medical	31,000.00
	2550-8125-4438	Sewer Repairs	8,665.81
	4000-8140-4581	Consulting Services	9,375.00

Upon roll call

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to November 3, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$1,092,352.98
HIGHWAY FUND	315,403.34
TRUST & AGENCY	103,964.15
HUD CDBG FUND	13,877.83
PART TOWN FUND	79,855.68
RISK RETENTION FUND	82,713.45
DEBT SERVICE FUND	560,000.00
HUD HOUSING REHABILITATION	6,571.90
SPECIAL DISTRICTS FUND	2,964,371.27
CAPITAL FUND	<u>701,551.84</u>

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 5a Motioned by Unanimous, Seconded by Unanimous

WHEREAS, Dennis H. Gabryszak, Supervisor of the Town of Cheektowaga, New York, presented a Budget and Assessment Roll showing the various sums of money that were and will be required to defray the expenses of the Special Districts respectively and does determine same to be necessary and required as aforesaid set forth, namely:

Town of Cheektowaga
2001

**MEETING NO. 24
NOVEMBER 6, 2000**

Final Benefit Basis Budget

AND,

WHEREAS, a Public Hearing was duly held on the 11th day of October, 2000 at 6:00 P.M., in relation to the Preliminary Benefit Basis Budget, as provided by law, with amendments made to same, NOW, THEREFORE, BE IT

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

RESOLVED, that the Supervisor be and hereby is directed to cause same to be spread on the Tax Rolls for the year 2001.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 5b Motioned by Unanimous, Seconded by Unanimous

WHEREAS, officers and employees in charge of the various administrative units of the government of the Town of Cheektowaga have submitted estimates of revenues and expenditures for the 2001 fiscal year, AND

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

WHEREAS, this Town Board has met and considered the preliminary budget for the fiscal year beginning January 1, 2001, and a public hearing was conducted thereon October 11, 2000, as required by Section 108 of the Town Law.

NOW, THEREFORE, BE IT RESOLVED, that the preliminary budget as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual budget of the Town of Cheektowaga for the fiscal year beginning on January 1, 2001, and the same shall be entered in the minutes of the Town Board.

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. 6a Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Heritage Inn of Iowa, Inc. has made application and requested the Rezoning from M2-General Manufacturing District to CM-General Commercial District for property located at 107 Anderson Road, with the permission of the owner of the property, namely Tharaldson Development, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on November 20, 2000 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. 6b Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

**MEETING NO. 24
NOVEMBER 6, 2000**

WHEREAS, most ordinances and local laws of the Town of Cheektowaga are presently contained in the Code of the Town of Cheektowaga printed by General Code Publishers, AND

WHEREAS, some Town ordinances and local laws are filed separately elsewhere in the Town Clerk's Office, AND

WHEREAS, it is important to organize all Town ordinances and Local Laws in one location in one General Code Book, AND

WHEREAS, Code Publishers has reviewed the Town Code Book, together with all other local laws and ordinances, and has recommended that the Town renumber the Code Book and include therein all local laws and ordinances of the Town, AND

WHEREAS, this recommendation would make it easier for residents and Town officials to have quick and easy access to all Town local laws and ordinances, NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held on the 20th day of November, 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. 2000-3 of the Year 2000, entitled "A Local Law to Provide for the Renumbering of the Municipal Code 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 20th day of November, 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. 2000-3

**A Local Law to Provide for the Adoption of the Renumbering
Of the Municipal Code of the Town of Cheektowaga**

This local law would take all local laws and ordinances of the Town of Cheektowaga of a general and permanent nature and revise, codify and consolidate same into chapters, articles and sections by General Code Publishers; and adopt and enact same as the "Code of the Town of Cheektowaga".

A complete copy of such proposed local law is on file in the Town Clerk's Office, Town Hall, 3301 Broadway, Cheektowaga, New York where the same may be examined during regular business hours.

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

Richard M. Moleski
Town Clerk

Dated: November 6, 2000
Cheektowaga, New York

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

AFFIDAVIT - NEXT PAGE

Item No. 6c Motioned by Councilmember Johnson, Seconded by Councilmember Rogowski

MEETING NO. 24
NOVEMBER 6, 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 November 20, 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 published the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 9th day of November, 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>
Honorine Drive	Both	Old Stone Road
Honorine Drive	Both	Marywood Drive

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

Dated: November 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. 7 Motioned 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 contracting of Snow Removal if a snow emergency should occur for use by the Cheektowaga Highway Department.

Information for bidders and specifications may be obtained from the office of the Town Clerk located at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, between the hours of 9:00 A.M. and 4:30 P.M., Monday 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 November 22, 2000.

NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires sealed bids for labor and equipment for the removal of snow from highways situated in the town in the event of a snow emergency during the 2000-01 winter season.

Specifications and information are available at the office of the Town Clerk at his office of the Cheektowaga Town Hall located at Broadway and Union Roads, Cheektowaga, New York 14227, between the hours of 9:00 A.M. and 3:30 P.M.

In order to be considered, all bids must be filed with the Town Clerk's Office, c/o Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, prior to the time of the bid opening scheduled for Wednesday, November 22, 2000 at 11:00 A.M. in the Town Hall Council Chambers.

**MEETING NO. 24
NOVEMBER 6, 2000**

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

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

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

Richard M. Moleski
Town Clerk

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, by resolution dated October 16, 2000, this Town Board approved the rezoning of property located to the rear of 1500 Cleveland Drive adjacent to Princeton Court from R-Residence District to C-Retail Business District, AND

WHEREAS, there was an error in the legal descriptions for the property to be rezoned, AND

WHEREAS, revised legal descriptions of the area being rezoned have been prepared, NOW, THEREFORE BE IT

RESOLVED, that the aforementioned resolution be and hereby is amended by substituting the attached legal descriptions for the legal descriptions attached to such resolution and, BE IT FURTHER

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

**NOTICE OF CORRECTION OF RESOLUTION
OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA**

NOTICE IS HEREBY GIVEN, that a resolution adopted by the Town Board of the Town of Cheektowaga on October 16, 2000, which was published in the CHEEKTOWAGA TIMES, on October 19, 2000 approving the rezoning from R-Residence District to C-Retail Business District of property generally located to the rear of 1500 Cleveland Drive adjacent to Princeton Court contained an erroneous legal description of the property rezoned. The correct legal description is as follows:

[See attached legal descriptions]

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

Richard M. Moleski
Town Clerk

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 24
NOVEMBER 6, 2000

AFFIDAVIT - NEXT PAGE

Item No. 9 Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, a contract for the furnishing and installation of a trail system and park improvements at the North Creek/South Creek Park was awarded by Town Board resolution dated May 17, 1997 to Northeast Diversifications, Inc., #2 Cadby Industrial Park, Lancaster, New York 14086 for a total approved bid price of \$150,164.50, AND

WHEREAS, the Town Engineer has further recommended the approval of Change Order #1 which provides for the decrease of contract items to the project as outlined in the change order document and the attached letter dated November 1, 2000 from Allan Blachowski, Principal Engineer Assistant, NOW, THEREFORE BE IT

RESOLVED, that Change Order #1 in the amount of \$559.00 as a decrease to the contract of Northeast Diversification, Inc. be and hereby is approved and, BE IT FURTHER

RESOLVED, that this Town Board hereby authorizes the Town Supervisor to execute Change Order #1 and, BE IT FURTHER

RESOLVED, that the cost for the associated rehabilitation work has been budgeted in the following account:

5402-0690

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. 10 Motioned by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, this Town Board previously retained URS Greiner Woodward Clyde ("URS Greiner") to perform limited air monitoring, dust, and water sampling in the area of the Buffalo Crushed Stone Quarry ("Quarry"), and any results to date have been provided to involved agencies and resident representatives; AND

WHEREAS, URS Greiner has met with representatives of the New York State Department of Environmental Conservation ("DEC"), the New York State Department of Health ("DOH"), consultants for residents and area residents to discuss what is needed to do a complete study of this area, AND

WHEREAS, URS Greiner, in the attached Memorandum, has recommended that an Air Monitoring and Stream Sampling Program (summarizing field sampling methodologies, procedures, chain-of-custody, sample shipping procedures, the DOH Environmental Laboratory Approval Program and American Hygiene Association accredited laboratory/laboratories to be used for sample analysis) be performed in the area of the Quarry, AND

WHEREAS, the proposal from URS Greiner is estimated to cost \$300,000 \pm , AND

WHEREAS, this Town Board feels that it is in the interests of public safety that this Air Monitoring and Stream Sampling Program be performed, AND

WHEREAS, this Board feels that it should be the responsibility of the DEC, DOH and/or the U.S. Environmental Agency ("EPA") to administer such Air Monitoring and Stream Sampling Program, since they have the resources, expertise, and the mission responsibility to do such studies, etc. NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby directs that the Town Clerk forward certified copies of this Resolution and the attached Memorandum from URS Greiner to the DEC, DOH and EPA and, BE IT FURTHER

**MEETING NO. 24
NOVEMBER 6, 2000**

RESOLVED, that this Town Board hereby memorializes the DEC, DOH and/or EPA to undertake or commission the performance of an Air Monitoring and Stream Sampling Program, as detailed in the attached Memorandum from URS Greiner and, BE IT FURTHER

RESOLVED, that certified copies of this resolution be forwarded to State Assemblyman Paul Tokasz, State Senator William T. Stachowski, and Congressman Jack Quinn, requesting their support.

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. 11a 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 Rushford Hollow L.L.C. ("Developer") to develop 72 patio homes on a 24± acre parcel of vacant land located on the north side of Crabapple Lane, AND

WHEREAS, the Developer had a cultural resource survey for the site which showed that any cultural sites in the area of the development had been disturbed by fill and grading years ago, therefore having no impact on cultural resources, AND

WHEREAS, the Developer has modified the plan to include concrete sidewalks on both sides of the private roads, a concrete walk connecting the development to Crabapple Lane and up to three parking areas for guests, AND

WHEREAS, the Developer will deed to the Town approximately 9 acres of land along Cayuga Creek for conservation purposes, AND

WHEREAS, the Developer will also provide a 50 ft. easement along the top bank of Cayuga Creek for conservation purposes, AND

WHEREAS, URS Greiner, the consultant for the William/Losson Corridor Study has reviewed the project for compatibility with the study, AND

WHEREAS, URS found the project consistent with the recommendations of the study in regards to traffic, showing no significant adverse impact to the area traffic patterns, and a less intense use than is currently permitted by the Zoning Law, AND

WHEREAS, the Advisory Committee, at its meeting held on October 18, 2000 rendered the determination shown on the attached memo dated October 20, 2000, AND

WHEREAS, the Planning Board reviewed the site and is recommending approval in a memo dated October 16, 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.

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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. 11b 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 the Benderson Development Company to rezone 1.07 acres from CM-General Commercial to MS-Motor Service for the purpose of parking semi-trailers for Upstate Milk Cooperative, AND

WHEREAS, the parcel is located on the north side of Dale Road, east of Peppy Place, and was previously occupied by a house and tavern, AND

WHEREAS, the site has been occupied for the last 18 months, on a temporary basis with Zoning Board of Appeal approval, as parking lot for these same trailers, AND

WHEREAS, the Advisory Committee, rendered the determination shown on the attached memo dated October 2, 2000, AND

WHEREAS, the Planning Board reviewed the site plan is recommending approval in a memo dated July 20, 2000, AND

WHEREAS, this Town Board 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. 11c 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 Omer Construction Company, Inc. to construct an 8,000 s.f. office building at 255 Holtz Road, AND

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WHEREAS, the project will result in the demolition of an old residence and an old office, AND

WHEREAS, the applicant will add new paved parking areas, a sidewalk along Aero Drive and Holtz Road and additional landscaping, AND

WHEREAS, the access to the site will be through two one-way driveways to provide safer traffic movements and eliminate driveways to Aero Drive and Holtz Road, AND

WHEREAS, the applicant has committed to providing \$2,500 towards the future intersection/signal work at Aero Drive and Holtz Road, AND

WHEREAS, the Advisory Committee, at its meeting held on November 1, 2000 rendered the determination shown on the attached memo dated November 2, 2000, AND

WHEREAS, this Planning Board has recommended approval in a memo dated August 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 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. 12a Motioned 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 Mark Pew, as agent for Joe Pezzino, to construct an 800 s.f. maintenance building for the Kingswood Apartments at 1287 French Road, AND

WHEREAS, the building will be finished in a style complimentary to the styling of the apartments, AND

WHEREAS, the Planning Board, at its meeting held on October 12, 2000 rendered the determination shown on the attached memo dated October 16, 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 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. 12b Motioned 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 Diocesan Cemeteries of Buffalo to construct additions to an office building at 3063 Harlem Road, the Holy Sepulchre Cemetery, AND

WHEREAS, the additions would total 583 s.f. for storage/office space, AND

WHEREAS, the Planning Board, at its meeting held on October 12, 2000 rendered the determination shown on the attached memo dated October 16, 2000, AND

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

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

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 12c Motioned 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 Riefler Concrete Products to construct an 882 s.f. addition to the concrete batching plant at 400 Pfohl Road, AND

WHEREAS, the addition would be used to house water and aggregate recycling equipment, AND

WHEREAS, the Planning Board, at its meeting held on October 12, 2000 rendered the determination shown on the attached memo dated October 16, 2000, AND

WHEREAS, this Town Board has reviewed the application submitted and 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

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* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 13a 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 156 Southcrest Avenue, Cheektowaga, New York, SBL #91.20-3-37 and according to the Assessors' Office is owned by Melvin D. Brown, Delevan, New York 14042, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 13b 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 71 Southgate Road, Cheektowaga, New York, SBL #90.08-7-14 and according to the Assessors' Office is owned by Mr. & Mrs. David P. Stewart, c/o Betty M. Hughes, 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. 13c 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 140 Straley Avenue, Cheektowaga, New York, SBL #102.37-2-8 and according to the Assessors' Office is owned by Mr. & Mrs. Casimer Hoffman, Clarence, New York 14031, 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. 13d Motioned by Unanimous, Seconded by Unanimous

**MEETING NO. 24
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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 1071 Walden Avenue, Cheektowaga, New York, SBL #101.60-8-19 and according to the Assessors' Office is owned by 2976 Seneca Street Inc., P.O. Box 473, Grand Island, New York 14072, 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. 14 Motioned by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, there is an existing drainage swale which runs across the property of Paul T. Szczesek at French Road to Slate Bottom Creek, AND

WHEREAS, the Town Highway Department requested the owner of 794 French Road for permission to enter such property for the purpose of piping such drainage swale in order to improve drainage in the area, AND

WHEREAS, the owner of French Road has agreed to grant the Town a drainage easement across his property, NOW, THEREFORE BE IT

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

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute such easement on behalf of the Town and, BE IT FURTHER

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

Upon roll call

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

Item No. 15a Termination of Laborer's Aide in Recycling Department
This item was withdrawn.

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

BE IT RESOLVED, that the following Parks, Recreation and Youth Services employees be and hereby are terminated effective immediately:

Jeffrey Bartel
Eric Burns (7180.1903)
Adam Connor
Jennifer Dobmeier
Melissa Esposito
Brianne Godzich
Timothy Isch
Danielle Ketterl
Angela Krzemien
Nicole Mansfield
Luke Mazur
Natalie Michalski
Jonathan Miller
Stephen Puff
Timothy Skrzydlewski
Caitlin Vanderbush
Anthony Viapiano
Evan Zynda

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Upon roll call

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

Item No. 16 Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

RECYCLING DEPARTMENT – Laborer - \$7.00 per hour

Paul Urban	Cheektowaga, New York 14225	Immediately
James Dalka	Cheektowaga, New York 14227	10/30/00

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

EFFECTIVE

RECYCLING DEPARTMENT

Paul Lorefice		Immediately
John Kasperek		“

Upon roll call

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

Item No. 17 Abolish Positions of Senior Clerk Stenographers in Engineering Department and Return Employees to Former Positions of Clerk-Stenographers in Engineering Department
This item was withdrawn.

Item No. 18a Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, a temporary vacancy exists in the position of Account Clerk typist in the Parks Division, 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, Sharon Styborski, currently employed as a Senior Clerk Stenographer in the Town Clerk's Office, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Sharon Styborski, Depew, New York 14043 be and hereby is appointed to the position of temporary Account Clerk Typist in the Parks Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective November 20, 2000

Upon roll call

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

Item No. 18b Appointment to Fill Vacancy in Position of Laborer's Aide in Recycling Department
This item was withdrawn.

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MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER ROGOWSKI TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 19, 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. 19 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 from Seasonal to Part-Time, effective immediately.

Jennifer Bogacz
Margaret Brezowski
Mary Kay Brezowski
Steve Ciemcioch
Amy Cole
Courtney Costrino
Patrick Dalton, Jr.
Tracy DiBasio
Marissa Fallacaro
Catherine Giles
Amy Godzich
Aaron Grupka
Abigail Grupka
Brian Hansen
Kurt Hansen
Amy Hawrysiak
Brandy Hittle
Jacqueline Houser
Danielle Kashuba
Beth Kawczynski
Darryl Lindell
Chris Mahalic
Laura Mayle
Jay Paradowski
Mark Przybysz

Item No. 19 cont'd

Camille Russell (effective 11/20)
Nicholas Schanne
David Schnettler
Elizabeth Sinski
Eileen Skowronski
Joanna Stein
Sarah Weiss
Jason Wheller

Upon roll call

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

Item No. 20 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

Recreation Attendants – 7140.1614 (Slap Shot Club)
Recreation Attendant I - \$5.40
Erin Finn 14227

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Teen Center Initiative – 7310.1814/7140.1614 (TGIF)

Recreation Attendant I - \$5.15

Mark Blachowski 14225

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 21 Motioned 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 mini-marts and convenience stores. The seminar is to be held in Hamburg, New York on November 16, 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. Krystofowicz

FURTHER RESOLVED, that all reasonable expenses incurred be paid by the Town budget line account #0100-1355-4082.

Upon roll call

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

NAYES: 0

ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Building Permits
Received and Filed.

Item No. 23 Supervisor's Statement of Funds – August 2000
Received and Filed.

Item No. 24a Minutes of Cheektowaga Conservation Advisory Council – October 5, 2000
Received and Filed.

Item No. 24b Minutes of Cheektowaga Conservation Advisory Council – October 20, 2000
Received and Filed.

Item No. 24c Minutes of Cheektowaga Planning Board – October 12, 2000
Received and Filed.

Item No. 24d Minutes of Cheektowaga Public Library Board – September 20, 2000
Received and Filed.

Item No. 24e Minutes of Cheektowaga Public Library Board – October 18, 2000
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 25 Summons in a Civil Act: John Huntz vs. the Town of Cheektowaga and the Town of Cheektowaga Police Department
Copies were sent to: Dennis H. Gabryszak, Supervisor and Michael Stachowski, Town Attorney.
Received and Filed.

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- Item No. 26a Notice of Claim: Rohring 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. 26b Notice of Claim: John Farino 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. 26c Notice of Claim: Sarah Randolph 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. 26d Notice of Claim: Russell M. Gillison 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. 26e Notice of Claim: Niagara Mohawk Power Corp. vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Highway Department, Engineering Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 26f Notice of Claim: Lisa Nunz Individually and as Parent and Natural Guardian of Ashley Nunz 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. 26g Notice of Claim: Bernadine Locke 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. 27 Notice of Appearance: New York State and Electric vs. the Town of Cheektowaga, the Assessor and the Board of Assessment Review
Copies were sent to: Assessor and Town Attorney
Received and Filed.
- Item No. 28 Request to Speak: Jennifer L. Augus Regarding Colden Court
Received and Filed.

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

Upon roll call

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

V. SUSPENSION OF RULES

- Item No. 29a Rescission and Repeal of Bond Resolution Relating to Walden Commerce Exchange – Street Lighting

* SEE NEXT PAGE(S) FOR ATTACHMENT

- Item No. 29b Rescission and Repeal of Bond Resolution Relating to Walden Commerce Exchange – Sanitary Sewer Improvements

* SEE NEXT PAGE(S) FOR ATTACHMENT

**MEETING NO. 24
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Item No. 29c **Rescission and Repeal of Bond Resolution Relating to Walden Commerce Exchange – Water Improvements**

* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 29d **Rescission and Repeal of Bond Resolution Relating to Walden Commerce Exchange – Drainage Improvements**

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 29e **Rescission and Repeal of Bond Resolution Relating to Walden Commerce Exchange – Street Improvements**

* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 30 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 James Wittman, Architect, for the rezoning of 2916-1926 Union Road from C-Retail Business District to MS-Motor Service District, AND

WHEREAS, the proposed is to convert a repair bay into an automatic carwash for use by one vehicle at a time. AND

WHEREAS, the applicant has revised the plan to include the removal of the house to provide safer traffic movements, a sidewalk and walkway striping along Bink Street, elimination of perpendicular parking in the area of the service station and elimination of a driveway along Union Road. AND

WHEREAS, the owner of the station has further agreed to offer for sale to neighbors the balance of the rear lot that is not needed for the rezoning. AND

WHEREAS, the owner of the station has further committed to using a garage on the property for storage of maintenance equipment such as lawnmower and snow blower, AND

WHEREAS, the Environmental Advisory Committee, at its meeting held on October 18, 2000 rendered the determination shown on the attached memo dated October 20, 2000. AND

WHEREAS, this Planning 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 Gabrysak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak, and Mazur

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 31 Motioned by Councilmember Johnson, Seconded by Councilmember Mazur

**MEETING NO. 24
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WHEREAS, by resolution dated August 29, 2000, this Town Board authorized the sale of 13+ acres of Town-owned property known as Walden Commerce Exchange to Jones Development Company, LLC for the proposed Federal Express Ground, Inc. facility, AND

WHEREAS, on such date, the Town Board also approved the site plan and issued a negative declaration under SEQRA for this development, subject to approval of the drainage plan by the Town Engineer, AND

WHEREAS, the Town Engineer has notified this Town Board that, because of the topography of this property, the drainage from the land to be acquired by Jones Development Company must go through the adjacent Town-owned property, AND

WHEREAS, Jones Development Company (now known as Fed Jones Cheektowaga, LLC) has requested an easement from the Town across the adjacent Town-owned Walden Commerce Exchange property, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached First Amendment to Contract with Jones Development to provide that the Town will grant a drainage easement to FedJones Cheektowaga, LLC ("FedJones") across the Town-owned Walden Commerce Exchange property to the west of the proposed Federal Express facility property; contained in such drainage easement shall be language to the effect that, if the adjacent property is to be developed in the future, FedJones must cooperate with the Town and/or future owner to a relocation of the easement if such relocation is necessary or desirable to future development of such property and, BE IT FURTHER

RESOLVED, that this resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York 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.

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER MAZUR TO AMEND THE ABOVE RESOLUTION, ITEM 31, 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, by resolution dated August 29, 2000, this Town Board authorized the sale of 13+ acres of Town-owned property known as Walden Commerce Exchange to Jones Development Company, LLC for the proposed Federal Express Ground, Inc. facility, AND

WHEREAS, on such date, the Town Board also approved the site plan and issued a negative declaration under SEQRA for this development, subject to approval of the drainage plan by the Town Engineer, AND

WHEREAS, the Town Engineer has notified this Town Board that, because of the topography of this property, the drainage from the land to be acquired by Jones Development Company must go through the adjacent Town-owned property, AND

Item No. 31 cont'd

WHEREAS, Jones Development Company (now known as Fed Jones Cheektowaga, LLC) has requested an easement from the Town across the adjacent Town-owned Walden Commerce Exchange property, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached First Amendment to Contract with Jones Development to provide that the Town will grant a drainage easement to FedJones Cheektowaga, LLC ("FedJones") across the Town-owned Walden Commerce Exchange property to the west of the proposed Federal Express facility property; contained in such drainage easement shall be language to the effect that, if the adjacent property is to be developed in the future, FedJones must cooperate with the Town and/or future owner to a relocation of

**MEETING NO. 24
NOVEMBER 6, 2000**

the easement if such relocation is necessary or desirable to future development of such property, said relocation shall be at FedJones expense and, BE IT FURTHER

RESOLVED, that this resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York 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 by resolution dated November 6, 2000, authorized an amendment to an existing contract with Jones Development Company/FedJones Cheektowaga, LLC to provide for the granting of a drainage easement over Town-owned land known as the Walden Commerce Exchange property, located on the south side of Walden Avenue, to FedJones Cheektowaga, LLC.

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

NOTICE IS FURTHER GIVEN that this 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.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 32 Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, it is in order that bids be advertised to cover the purchase of a Sport Utility Vehicle for the K-9 Unit of the Police Department, NOW, THEREFORE BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for a 1999 or newer 4 door sport utility for purchase, said notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 16th day of November, 2000 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Cheektowaga Council Chambers at the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on November 16, 2000 at 11:00 A.M., Eastern Standard Time at Town Hall, corner of Broadway and Union Roads, for the purchase of sport utility vehicle as specified.

Information for bidders and specifications may be obtained from the Town Clerk at this office in said Town. One bid is to submitted for all vehicles listed in the bid specifications.

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

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

Upon roll call

**MEETING NO. 24
NOVEMBER 6, 2000**

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

AFFIDAVIT - NEXT PAGE

Item No. 33 Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Bernard Rusiniak petitioned for a rezoning from C-Retail Business District to MS-Motor Service District for property owned by him and located at 2916 and 2926 Union Road, Cheektowaga, New York, which property is described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 6th day of November, 2000 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

WHEREAS, the Cheektowaga Planning Board has reviewed such application and, by majority vote, has recommended approval thereof, AND

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

RESOLVED, that the application of Bernard Rusiniak for the rezoning from C-Retail Business District to MS-Motor Services District of the property described in the attached legal description 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.

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. 34 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting.
This meeting was adjourned at 9:25 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 25
November 22, 2000

Item No. 1 At a "rescheduled" meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 22nd day of November, 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; Walter Domino, Assistant Town Engineer; Brian Krause, Director of Administration and Finance.

***NOTE:** This Town Board meeting was originally scheduled to take place on November 20, 2000. Due to severe weather conditions, the meeting was cancelled and rescheduled for November 22, 2000.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss Proposed Local Law No. 2000-3 "A Local Law to provide for the adoption of the Renumbering of the Municipal Code of the Town of Cheektowaga". The Supervisor directed the Town Clerk to present proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. A complete copy of such proposed local law is on file in the Town Clerk's Office, Town Hall, 3301 Broadway, Cheektowaga, New York.

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:	0100-1420-4013	Law Books - Attorney	\$	145.00
	0100-7620-4627	Activity Groups		200.00
	0100-7620-2041	AARP Revenues		238.00
	0100-3120-3820	State Aid		11,000.00
	0100-1220-4093	Town Training		1,000.00
	0100-1110-1391	Part-time Clerical		5,840.00
TO:	0100-1420-4001	Office Supplies-Attorney	\$	145.00
	0100-7620-4641	AARP		200.00
	0100-7620-4641	AARP		238.00
	0100-3120-2205	Grant Expenditures		11,000.00
	0100-1220-4001	Office Supplies-Supervisor		1,000.00
	0100-1110-1492	Seasonal Labor		840.00
	0100-1110-1901	Court Officer Payroll		5,000.00

HIGHWAY FUND

FROM:	0300-5141-1491	Seasonal Labor	\$	1,700.00
TO:	0300-5141-1391	Part-time Clerk	\$	1,700.00

**MEETING NO. 25
November 22, 2000**

Item No. 3 cont'd

SPECIAL DISTRICTS FUND

FROM:	1500-9950-9901	Capital-Down Payment Bonds Transfer	\$	30,000.00
TO:	1500-8160-4469	Landfill Costs	\$	30,000.00

CAPITAL FUND

FROM:	5019-1910-5701	Bond Proceeds	\$	2,000,000.00
TO:	5019-7180-0010	Town Park Main Pool Improvements	\$	900,000.00
	5019-7180-0020	Dingens & Maryvale Pools		450,000.00
	5019-7140-0030	Park Renovations & Improvements		450,000.00
	5019-1910-9399	Underwriting Costs		200,000.00

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

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 October 13, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$ 256,181.98
HIGHWAY FUND	40,562.25
TRUST & AGENCY	1,593.72
HUD CDBG FUND	41,659.26
PART TOWN FUND	1,084.29
RISK RETENTION FUND	58,907.44
SPECIAL DISTRICTS FUND	416,724.58
CAPITAL FUND	80,811.73
	<u>\$ 897,525.25</u>

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

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

WHEREAS, Benderson Development company petitioned for a rezoning from CM-General Commercial District to MS-Motor Service District for property owned by it and located at 1649-1669 Walden Avenue (Dale Road), Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 2nd day of October, 2000 at 6:30 o'clock P.M. after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law") and the Town Law, and all interested parties were given an opportunity to be heard at such hearing, and

WHEREAS, the Cheektowaga Planning Board has reviewed such application and, has recommended approval thereof, subject to the condition that this area be used for Upstate Milk (or its successor) only, 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 Benderson Development Company for the rezoning from CM-General Commercial District to MS-Motor Services District of the property described in the attached legal description be and the same is hereby approved, subject to the condition that the property be used solely for Upstate Milk or its successor, and BE IT FURTHER

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November 22, 2000

Item No. 5 cont'd

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

*SEE NEXT PAGE(s) FOR ATTACHMENTS

AFFIDAVIT - NEXT PAGE

MEETING NO. 25
November 22, 2000

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

WHEREAS, this Town Board, by resolution dated November 6, 2000, called for a public hearing on proposed amendments to Chapter 76 (now Chapter 235) of the Code of the Town of Cheektowaga (Vehicle and Traffic), and

WHEREAS, there was an error in the Notice of Public Hearing for the date of the public hearing on these amendments, thereby requiring publication of a new Notice of Public Hearing, NOW, THEREFORE, BE IT

RESOLVED that a public hearing on proposed amendments to Chapter 235 (formerly known as Chapter 76) of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on December 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 30th day of November, 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 December 18, 2000 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 235 (formerly Chapter 76) of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VI
Schedules

§235-46 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>
Honorine Drive	Both	Old Stone Road
Honorine Drive	Both	Marywood Drive

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

Dated: November 22, 2000



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

AFFIDAVIT - NEXT PAGE

MEETING NO. 25
November 22, 2000

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

WHEREAS, as part of the review process for the development of property located at 2496 Union Road in the Town of Cheektowaga, the developer was requested to convey a conservation easement over such property to the Town, and

WHEREAS, Theodore R. Kubiak, the owner of such property, has submitted the requested easement to the Town, and

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

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

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

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

NAYES: 0

ABSENT: Councilmember Mazur

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

WHEREAS, the Town of Cheektowaga previously received a Federal ISTEa grant for the purpose of constructing the Rails to Historic Trails bicycle path in the Town, and

WHEREAS, the Town Attorney's Office and the Town Engineering Office have been working with the owners of land along the proposed bicycle path to obtain the necessary easements and approvals to construct such bike path on their properties, and

WHEREAS, the Town has requested Forest Materials, Inc. which owns land under the NYS Thruway between Union Road and Harlem Road, for permission to construct a portion of the bike path on its property, and

WHEREAS, NYSTSA has reviewed the Town's plans and has agreed to allow the Town to use a portion of its property for such bike path, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the Occupancy Permit from NYSTA, and authorizes and directs the Town Supervisor to execute such Occupancy Permit Application and Work Permit Application and other documents necessary to utilize the NYSTA property for this bicycle path on behalf of the Town.

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

NAYES: 0

ABSENT: Councilmember Mazur

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

WHEREAS, the Town of Cheektowaga previously received a Federal ISTEa grant for the purpose of constructing the Rails to Historic Trails bicycle path in the Town, and

WHEREAS, the Town Attorney's Office and the Town Engineering Office have been working with owners of land along the proposed bicycle path to obtain the necessary easements and approvals to construct such bike path on their properties, and

WHEREAS, the Town has requested ITT Corporation, which owns land on the west side of the New York State Thruway, for permission to construct a portion of the bike path on his property, and

WHEREAS, ITT Corporation has reviewed the Town's plans and has agreed to allow the town to use portion of its property for such bike path, NOW, THEREFORE, BE IT

**MEETING NO. 25
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Item No. 8b cont'd

RESOLVED that this Town Board hereby accepts the Easement Agreement from IFF Corporation, and authorizes and directs the Town Supervisor to execute such Easement Agreement and other documents necessary to utilize ITT Corporation's property for this bicycle path on behalf of the Town.

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

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

WHEREAS, the Town of Cheektowaga previously received a Federal ISTEA grant for the purpose of constructing the Rails to Historic Trails bicycle path in the Town, and

WHEREAS, the Town Attorney's Office and the Town Engineering Office have been working with owners of land along the proposed bicycle path to obtain the necessary easements and approvals to construct such bike path on their properties, and

WHEREAS, the Town has requested Edward P. Swertz, which owns land on the west side of the New York State Thruway, for permission to construct a portion of the bike path on his property, and

WHEREAS, Edward P. Swertz has reviewed the Town's plans and has agreed to allow the Town to use a portion of its property for such bike path, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the Easement Agreement from Edward P. Swertz, and authorizes and directs the Town Supervisor to execute such Easement Agreement and other documents necessary to utilize Edward Swertz's property for this bicycle path on behalf of the Town.

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

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

WHEREAS, the Town of Cheektowaga previously received a Federal ISTEA grant for the purpose of constructing the Rails to Historic Trails bicycle path in the Town, and

WHEREAS, the Town Attorney's Office and the Town Engineering Office have been working with owners of land along the proposed bicycle path to obtain the necessary easements and approvals to construct such bike path on their properties, and

WHEREAS, the Town has requested the New York State Thruway Authority ("NYSTA"), which owns land under the NYS Thruway between Union Road and Harlem Road, for permission to construct a portion of the bike path on his property, and

WHEREAS, NYSTA has reviewed the Town's plans and has agreed to allow the town to use a portion of its property for such bike path, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the Occupancy Permit from NYSTA and authorizes and directs the Town Supervisor to execute such Occupancy Permit Application and Work Permit Application and other documents necessary to utilize the NYSTA property for this bicycle path on behalf of the Town.

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

**MEETING NO. 25
November 22, 2000**

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

WHEREAS, the Town of Cheektowaga previously received a Federal ISTEa grant for the purpose of constructing the Rails to Historic Trails bicycle path in the town, and

WHEREAS, the Town Attorney's Office and the Town Engineering Office have been working with owners of land along the proposed bicycle path to obtain the necessary easements and approvals to construct such bike path on their properties, and

WHEREAS, the Town has requested Niagara Mohawk Power Corporation, which owns land between the NYS Thruway and Harlem Road, for permission to construct a portion of the bike path on his property, and

WHEREAS, Niagara Mohawk Power Corporation has reviewed the Town's plans and has agreed to allow the Town to use a portion of its property for such bike path, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the Indenture from Niagara Mohawk Power Corporation and authorizes and directs the Town Supervisor to execute such Indenture on behalf of the Town, and BE IT FURTHER

RESOLVED that Niagara Mohawk Power Corporation's preparation fee for this Indenture, \$250.00, shall be appropriated from budget line number 0600-0898-0310.

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

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

WHEREAS, there is a need to renovate and upgrade the facilities of the Town Park Pool Complex originally built in 1967, and

WHEREAS, emergency repairs conducted this past summer call for a review of the existing mechanicals and infrastructure, and

WHEREAS, the Town Park Homeowners Association supports the project but has expressed concerns over the present pedestrian traffic pattern for said facilities and the adjacent playground, and

WHEREAS, there is a need to engage the services of an architect to review, plan and design suggested improvements to the facilities, NOW, THEREFORE, BE IT

RESOLVED that the proposal of Bergmann Associates, dated November 14, 2000, as submitted to the Executive Director of Parks, Recreation & Youth Services, and reviewed by the Town Engineer, for the provision of professional services for the preparation of plans and specifications, bidding and services during construction for the renovation of said pool complex be and hereby is accepted, and BE IT FURTHER

RESOLVED that the professional fees shall be based on the hourly rates established in the agreement and shall be chargeable to the appropriate account at an amount not to exceed \$99,690, and BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign said agreement with Bergmann Associates on behalf of this Town Board.

Line Item #5019-7180-0010

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

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Item No. 9d Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

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 owner of the property located at 184 Chapel Avenue in an amount not to exceed \$27,000, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement with the owner of the property located at 184 Chapel Avenue, Cheektowaga, New York, for a housing rehabilitation loan not to exceed \$27,000.00.

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

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

WHEREAS, the Town Clerk's Office is in need of storage space for the election machines and Town records, and

WHEREAS, 2775 Broadway, Inc. has space available in a building located at 2727 Broadway which accommodates the needs of the Town Clerk, and

WHEREAS, 2775 Broadway, Inc. has submitted draft lease agreements for the lease of two (2) areas in 2727 Broadway for three (3) years, as follows:

AREA A	4,018 sq. ft.	\$19,487.28 rental per year
AREA B	4,707 sq. ft.	\$22,828.92 rental per year

And

WHEREAS, the Town Attorney's Office is in the process of making minor revisions to these lease agreements, NOW, THEREFORE, BE IT

RESOLVED that, upon final approval by the Town Attorney, the Supervisor be and hereby is authorized and directed to execute the aforesaid lease agreements with 2775 Broadway, Inc, and BE IT FURTHER

RESOLVED that moneys for such lease payments shall be appropriated from the following line items:

0100-1450-4343
0100-1410-4343

and BE IT FURTHER

RESOLVED that the Town Accounting Department be and hereby is authorized to issue manual checks in connection with the payment of rent for these leases.

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

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

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 application, and

MEETING NO. 25
November 22, 2000

Item No. 10 cont'd

WHEREAS, the Town Board, pursuant to the Open 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 Donald Greiner to conduct an open fire, on a date to be determined, on the property located at 3544 Broadway, and

WHEREAS, the applicant intends to burn a complete house to be used for training by the Forks Fire Department, and

WHEREAS, the Fire Inspector has received the application and finds that all requirements have been met and that this application 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 Donal Greiner 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, and Jankowiak
NAYES: 0
ABSENT: Councilmember Mazur

Item No. 11 Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, vacant structure at 36 Euclid Avenue, Cheektowaga, New York, SBL #101.60-2-16 that is unsecured open to unauthorized entry and a danger to the safety of others, and according to the Assessor's Office is owned by Eileen M. Schwenk, Cheektowaga, New York 14211, and

WHEREAS, these conditions required the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard and secure the front entrance door, front picture window unit and both the east and west side windows of the lower rear on main structure in the vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that pursuant to Article VIII, Section 37-60 and Article VIII, Section 37-61 of the Housing Standards of the Town of Cheektowaga, and the Town Law of the State of New York, that all openings in this structure be safeguarded and secured and all costs incurred be assessed against the property hereinbefore described.

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

Item No. 12 Motion by Councilmember Jankowiak, Seconded by Councilmember Rogowski

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

TAX OFFICE – Clerk - \$7.50 per hour

Nancy A. Paner Depew, NY 14043

EFFECTIVE

11/13/00

and BE IT FURTHER

**MEETING NO. 25
November 22, 2000**

Item No. 12 cont'd

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

	<u>EFFECTIVE</u>
<u>MAIN PUMP STATION</u> Aaron Kuczmarski	11/6/00
<u>TAX OFFICE</u> Lucille Rokitka	Immediately
<u>POLICE DEPARTMENT</u> Karen Twardowski	Immediately
<u>PARKS DIVISION</u> Charles Tulledge Jason Helmbrecht Patrick Nagy Jeffrey Brado John Mazgaj Joseph Bentkowski Walter Gardon Jason Stucke Daryl Pischka Richard Gramza Paul Gasiewicz Todd Stucke	10/20/00 9/1/00 9/1/00 9/1/00 10/2/00 10/1/00 10/1/00 9/1/00 10/16/00 10/10/00 10/17/00 10/10/00
AYES:	Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, and Jankowiak
NAYES:	0
ABSENT:	Councilmember Mazur

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

BE IT RESOLVED that this Town Board hereby terminates the employment of Richard Booker, a Laborer's Aide in the Recycling Department, effective immediately.

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

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

WHEREAS, a vacancy exists in the position of Junior Accounting in the Accounting 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, a current Civil Service list is not in existence for said title, and

WHEREAS, Rachel Ann Shostak, currently employed as Clerk to the supervisor (part-time) expressed an interest in the position and meets all the necessary qualifications, NOW, THEREFORE, BE IT

**MEETING NO. 25
November 22, 2000**

Item No. 14a cont'd

RESOLVED that Rachel Ann Shostak of Cheektowaga, New York 14227 be and hereby is appointed to the position of Junior Accountant in the Accounting Department on a provisional basis pending the establishment of a valid Civil Service list and in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective October 2, 2000.

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

Item No. 14b Motion by Councilmember Jaworowicz, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Traffic Maintenance Worker in the Police Department, and

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

WHEREAS, John A. Knoph, currently employed as a temporary Traffic Maintenance Worker in the Police Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that John Knoph of Depew, New York 14043 be and hereby is appointed to the position of Traffic Maintenance Worker in the Police Department, in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

Item No. 14c Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Laborer's Aide in the Recycling Department, and

WHEREAS, Thomas Walczak expressed an interest in said position and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Thomas Walczak of Cheektowaga, New York 14227 be and hereby is appointed to the position of Laborer's Aide 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, and Jankowiak
NAYES: 0
ABSENT: Councilmember Mazur

Item No. 14d Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Account Clerk Typist in the Parks Division, 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

**MEETING NO. 25
November 22, 2000**

Item No. 14d cont'd

WHEREAS, Sharon Styborski was appointed to said temporary position at the November 6, 2000 Town Board Meeting, effective November 20, 2000, and

Hw Ms. Styborski was erroneously noted to have been currently employed as a Senior Clerk Stenographer in the Town Clerk's Office, and

WHEREAS, Ms. Styborski is currently employed as a Senior Clerk Typist in the Town Clerk's Office, NOW, THEREFORE, BE IT

RESOLVED that Sharon Styborski of Depew, New York 14043 be transferred from Senior Clerk Typist in the Town Clerk's Office to the temporary position of Account Clerk typist in the Parks Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective November 20, 2000.

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

Item No. 15a Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga is currently in litigation with Buffalo Inn Associates concerning the assessments of properties it owns in the town, and

WHEREAS, as part of such litigation, it is necessary for the Town Attorney to travel to New York City to conduct depositions of representatives of Buffalo Inn Associates, NOW, THEREFORE, BE IT

RESOLVED that Michael J. Stachowski be and hereby is authorized to travel to New York City on December 1, 2000 (or any other adjourned date) for the purpose of conducting depositions with respect to the assessment litigation brought by Buffalo Inn Associates, and BE IT FURTHER

RESOLVED that the Town's cost for Mr. Stachowski's travel and other expenses in connection therewith shall be appropriated from Town budget line item number 0100-1910-4082.

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

Item No. 15b Authorization for D.A.R.E. Officer to attend training seminar
This item was withdrawn.

Item No. 15c Authorization for Police Officer to attend seminar
This item was withdrawn.

III. DEPARTMENTAL COMMUNICATIONS

Item No. 16a Minutes of Cheektowaga Conservation Advisory Committee – November 2, 2000
Received and Filed.

Item No. 16b Minutes of Cheektowaga Traffic Safety Committee – October 17, 2000.
Received and Filed.

Item No. 17 Cheektowaga Justice Court – Month end report for October, 2000.
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 18a Notice of Claim – Jeanne Hutcherson 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. 18b Notice of Claim - Diane Gibson 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. 18c Notice of Claim - Darlene A. Burger 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.

V. SUSPENSION OF RULES

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

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

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

WHEREAS, the Town is the owner of 40 ± acres of land on the south side of Walden Avenue known as the Walden Commerce Exchange, and

WHEREAS, the Town is interested in acquiring an abandoned gas station property located at 1071 Walden Avenue, which property would be used for access to the Walden Commerce Exchange, and

WHEREAS, before acquisition of this property, the Town wants the Town to conduct preliminary Phase II site investigation of this property, and

WHEREAS, Nature's way Environmental Consultants & Contractors, Inc. has submitted a proposal to the Town Engineer to perform a Phase II investigation of this property at a cost of \$2,670.00, NOW, THEREFORE, BE IT

RESOLVED that Nature's Way Environmental Consultants and Contractors, Inc. be and hereby is retained as per the attached proposal to perform a Phase II site investigation of 1071 Walden Avenue, and BE IT FURTHER

RESOLVED that moneys for such site investigation shall be appropriated from budget line item Number 0100-1910-4785, to be eventually reimbursed out of a County grant given the Town for the development of this property.

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

*SEE NEXT PAGE(s) FOR ATTACHMENTS

MEETING NO. 25
November 22, 2000

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

WHEREAS, most ordinances and local laws of the Town of Cheektowaga are presently contained in the Code of the Town of Cheektowaga printed by General Code Publishers, and

WHEREAS, some Town ordinances and local laws are filed separately elsewhere in the Town Clerk's Office, and

WHEREAS, it is important to organize all Town ordinances and Local Laws in one location in one general Code Book, and

WHEREAS, General Code Publishers has reviewed the Town Code Book together with all other local laws and or ordinances, and has recommended that the Town renumber the Code Book and include therein all local laws and ordinances of the Town, and

WHEREAS, this recommendation would make it easier for residents and Town officials to have quick and easy access to all town local laws and ordinances, and

WHEREAS, a public hearing was held on the 20th day of November, 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. 2000-3 of the Year, entitled "A Local Law to provide for the Renumbering of the Municipal Code of the Town of Cheektowaga", and

WHEREAS, it is in the public interest to adopt A Local Law to Provide for the Renumbering of the Municipal Code of the town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 3 of the Year 2000, entitled "A Local Law to Provide for the Renumbering of the Municipal Code of the Town of Cheektowaga" be and hereby is enacted, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to file one (1) certified copy of this local law in his office and one (1) certified copy with the Secretary of State, and BE IT FURTHER

RESOLVED that this Local Law shall take effect upon its filing with the Secretary of State.



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

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



WHEREAS, most ordinances and local laws of the Town of Cheektowaga are presently contained in the Code of the Town of Cheektowaga printed by General Code Publishers, and

WHEREAS, some Town ordinances and local laws are filed separately elsewhere in the Town Clerk's Office, and

WHEREAS, it is important to organize all Town ordinances and Local Laws in one location in one general Code Book, and

WHEREAS, Code Publishers has reviewed the Town Code Book together with all other local laws and ordinances and has recommended that the Town renumber the Code Book and include therein all local laws and ordinances of the Town, and

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Item No. 20 cont'd

WHEREAS, this recommendation would make it easier for residents and Town officials to have quick and easy access to all Town local laws and ordinances, and

WHEREAS, a public hearing was held on the 22nd day of November, 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. 2000-3 of the Year entitled "A Local Law to provide for the Renumbering of the Municipal Code of the town of Cheektowaga" be and hereby is enacted, and BE IT FURTHER

RESOLVED that Local Law No. 3 of the Year 2000 entitled "A Local Law to Provide for the Renumbering of the Municipal Code of the Town of Cheektowaga" be and hereby is enacted, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to file one (1) certified copy of this local law in his office and one (1) certified copy with the Secretary of State, and BE IT FURTHER

RESOLVED that the Local Law shall take effect upon its 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

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

**MEETING NO. 25
November 22, 2000**

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of a sport utility vehicle for the K-9 Unit of the Police Department, which bids were duly received and opened at a public bid opening called for that purpose, and

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

RESOLVED that the contract for the furnishing of one (1) 1999 Dodge Durango be awarded to Walden Dodge, 2185 Walden Avenue, Cheektowaga, NY 14225; said vendor being the lowest bidder meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that the funds are available in Account #0100-3120-2303.

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

Item No. 22 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Building Exchange Co./Heritage Inn of Iowa has made application and requested the rezoning of property located at 107 Anderson road from M2-General Manufacturing District to CM-General Commercial District, and

WHEREAS, due to inclement weather, the Town Board Meeting and public hearing regarding rezoning at 107 Anderson Road scheduled for November 20th, 2000 was cancelled, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on December 4, 2000 at 6:30 o'clock P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

AFFIDAVIT - NEXT PAGE

Item No. 23 Motion by Supervisor Gabryszak, Seconded by Unanimous

MEETING NO. 25
November 22, 2000

To adjourn the Town Board Meeting.
Time Meeting Adjourned: 6:40 P.M.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 26
DECEMBER 4, 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 4th of December, 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; Bruce Chamberlin, Police Chief; Salvatore LaGreca, Chairman of Planning Board; Patricia Wojcik, Director of Senior Services; Brian Krause, Director of Administration and Finance; William Pugh, Town Engineer; Ronald Marten, Supervising Building Inspector; Thomas Adamczak, Assistant Building Inspector; Earl Loder, Disaster Coordinator; and Kenneth Kopacz, Director of Parks, Recreation and Youth Services.

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:

GENERAL FUND

From:	0100-9010-8101	Employee Retirement	\$ 2,700.00
To:	0100-1910-4785	Neighborhood Emergency	\$ 2,700.00

PART TOWN FUND

From:	0800-3620-8975	Retirement Buyouts	\$ 7,000.00
To:	0800-3620-4001	Office Supplies	\$ 2,000.00
	0800-3620-4191	Miscellaneous Expense	3,000.00
	0800-3620-4411	Permit Refunds	2,000.00

SPECIAL DISTRICTS FUND

From:	2300-8123-4581	Consulting Engineers	\$ 1,929.70
	2550-1910-2799	Appropriated Fund Balance	1,929.70
	2500-8135-4431	Equipment Repairs	6,405.00
	2500-8125-2505	Other Equipment	10,048.00
	2500-8135-4541	Lab Testing	600.00
	2500-8125-4021	Maintenance Supply	1,322.00
	2500-8135-4581	Contracted Tech Services	26,393.00
	2500-8125-4431	Equipment Repairs	3,461.00
	2500-8135-4021	Maintenance Supplies	8.00
	2500-8125-4543	Contracted Sewer	434.00
	2500-8125-4581	Consulting Engineers	17,817.00
	2550-1910-2799	Appropriated Fund Balance	66,488.00
	7500-0909-0000	Fund Balance	26,000.00
To:	2300-1910-2799	Appropriated Fund Balance	\$ 1,929.70
	2550-8125-4581	Consulting Engineers	1,929.70
	2500-1910-2799	Appropriated Fund Balance	66,488.00
	2500-8135-4431	Equipment Repairs	6,405.00
	2550-8125-2505	Other Equipment	10,048.00
	2550-8135-4541	Lab Testing	600.00
	2550-8125-4021	Maintenance Supply	1,322.00
	2550-8135-4581	Contracted Tech Services	26,393.00
	2550-8125-4431	Equipment Repairs	3,461.00

**MEETING NO. 26
DECEMBER 4, 2000**

2550-8135-4021	Maintenance Supplies	8.00
2550-8125-4543	Contracted Sewer	434.00
2550-8125-4581	Consulting Engineers	17,817.00
7500-8349-4335	Hydrant Overpayment	26,000.00

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 December 1, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$ 639,766.67
HIGHWAY FUND	123,705.09
TRUST & AGENCY	27,669.81
HUD CDBG FUND	187,701.00
PART TOWN FUND	20,956.54
RISK RETENTION FUND	24,097.11
SPECIAL DISTRICTS FUND	205,592.91
CAPITAL FUND	69,845.36
	<u>\$1,299,334.49</u>

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, bids were duly received by this Town Board at a public bid opening held November 22, 2000 for Snow Removal if a snow emergency should occur for use by the Cheektowaga Highway Department 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 labor and material necessary for the removal of snow during a snow emergency on an as-needed basis be awarded to Custom Topsoil Inc., 320 Crabapple Lane, Cheektowaga, New York 14227. Attached and made part of this resolution is bid submitted for review.

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

Upon roll call

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

NAYES: 0

ABSENT: 0

- SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, the Town of Cheektowaga ("Town") bills Bellevue Fire District No. 9 ("Bellevue") for fire hydrant charges for the fire hydrants located within the boundaries of Bellevue Fire district, AND

WHEREAS, a dispute arose between the Town and Bellevue concerning an overpayment of the hydrant charges from 1991 through 1998, AND

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DECEMBER 4, 2000**

WHEREAS, fire hydrant charges to Bellevue erroneously included charges for fire hydrants which had been taken over by the Erie County Water Authority for Borden Road in Water District No. 9; this transfer of fire hydrants was not communicated to the Accounting Department to make the appropriate adjustments, AND

WHEREAS, agreement has been reached by representatives of the Town (Attorney's Office, Accounting Department, engineering department) and Bellevue concerning the amount of overpayment and the rates to be charged in the future to Bellevue for fire hydrant charges, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby settles the above referenced dispute with Bellevue by agreeing to refund Bellevue the amount of \$20,066.48 (being the amount overpaid by Bellevue from 1991-1998), less the amount of \$4,352.52 (owed by Bellevue for fire hydrant charges for 1999 and 2000); for a net refund of \$15,713.96 and, BE IT FURTHER

RESOLVED, such moneys shall be appropriated from budget line item number 7500-8349-4335 and, BE IT FURTHER

RESOLVED, that future billings to Bellevue for fire hydrant charges shall be charges at a rate not to exceed the Erie County water authority direct service Rate.

Upon roll call....

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

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

WHEREAS, the Town of Cheektowaga ("Town") bills Southline Fire District No. 10 (Southline") for fire hydrant charges for the fire hydrants located within the boundaries of Southline Fire District, AND

WHEREAS, a dispute arose between the Town and Southline concerning an overpayment of fire hydrant charges from 1991 through 1998, AND

WHEREAS, fire hydrant charges to Southline erroneously included charges for fire hydrants which had been taken over by the Erie County Water Authority for Borden road in Water District No. 9; this transfer of fire hydrants was not communicated to the Accounting department to make the appropriate adjustments, AND

WHEREAS, agreement has been reached by representatives of the Town (Attorney's Office, Accounting Department and Engineering Department) and Southline concerning the amount of overpayment and the rates to be charged in the future to Southline for fire hydrant charges, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby settles the above referenced dispute with Southline by agreeing to refund Southline the amount of \$27, 071.50 (being the amount overpaid by Southline from 1991-1998), less the amount of \$16,951.92 (owed by Southline for fire hydrant charges for 1999 and 2000); for a net refund of \$10,119.58 and, BE IT FURTHER

RESOLVED, such moneys shall be appropriated from budget line item number 7500-8349-4335 and, BE IT FURTHER

RESOLVED, THAT FUTURE BILLINGS TO Southline for fire hydrant charges shall b charged at a rate not to exceed the Erie County Water Authority Direct Service Rate.

Upon roll call....

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

Item No. 5c Motioned by Councilmember Swiatek, Seconded by Councilmember Jankowiak
Councilmember Johnson

**MEETING NO. 26
DECEMBER 4, 2000**

Whereas, two actions are presently pending in New York State Supreme Court between the Niagara Frontier Transportation Authority and the Town of Cheektowaga; and the Town of Cheektowaga and Fire 4 U-Crest Fire District, with regard ad valorem taxes collected by the Town of Cheektowaga, AND

WHEREAS, a proposed settlement has been reached among the parties as follows: (1) The Town of Cheektowaga will refund to the Niagara Frontier Transportation Authority the sum of \$18,728.24 without interest, representing the amount of the ad valorem taxes collected from it; and (2) Fire 4 U-Crest Fire District, will refund to the Town of Cheektowaga the sum of \$18,728.24 without interest, said sum representing the amount of ad valorem taxes paid over the Fire District by the Town, in two equal installments commencing September 1 2001;

WHEREAS, the Town Attorney feels the terms of the settlement are fair and equitable to the Town, and that further defense or prosecution of the action on behalf of the Town would result in substantially the same result, NOW, THEREFORE BE IT

RESOLVED, that the Town of Cheektowaga is hereby authorized and directed to refund to the Niagara Frontier Transportation Authority the sum of \$18,728.24, representing ad valorem taxes paid to the Town by the NFTA, as soon as practicable and, BE IT FURTHER

RESOLVED, that the Town Attorney's Office shall collect refunded monies from the Fire 4 U-Crest Fire District in accordance with the terms of the Order of Supreme Court Justice Robert E. Whelan, and, upon collection, deliver same to the Director of Finance of the Town, and upon payment of the second and final installment, the Town Attorney is hereby authorized and directed to discontinue the Town's pending action against the Fire District.

Upon roll call....

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

Item No. 5d Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, in December of 1992, the Town's Sewer Maintenance Garage was damaged by a fire, AND

WHEREAS, in 1993, the Town advertised for bids to repair said fire-damaged Garage (the "Project"), and, on May 3, 1993, awarded contracts for the Project, AND

WHEREAS, the General Construction contract for such Project was awarded to Baker Development and Construction Co., Inc. ("Baker"). AND

WHEREAS, on November 16, 1993, the Town was notified that Baker had defaulted on the contract and would not complete the Project, AND

WHEREAS, Baker's bond company, Westchester Fire Insurance Company ("Westchester"), agreed to arrange for the completion of the work for the Project and retained North Star Construction, Inc. to complete the Project, AND

Item No. 5d cont'd

WHEREAS: THE Project was not substantially completed within the time frame required by the bid specifications for the Project, and the Town requested contractual liquidated damages from Westchester for the delay in the completion of the Project, AND

WHEREAS, Westchester disputed the amount of moneys being claimed by the Town, AND

Whereas, representatives from the Town Attorney's Office, Accounting Department and Engineering Department met with representatives of Westchester and reached settlement as to the amount due the Town, AND

WHEREAS, pursuant to such settlement, the Town will be permitted to retain the amount of \$35,524.46 for failure to complete the project within the contract time frame, AND

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WHEREAS, this Town Board agrees with such settlement offer, NOW, THEREFORE
BE IT

RESOLVED, that this Town Board hereby settles the above referenced dispute with Westchester by agreeing to retain \$35,524.46 from this Project account balance and remit to Westchester the amount of \$35,524.46; plus the Town will remit \$14,000.00 out of the balance remaining in the Town's account for liens filed by a subcontractor (McGonigle & Hilger Roofing) and BE IT FURTHER

RESOLVED, that the Accounting Department be and hereby is directed to forward the necessary moneys to Westchester attorney and, BE IT FURTHER

RESOLVED, that the Town Attorney's Office be and hereby is directed to execute Releases and all other documents necessary to settle this matter.

Upon roll call....

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

Item No. 6 Motioned by Councilmember Jankowiak, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Parks, Recreation and Youth Services employees be and hereby are terminated effective immediately:

Timothy Isch
Christina Karlinski
Adam Rozak
Nicholas Schanne
Kelly Williams

Upon roll call....

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

Item No. 7 Motioned 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 19hours 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 hours

Harold Ritzman	Cheektowaga, NY 14225	12/05/00
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BUILDING AND PLUMBING DEPARTMENTS – Clerk - \$7.00 per hour

Rita R. Cwiklinski	Depew, NY 14043	12/05/00
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BE IT FURTHER RESOLVED, that the following Seasonal and/or Part-Time employees be and hereby are terminated as listed:

Item No. 7 cont'd

EFFECTIVE

BUILDING AND PLUMBING DEPARTMENT

Jessica Kensy	Immediately
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POLICE DEPARTMENT – Detention Officer

Edward McEvoy	11/17/00
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**MEETING NO. 26
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POLICE DEPARTMENT – Crossing Guard
Mary Jane Meyer

07/01/00

WHEREAS, that the following pay rate of Nancy A. Paner, a Part-Time Clerk in the Tax Office was erroneously set at \$7.50 per hour at the November 20, 2000 Town Board Meeting, NOW, THEREFORE BE IT

RESOLVED, that Nancy A. Paner, a Part-Time Clerk in the Tax Office is adjusted to the rate of \$6.50 per hour, effective November 13, 2000.

Upon roll call....

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

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

BE IT RESOLVED, that the following individual be and hereby is hired as a Part-Time employee in the Parks, Recreation and Youth Services Department, effective immediately:

Recreation Attendants-7140.1614

Recreation Attendant III - \$5.65

Evan Zynda 14227

Upon roll call....

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

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

WHEREAS, a temporary vacancy exists in the position of Senior Clerk Typist in the Town Clerk's Office; AND

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

WHEREAS, Kathleen C. Bryski, currently employed as a Clerk Stenographer in the Employee Relations Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Kathleen C. Bryski of Depew, New York 14043 be and hereby is appointed to the position of temporary Senior Clerk Typist in the Town Clerk's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective December 5, 2000.

Upon roll call

**MEETING NO. 26
DECEMBER 4, 2000**

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

Item No. 10 Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the New York State Police and the FBI are offering an advanced Crisis Negotiators training seminar December 11-14, 2000 at the State Police Academy in Albany, New York, AND

WHEREAS, the Chief of Police, Bruce D. Chamberlin is requesting the authorization to send two (2) of their officers Detective Robert Mullen and P.O. Anthony Filipski to attend such training, AND

WHEREAS, the Cheektowaga Police Department will be responsible for the transportation, hotel and lodging amounting to approximately \$825.00, AND

WHEREAS, the officers will be using a town vehicle for transportation to and from this training,

NOW, THEREFORE BE IT RESOLVED, that Chief Bruce D. Chamberlin is authorized to send Detective Mullen and P.O. Mullen Filipski to such training and that the expenses will be charged to line #0100-3120-4085.

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga each year and for many years, has sponsored the Cheektowaga Polish-American Arts Festival in Cheektowaga Town Park, AND

WHEREAS, as part of this Festival, the Town engages the services of various performing artists and craftsmen, AND

WHEREAS, the Town needs assistance in locating artists and craftsmen who are interested in participating in the Polish-American Arts Festivals, AND

WHEREAS, the Town received a grant earlier this year from the New York State Council on the Arts for activities relating to the Polish-American Arts Festival, AND

WHEREAS, Kate Koperski, Deborah Silverman, and Halina Jawor have the expertise and connections to locate and interview artists and craftsman to participate in the Polish-American Arts Festival, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby retains Kate Koperski, Deborah Silverman and Halina Jawor, as per the attached agreements, to assist the Town in locating artists and performers for the 2001 Polish-American Arts Festival and, BE IT FURTHER

RESOLVED, that their fee for services is \$2,800.00, and shall be appropriated from budget line item 0100-7550-4374 and, BE IT FURTHER

RESOLVED, that the sum of \$1,000.00 is hereby appropriated for the purposes of publicity and photography expenses, and shall be appropriated from budget line item number 0100-7550-4374.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 26
DECEMBER 4, 2000

II. DEPARTMENTAL COMMUNICATIONS

Item No. 12 Building Permits
Received and Filed.

Item No. 13 Supervisor's Statement of Funds – September 2000
Received and Filed.

Item No. 14 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of Mary Gawron, a former Town employee for many years. This meeting was adjourned at 7:40 P.M.

Richard M. Moleski
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 27
December 18, 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 18^h day of December, 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; Sal LaGreca, Planning Board Chairman; Ron Marten, Supervising Building and Plumbing Inspector; Bill Pugh, Town Engineer; Bruce Chamberlin, Chief of Police; Earl Loder, Coordinator-Office of Emergency Services; Pat Wojcik, Director of Senior Services, Thomas Adamczak, Building Inspector, Brian Krause, Director of Administration and Finance, Ken Kopacz, Executive Director of Parks, Recreation and Youth Services and Kevin Glascott, President of Town of Cheektowaga Employees Association.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss amending Chapter 235 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

§235-46, 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>
Honorine Drive	Both	Old Stone Road
Honorine Drive	Both	Marywood 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.

II. RESOLUTIONS

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

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

MEETING NO. 27
December 18, 2000

Item No. 3 cont'd.

GENERAL FUND

From:	0100-3610-4086	Association Membership	\$	45.00
	0100-3610-4261	Postage		178.00
	0100-9010-8101	Employee Retirement		2,200.00
	0100-3310-2303	Traffic Light Vehicle		13,750.00
	0100-3120-3501	Emergency Aid		41,250.00
	0100-7310-1400	Administrative Assistant		9,000.00
	0100-7140-1614	Recreation Attendants, Playground		600.00
	0100-7140-1614	Recreation Attendants, Playground		500.00
	0100-7140-1614	Recreation Attendants, Playground		1,600.00
	0100-7140-1636	Soccer		1,000.00
	0100-7140-1636	Soccer		250.00
	0100-7140-1636	Soccer		946.30
	0100-9010-8101	Employee Retirement		4,000.00
	0100-1640-4163	Low Sulfur Diesel Fuel		10,000.00
	0100-9010-8101	Employee Retirement		2,700.00
	0100-3310-2303	Traffic Light Vehicle		10,000.00
	0100-7510-4375	Historical Observance		292.00
To:	0100-3610-4001	Office Supplies	\$	45.00
	0100-3610-4001	Office Supplies		178.00
	0100-1110-4001	Office Supplies		2,200.00
	0100-3120-4444	Police Towing		55,000.00
	0100-7310-1374	Y & R Clerk Typist		9,000.00
	0100-7140-1602	Recreation Supervisor		600.00
	0100-7140-1612	Recreation Attendants, C.C.		500.00
	0100-7140-1622	Recreation Attendants		1,600.00
	0100-7140-1623	Recreation Leader		1,000.00
	0100-7140-1640	In-Line Skating		250.00
	0100-7140-1813	New Program		946.30
	0100-1430-4502	Legal, Personnel		4,000.00
	0100-1640-4161	Unleaded Gasoline		10,000.00
	0100-1910-4785	Neighborhood Emergency		2,700.00
	0100-3020-4431	Equip. Repairs & Maint.		10,000.00
	0100-7510-4052	Historical Materials/Printing		292.00

HIGHWAY FUND

From:	0300-5110-4469	Disposal Costs	\$	4,700.00
	0300-5140-4190	Barricade Rental		400.00
To:	0300-5130-2407	Misc. Highway Equipment	\$	4,700.00
	0300-5140-4001	Office Supplies		400.00

RISK RETENTION FUND

From:	1000-1710-4526	Dental/Vision Admin.	\$	2,130.00
To:	1000-1710-4523	Claims Admin. - W.C.		130.00
	1000-1710-4521	Insurance Consultant		2,000.00

SPECIAL DISTRICTS FUND

From:	2550-8125-1492	Seasonal Laborers	\$	14,000.00
	2550-8135-1451	Sr. Pump Operator		54,000.00
	2550-1910-2799	Appropriated Fund Balance		49,524.46
	4000-8140-4432	Maintenance & Repairs		16,938.94
	4000-8140-4476	Ditch & Creek Pest Control		5,900.00
	4000-8140-4581	Consulting Services		14,996.32
	4000-8140-4588	Fertilization		1,830.00
To:	2550-8125-1420	Senior Maintenance Man	\$	4,000.00
	2550-8125-1424	Sewer Maintenance Man		10,000.00
	2550-8135-1433	Pump Station Operator		54,000.00

MEETING NO. 27
December 18, 2000

Item No. 3 con't.

To:	2550-8125-4930	Sewer Fire Loss	\$	49,524.46
	4000-8140-4431	Storm Sewer Maintenance		39,665.26

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to December 15, 2000 are hereby approved and made a part hereof;

GENERAL FUND	\$ 362,290.95
HIGHWAY FUND	235,836.76
TRUST & AGENCY	14,923.95
HUD CDBG FUND	72,396.83
PART TOWN FUND	4,488.14
RISK RETENTION FUND	45,276.68
HUD HOUSING REHABILITATION FUND	29,952.88
SPECIAL DISTRICTS FUND	363,732.81
CAPITAL FUND	<u>222,640.54</u>

\$1,351,539.54

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

WHEREAS, by resolution dated January 4, 2000, this Town Board established Town Board meeting dates for 2000, and

WHEREAS, this Town Board wishes to establish another Town Board meeting date for 2000 and the first two meeting dates for January, 2001, NOW, THEREFORE, BE IT

RESOLVED, that Town Board meetings shall be held on the following referenced dates at the following times in the Town Hall Council Chambers, 3301 Broadway, Cheektowaga, New York:

December 27, 2000	6:00 p.m.
January 2, 2001	7:00 p.m. (6:45 p.m. public comment)
January 17, 2001	7:00 p.m. (6:45 p.m. public comment)

and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to give public notice of the times and place of such meeting to the news media at least one week prior to such meetings and to conspicuously post notice at least 72 hours before such meetings.

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

NAYES: 0

ABSENT: 0

Item No. 6a 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") review various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the environmental significance of such application, AND

MEETING NO. 27
December 18, 2000

Item No. 6a con't.

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 Tharaldson Development Company for the rezoning of 107 Anderson Road from M2-General Manufacturing District to CM-General Commercial District, AND

WHEREAS, the proposal is to construct a three story, 113 unit Residence Inn on a site presently occupied by Ryder Truck Leasing, AND

WHEREAS, the developer has revised the plan to include: on-site storm water detention, a sidewalk along Anderson Road to Walden Avenue and additional landscaping to include both conifers and deciduous plantings, AND

WHEREAS, the developer has committed to maintaining the landscaping and sidewalks, AND

WHEREAS, there is an agreement between the developer and seller, Ryder Truck Rental, that there will be proper cleanup of the site of any underground storage tanks and any petroleum impacted soils, AND

WHEREAS, the Advisory Committee, at its meeting held on November 1, 2000 rendered the determination shown on the attached memo dated November 2, 2000, AND

WHEREAS, the Planning Board has rendered a recommendation dated October 16, 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 impact 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

**MEETING NO. 27
December 18, 2000**

Item No. 6b 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 American Axle & Manufacturing for the construction of additions totaling 9,000 s.f. at the facility located at 2799 Walden Avenue, AND

WHEREAS, the proposal is to construct a two story, 4,000 s.f. health and education center and a 5,000 s.f. addition for storage and shipping, AND

WHEREAS, the developer has revised the plan to include pedestrian access from Walden Avenue and additional landscaping, AND

WHEREAS, the developer has committed to maintaining the landscaping and sidewalks, AND

WHEREAS, the Advisory Committee, at its meeting held on November 15, 2000 rendered the determination shown on the attached memo dated November 16, 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

*SEE NEXT PAGE(s) FOR ATTACHMENTS

**MEETING NO. 27
December 18, 2000**

Item No. 7a Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Heritage Inn of Iowa, Inc./Tharaldson Development Co. petitioned for a rezoning from M2-General Manufacturing District to CM-General Commercial District for property owned by Building Exchange Company/Ryder Truck Rental, Inc. and located at 107 Anderson Road, Cheektowaga, New York, which property is described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 4th day of December, 2000 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

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

RESOLVED, that the application of Heritage Inn of Iowa, Inc./Tharaldson Development Co. for the rezoning from M2-General Manufacturing District to CM-General Commercial District of the property described in the attached legal description 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

*SEE NEXT PAGE(s) FOR ATTACHMENTS

MEETING NO. 27
December 18, 2000

Item No. 7b Amendment to Traffic Ordinance - Honorine Drive

This item was withdrawn.

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

WHEREAS, Ted Kulbacki has made application and requested the rezoning of property located at 5074 Transit Road from R/NS-Residence/Neighborhood Service District to RSC-Residential Senior Citizen Housing District, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on January 2, 2001 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

**MEETING NO. 27
December 18, 2000**

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

WHEREAS, the Town of Cheektowaga desires to lease for a period of four (4) years, with an option to buy, one (1) 2001 Ford Excursion for use by the Disaster Coordinator, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with said lease of one (1) 2001 Ford Excursion, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk on the 10th day of January, 2001 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on January 10, 2001 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the four (4) year lease with option to buy of one (1) 2001 model, 4-Wheel Drive Ford Excursion for use by the Town of Cheektowaga Disaster Coordinator.

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Richard M. Moleski
Town Clerk

DATED: December 18, 2000



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

AFFIDAVIT - NEXT PAGE

**MEETING NO. 27
December 18, 2000**

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

WHEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 2001 for the Town of Cheektowaga, AND

WHEREAS, the 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 furnishing of work uniforms for the Town of Cheektowaga for the year of 2001, said notice to be published in the Cheektowaga Times, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 10th day of January, 2001 at 11:00 a.m., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 10, 2001 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Work Uniforms for the 2001 calendar year.

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Richard M. Moleski
Town Clerk

DATED: December 18, 2000



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

AFFIDAVIT - NEXT PAGE

MEETING NO. 27
December 18, 2000

Item No. 10 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, as part of the development of property at 592 Aero Drive, Peter M. and Ruth A. Friol, agreed to convey a drainage easement over a portion of their property adjacent to the bed and banks of Ellicott Creek to the Town, and

WHEREAS, Peter M. and Ruth A. Friol have executed and submitted such easement to the Town, and

WHEREAS, such easement is acceptable to the Town Engineer and the Town Attorney's Office, NOW, THEREFORE, BE IT

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

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga pays hundreds of thousands of dollars to utility companies for electricity, gas, telephone, etc., and

WHEREAS, the Town is interested in having these services audited to ensure that the Town is not overpaying for such utilities, and

WHEREAS, Troy & Banks, Inc., Utility and Telecommunications Consultants, has submitted a proposal wherein it will audit all Town utility accounts, and will be compensated by receiving 50% of any amount recovered by the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes and directs the Supervisor to execute the attached Client Agreement with Troy & Banks, Inc.

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(s) FOR ATTACHMENTS

MEETING NO. 27
December 18, 2000

Item No. 11b Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, as part of the redevelopment of the Dick Urban Plaza property on Dick Road at George Urban Boulevard, Dick Urban Plaza Associates II, LLC, agreed to convey a sidewalk easement over a portion of its property adjacent to Dick Road to the Town, and

WHEREAS, Dick Urban Plaza Associates II, LLC has drafted and submitted such sidewalk easement to the Town, and

WHEREAS, such sidewalk easement is acceptable to the Town Engineer and the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute this sidewalk easement on behalf of the Town, and BE IT FURTHER

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

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

NAYES: 0

ABSENT: 0

Item No. 11c Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan and a HOME First Time Home Buyer Loan to the owners of the property located at 146 Hedwig Avenue, Cheektowaga, New York, and

WHEREAS, the owners of said property have applied for a mortgage loan from Countrywide Home Loans, Inc., and

WHEREAS, Countrywide Home Loans, Inc., has conditioned its mortgage approval on the subordination of the Town's two mortgages to that of Countrywide Home Loans, Inc., and

WHEREAS, the Community Development Director has recommended approval of the subordination requests, 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 (2) with Countrywide Home Loans, Inc., with its primary office located at 3061 Sheridan Drive, Amherst, NY 14226, pertaining to the Town's Housing Rehabilitation and HOME First Time Home Buyer Loans secured by a mortgage(s) on the property located at 146 Hedwig Avenue, Cheektowaga, New York.

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Contract "A", General Construction for the addition to the Anna Reinstein Memorial Library was awarded by Town Board resolution dated June 19, 2000 to Wilsandra Construction Company, Inc. in the amount of \$211,775.00, AND

WHEREAS, Foit-Albert Associates, Project Architect, has prepared, submitted and recommended approval of Change Order #A-01 for the Anna Reinstein Memorial Library Project which provides for modifications to various building components as outlined in the Change Order document, and as described in the letter from the Engineering Department dated November 30, 2000, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #A-01 in the amount of \$8,185.00 as an addition to the contract of Wilsandra Construction Company, Inc., 300 Camden Avenue, Buffalo, New York 14216 be and hereby is approved, AND, BE IT FURTHER

**MEETING NO. 27
December 18, 2000**

Item No. 11d con't.

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order #A-01 on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that funding for Change Order #A-01 shall be appropriated from the Reinstein Trust Fund.

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

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

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

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

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and the Youth Department-Diocese of Buffalo to continue said program for a twelve month period, January 1, 2001 through December 31, 2001 with a total cost not to exceed the sum of \$52,465.00 and BE IT FURTHER

RESOLVED, that the Youth Department-Diocese of Buffalo will reimburse the Town \$8,919.00 (17%) of the total budget for said program leaving the actual cost to the Town at \$43,546.00 (83%).

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

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

Item No. 11f Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

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

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Child and Family Services to continue said program for a twelve month period, January 1, 2001 through December 31, 2001 with a total cost not to exceed the sum of \$105,000.00 and BE IT FURTHER

RESOLVED, that Child and Family Services will reimburse the Town for up to \$15,750.00 (15%) of the total budget for said program and the New York State Office of Children and Family Services will reimburse the Town for up to \$30,367.00 (29%) leaving the actual cost to the Town at \$58,883.00 (56%).

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

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Item No. 11f con't.

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

Item No. 11g Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

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

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Catholic Charities Metropolitan Services Department, to continue said program for a twelve month period, January 1, 2001 through December 31, 2001 with a total cost not to exceed the sum of \$143,140.00 and BE IT FURTHER

RESOLVED, that Catholic Charities Metropolitan Services will reimburse the Town \$38,916.00 (27%) of the total budget for said program and the New York State Office of Children and Family Services will reimburse the Town for up to \$41,221.00 (29%) leaving the actual cost to the Town at \$63,003.00 (44%).

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

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

Item No. 11h Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

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

RESOLVED, that the Supervisor of the Town of Cheektowaga continue said program for a twelve (12) month period, January 1, 2001 through December 31, 2001 with a total cost not to exceed the sum of \$2,100.00 and BE IT FURTHER

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

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

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

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

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

MEETING NO. 27
December 18, 2000

Item No. 11i con't.

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

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

WHEREAS, funding for such services is available in the Community Development Block Grant program budget, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with Supportive Services Corporation of Western New York for an amount not to exceed \$6,000 annually to provide energy conservation and weatherization services for income-eligible Town residents for the 2000/2001 Program Year.

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

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

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

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

WHEREAS, the terms of such members of the CCAC expired on October 15, 2000, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are re-appointed to the CCAC, effective October 15, 2000 to October 15, 2002:

John Marriott, Chairman
Raymond Unger, Member
Lawrence Watson, Member
Suzie Maras, Member
Rosalia Becker, Member
Edward Kosmoski, Jr., Member

and BE IT FURTHER

RESOLVED, that this Town Board hereby accepts the resignation of Marcia Orwat as member of the CCAC, and appoints Mary Ann Feldt, Cheektowaga, New York 14225 as a member of the CCAC.

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

Item No. 13a Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

BE IT RESOLVED, that Carin Marks be and hereby is terminated from the position of Police Officer effective immediately.

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

MEETING NO. 27
December 18, 2000

Item No. 13b Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Parks, Recreation and Youth Services employees be and hereby are terminated effective immediately:

Brian Anken	Samantha Garcea	Dale Wesoloski
Erica Au	Michelle Harrington	Jason Wheeler
Jeffrey Bartel	Steven Kaun	
Carrie DiBiasio	Laura Mayle	
Marisa Fallacaro	Jay Paradowski	
Shannon Fletcher	Cindy Pietz	
Christopher Fucile	Lisa Schirching	
Christopher Galley	Jennifer Strobele	
Christopher Garcea	Kristen Tyx	

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

Item No. 14a Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Senior Clerk in the Senior Services Department; AND

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

WHEREAS, Sandra Metros, currently employed as a Senior Clerk Typist in the Building and Plumbing Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Sandra Metros of Depew, New York 14043 be and hereby is appointed to the position of Senior Clerk in the Senior Services Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

Item No. 14b Motioned by Councilmember Mazur, Seconded by Councilmember Johnson
 Councilmember Swiatek
 Councilmember Rogowski

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

WHEREAS, Thomas J. Adamczak, currently employed as a Building Inspector, has applied for said position and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Thomas J. Adamczak of Cheektowaga, New York 14211 be and hereby is appointed to the position of Supervising Building and Plumbing Inspector in the Building and Plumbing Department effective January 1, 2001.

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

**MEETING NO. 27
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Item No. 15 Motioned 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>EFFECTIVE</u>
<u>SENIOR SERVICES - Van Driver - \$6.50 per hour</u>		
Mary Prell	Sloan, NY 14212	immediately
<u>JUSTICE COURT - Clerk - \$7.00 per hour</u>		
Mary Ann Szczepanowski	Cheektowaga, NY 14206	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.

		<u>EFFECTIVE</u>
<u>BUILDING AND GROUNDS DIVISION - Laborer - \$6.00 per hour</u>		
Felix Lampke	Cheektowaga, NY 14227	01/02/01
<u>PARKS DIVISION - Laborer - \$6.00 per hour</u>		
Patrick O'Hare	Cheektowaga, NY 14225	immediately

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

Item No. 16a Motioned by Councilmember Jankowiak, Seconded Supervisor Gabryszak

BE IT RESOLVED, that the following Parks, Recreation and Youth Services employees be and hereby are transferred from seasonal to part-time, effective immediately:

Michelle Fillippi
Alexander Jarmusz

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

Item No. 16b 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 from seasonal to part-time, effective 12/31/00:

Glenn Au
Matthew Bean
Lynne Butts

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

Item No. 17 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

MEETING NO. 27
December 18, 2000

WHEREAS, New York State Division of Criminal Justice Services will be holding the DARE Elementary Component Instructor Course from January 22-February 2, 2001 in Lake George, NY, and
Item No. 17 con't.

WHEREAS, Chief Chamberlin is requesting authorization to send P/O Brian Coons to this training. There currently is an available instructor position due to officer promotion. Upon completion of this training, we would be able to provide the core curriculum to schools that we haven't yet this semester, enabling all children attending school in the Town to have at least one aspect of the DARE program offered to them. The Police Department will be responsible for transportation, lodging and meals. A Town vehicle will be used as transportation to and from this training. The expenses will amount to approximately \$285.00. NOW, THEREFORE, BE IT

RESOLVED, that Officer Coons is authorized to attend this training, and time spent there is authorized as normal duty time. The expenses will be charged to 0100-3120-4085.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 18a Minutes of Cheektowaga Planning Board - November 9, 2000
Received and Filed.

Item No. 18b Minutes of Cheektowaga Conservation Advisory Council - December 8, 2000
Received and Filed.

Item No. 19 Cheektowaga Justice Court - Month end report for November, 2000.
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 20a Notice of Claim: Sharon Jester vs. Town of Cheektowaga
Copies were sent to: Dennis Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council Office, Highway Department, and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 20b Notice of Claim: Sam Milazzo vs. Town of Cheektowaga
Copies were sent to: Dennis Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council Office, and Allied Claims Insurance Carrier.
Received and Filed.



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

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



V. SUSPENSION OF RULES

Item No. 21 Motioned by Supervisor Gabryszak, Seconded Councilmember Jankowiak

MEETING NO. 27
December 18, 2000

WHEREAS, the Town of Cheektowaga seeks grant monies to construct an addition to the Town of Cheektowaga's Senior Citizens Center, and

Item No. 21 con't.

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

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

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

Item No. 22 Motioned by Councilmember Jankowiak, Seconded Supervisor Gabryszak
Councilmember Johnson

WHEREAS, a Notice to Bidders was published for the receipt of bids for one Large Park Shelter at Cheektowaga Town Park, 2600 Harlem Road, which bids were duly received and opened on November 15, 2000 at 11:00 A.M. by the Town Clerk, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated December 14, 2000, AND

WHEREAS, said report recommends that the contract for one Large Park Shelter at Cheektowaga Town Park, 2600 Harlem Road, be awarded to New Cal Construction, 10994 Tinkham Road, Darien, NY 14040 for their low bid price of \$156,808.00, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor, on behalf of this Town Board be and hereby is authorized and directed to execute said agreement with New Cal Construction, AND, BE IT FURTHER

RESOLVED, that funding for said project shall be chargeable to Account #5709.1910.9015 and Account #5709.1910.9711.

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

Item No. 23 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individual be and hereby is hired as a seasonal employee in the Parks, Recreation and Youth Services Department, effective immediately:

PARKS DIVISION - Laborer - \$6.00 per hour
Justin Tricoli Cheektowaga, NY 14227

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

Item No. 24 Motion by Supervisor Gabryszak, Seconded by Unanimous
to adjourn the Town Board Meeting.
Time Meeting Adjourned: 7:35 P.M.

MEETING NO. 27
December 18, 2000

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 28
DECEMBER 27, 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 27th of December, 2000 at 6:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Michael Stachowski, Town Attorney; Salvatore LaGreca, Chairman of Planning Board; Patricia Wojcik, Director of Senior Services; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; William Pugh, Town Engineer; and Robert Kaczmarek, Supervising Accountant.

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:

GENERAL FUND

From:	0100-3120-2303	Vehicle Line	\$ 12,430.00
	0100-3120-4508	Medical Expense	3,350.00
	0100-9010-8141	Employees Medical Insurance	32,000.00
	0100-7140-1664	Pre-K	200.00
	0100-7140-1603	Recreation Instructor	9,000.00
	0100-7110-1491	Laborer-Part Time	2,675.00
	0100-7110-1623	Pool Mechanic-Part Time	1,325.00
	0100-7110-1623	Pool Mechanic-Part Time	645.00
	0100-7110-1493	Seasonal Tree Maintenance	3,350.00
	0100-7110-4211	Electric Parks	1,416.00
	0100-7110-4211	Electric Parks	37,000.00
	0100-7110-4451	Building & Grounds Maintenance & Repair	30,000.00
	0100-7110-4454	Portable Toilets	3,550.00
	0100-9501-9211	Bond Interest	5,000.00
	0100-9010-8111	Police Retirement	4,100.00
	0100-1315-4088	Travel, Training & Conferences	100.00
	0100-1410-4088	Travel, Training & Conferences	1,500.00
	0100-1410-4088	Travel, Training & Conferences	600.00
	0100-1450-4551	Moving Machines	3,500.00
	0100-3120-2206	LLEBG Grant Expenses	7,734.00
	0100-9501-9131	Bond Principal	60,000.00
	0100-9501-9211	Bond Interest	40,000.00
To:	0100-3120-2501	Other Equipment	\$ 12,430.00
	0100-3120-4093	Training	3,350.00
	0100-9010-8143	Retirees Medical Insurance	32,000.00
	0100-7140-1622	Rec. Attendant-Playground	200.00
	0100-7140-1602	Rec. Supervisor	9,000.00
	0100-7110-1422	General Mechanic	2,675.00
	0100-7110-1422	General Mechanic	1,325.00
	0100-7110-1431	Maintenance Worker	645.00
	0100-7110-1431	Maintenance Worker	3,350.00
	0100-7110-2304	Park Equipment	1,416.00
	0100-7110-2303	Over the Road Vehicles	37,000.00
	0100-7110-2303	Over the Road Vehicles	30,000.00
	0100-7110-2303	Over the Road Vehicles	3,550.00
	0100-1320-4581	Financial Consultant	5,000.00

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0100-1430-4502	Legal Personnel	4,100.00
0100-1910-4081	Municipal Association Dues	100.00
0100-1410-1391	Part-Time Payroll	1,500.00
0100-1410-4051	Records Management	600.00
0100-1450-4431	Equipment Repairs	3,500.00
0100-3120-2205	Grant Expense Line	7,734.00
0100-9950-8000	Transfer to Capital Project	60,000.00
0100-1910-4785	Neighborhood Emergency	40,000.00

Item No. 2 cont'd

RISK RETENTION FUND

From:	0100-1710-4526	Administration – D & V	\$ 500.00
To:	1000-1710-4523	Claims Administration-W.C.	500.00

CAPITAL FUND

From:	5709-1910-3097	State Grant	\$ 70,000.00
	5709-1910-2797	County Grant	75,000.00
	5710-1910-5031	Transfer In	60,000.00
	5823-8125-1102	Harlem Pump Station	10,564.00
	5826-1440-9801	Harlem Road Storm Sewer	2,382.54
	5826-1440-9802	Harlem Road Sanitary Sewer	110,638.14
	5819-8540-1101	Fontina, Nina	59,678.00
	5819-8540-1104	William Street Crossing	4,932.00
	5820-1910-1100	Computer Hardware	414.12
	5821-7140-1102	Audio Visual Equipment	1,715.11
	5821-8540-1103	U-Crest Construction	92,925.00
	5505-1440-9510	Indian Road Water Improvement	9,830.00
	5505-1910-9399	Administration	7,498.00
	5703-1440-9605	Sewer Fuel Storage Improvement	4,591.29
	5806-8135-1100	Digester Garage Conversion	210.89
	5807-8148-0400	U-Crest, Dean, Hyland	31,339.00
	5404-1440-9410	Sonwil Road Improvement	2,836.00
	5404-1440-9411	Sonwil Lateral Sewer	2,887.00
	5405-4200-0012	Storm District #2	2,930.00
	5405-4300-0013	Storm District #3	3,043.00
	5405-4400-0014	Storm District #4	3,870.00
	5405-4500-0015	Storm District #5	2,594.00
	5405-4600-0016	Storm District #6	15,708.00
	5405-4700-0017	Storm District #7	3,458.00
	5016-8125-2501	SD 5 MP Sta Pro Contr	4,057.30
	5109-1440-9121	Scajaquada Creek Fert. & Weed	3,429.00
	5305-8125-9378	Renovate Sewer Maint. Garage	13,152.28
	5307-5141-9370	93 Highway Improvements	725.34
	5314-1910-9399	Administration	9,842.00
	5314-5141-9345	Union Road Sidewalk Const.	32,204.00
To:	5709-7110-9015	Town Park Pavilion (Grant)	\$145,000.00
	5710-7110-9705	Generator	60,000.00
	5823-9950-9901	Transfer to Debt Service	10,564.00
	5826-9950-9901	Transfer to Debt Service	113,020.68
	5819-9950-9901	Transfer to Debt Service	64,610.00
	5820-9950-9901	Transfer to Debt Service	414.12
	5821-9950-9901	Transfer to Debt Service	94,640.11
	5505-9950-9001	Transfer to Debt Service	17,328.00
	5703-9950-9001	Transfer to Debt Service	4,591.29
	5806-9950-9901	Transfer to Debt Service	\$ 210.89
	5807-9950-9901	Transfer to Debt Service	31,339.00
	5404-9950-9901	Transfer to Debt Service	5,723.00
	5405-9950-9901	Transfer to Debt Service	31,603.00
	5016-9950-9901	Transfer to Debt Service	4,057.30
	5109-9950-9901	Transfer to Debt Service	3,429.00
	5305-9950-9901	Transfer to Debt Service	13,152.28
	5307-9950-9901	Transfer to Debt Service	725.34

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5314-9950-9901 Transfer to Debt Service 42,046.26

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 December 22, 2000 are hereby approved and made a part hereof:

GENERAL FUND	\$296,019.41
HIGHWAY FUND	122,722.65
TRUST & AGENCY	66,735.94
CDBG HUD FUND	140,876.50
PART TOWN FUND	5,111.09
RISK RETENTION FUND	17,265.18
HUD HOUSING REHABILITATION FUND	2,875.00
SPECIAL DISTRICTS FUND	278,941.00
CAPITAL FUND	<u>50,400.00</u>
	\$980,946.77

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 JOHNSON TO READ ITEM NO. 7 BEFORE ITEM NO. 4 AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

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

WHEREAS, the Roycroft Pump Station sanitary sewer cast iron force main, which is in excess of 50 years old, has reached its expected service life, and has required numerous recent repairs, AND

WHEREAS, the Town Engineer and Sewer Maintenance General Foreman recommend replacement of the force main and modifications to internal pump station piping to insure uninterrupted operations of the Roycroft Pump Station facility, NOW, THEREFORE BE IT

RESOLVED, that the proposal of Nussbaumer & Clarke, Inc., as submitted to the Town Engineer dated December 14, 2000 to perform Phase I services including field survey and design for the force main and internal piping modifications at the Roycroft Pump Station, including plans and specifications be and hereby is approved and, BE IT FURTHER

RESOLVED, that the Supervisor be and herein is authorized to sign said consulting engineering agreement for the Roycroft Pump Station Force Main Replacement Project on behalf of this Town Board and, BE IT FURTHER

RESOLVED, that funding for professional services associated with the aforementioned Roycroft Pump Station Force Main Replacement (Phase I) in the amount of \$10,500 shall be chargeable to Account No. 2550-8125-4581.

Upon roll call

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

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Item No. 4 Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, this Town Board by resolution dated September 7, 1999 engaged the firm of C&S Engineers, Inc. to prepare final design plans and specifications for infrastructure improvements for the Walden Commerce Exchange development, AND

WHEREAS, following the redelineation of wetlands and subsequent sale of a portion of the Walden Commerce Exchange acreage for the development of the Fed Ex Distribution Center, C&S Engineers has provided professional engineering services beyond the scope of their original proposal which included attendance at numerous meetings on behalf of the Town to coordinate the Fed Ex project and meetings and inspections with regulatory agencies concerning wetlands and preparation of revised conceptual plans for the development of the remaining westerly portion of the Walden Commerce Exchange acreage, NOW, THEREFORE BE IT

RESOLVED, that the agreement with C&S Engineers be and hereby is amended to include an increase in the amount of \$4,128.18 which sum shall be chargeable to Account No. 5916-1910-9399 for the provision of the above state professional engineering services.

Upon roll call

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

Item No. 5a Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the salaries of the following Town Officials be and hereby are established and set forth as follows, effective January 1, 2001:

Supervisor	\$69,350.00
Councilmember (6)	18,552.00
Tax Receiver	55,306.00
Town Clerk	62,225.00
Highway Superintendent	68,775.00
Town Justice (2)	62,223.00
Budget Director	5,000.00
Registrar of Vital Statistics	5,000.00

Upon roll call

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

Item No. 5b Motioned by Supervisor Gabryszak, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the salaries of the following Town officials and employees who are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 2001:

Town Engineer	\$70,130
Assistant Town Engineer	53,478
Director of Administration & Finance	67,110
Accountant	47,863
Supervising Building & Plumbing Inspector	
Assessor	63,560
Executive Director Parks, Youth & Recreation	71,952
Program Coordinator-I	38,981
Town Attorney	59,378
Deputy Town Attorney (1)	40,058
Deputy Town Attorney (1)	31,169
Prosecuting Attorney (2)	15,765
Clerk to Justice Court	30,982
Director of Community Development	60,270
Council Office Clerk Steno	35,738
Assistant to the Supervisor	34,619

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Deputy Tax Receiver	37,331
1 st Deputy Town Clerk	43,629
Municipal Administrative Assistant – Legal	29,969
Supervisor of Sanitation	12,355
Senior Citizens Director	61,820
Deputy Highway Superintendent	67,355
Secretary to Coordinator of Employee Relations (1)	34,318
Real Property Appraiser	45,706

Upon roll call

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

Item No. 5c Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, by resolution, this Town Board established a salary schedule for Part-Time employees in various departments throughout the Town of Cheektowaga, AND

WHEREAS, the 2001 budget for the Department of Senior Services contains sufficient funds to establish the following salaries for Part-Time employees and should be amended as follows effective January 1, 2001:

Van Drivers	\$7.00 per hour
Nutrition Site Manager	6.50 per hour
Recreation Attendant	7.00 per hour
Ceramic Instructor	7.00 per hour

Upon roll call

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

Item No. 6a Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga is operating nutrition programs for the elderly at the facilities of: Maryvale Presbyterian Church, located at 425 Maryvale Drive, Cheektowaga; Infant of Prague Parish, located at 921 Cleveland Drive; Cayuga Village Community Center, located at 100 Hutchens Drive, Cheektowaga; Maryvale East Apartments, located at 100 Moorman Drive, Cheektowaga; and Bell Tower Senior Apartments, 893 French Road, Cheektowaga, AND

WHEREAS, agreements between the Town of Cheektowaga and the above facilities has been drafted relative to the operation of the said nutrition programs for the year 2001, AND

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of said nutrition program for the year 2001, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the above referenced agreements 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. 6b Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

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

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for the year 2001, AND

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WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of said transportation program for the year 2001, NOW, THEREFORE BE IT

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

Upon roll call

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

Item No. 6c Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga seeks grant monies in the amount of \$20,000 to purchase and install new, highly visible yellow/green school crossing signs at various locations throughout the Town, AND

WHEREAS, Grant monies are available through the Legislative Initiative Program via New York State Assemblyman Paul Tokasz, AND

NOW, THEREFORE BE IT RESOLVED, that the Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the office of New York State Assemblyman Paul Tokasz for the purpose of securing this grant, AND

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

Upon roll call

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

PLEASE NOTE THAT ITEM NO. 7 WAS ACTED UPON BEFORE ITEM NO. 4

Item No. 8 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 from Part-Time to Seasonal effective 1/2/01.

Glenn Au
Matthew Bean
Lynne Butts

Upon roll call

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

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

BE IT RESOLVED, that the following Seasonal and/or Part-Time employees be and hereby are terminated as listed in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SEWER MAINTENANCE

Timothy Andrzejewski
Christopher Buczek
Eric Czubaj
Jason Dormann
Donald Leidolph
Jason Lenartowicz

EFFECTIVE

Immediately
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Justin Maly
Michael O'Sullivan
Jacob Wilder

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JUSTICE DEPARTMENT

Jamie Holtz
Chauncey Stewart

Immediately
"

SANITATION DEPARTMENT

Stanley Krzywowiaza

Immediately

HIGHWAY DEPARTMENT

Jeremy Leisenheimer
Deric Demyanick

12/31/00
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TAX OFFICE

Delphine Gembka
Julie Miller
Patricia Miller
Nancy Paner
Waltraud Piffel
Patricia Cosimano
Geraldine Glascott
Eleanor Kantowski
Jean Krzykowski
Wanda Lennert
Arlene Mueller
Denise Myers
Joan Wojtkowski
Rita Wick

12/31/00
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Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 10 Supervisor's Statement of Funds – October 2000
Received and Filed.

MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JOHNSON 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

III. SUSPENSION OF RULES

Item No. 11 Motioned by Supervisor Gabryszak, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the salaries for the following Town employees not covered by
any bargaining unit be and hereby are established and set forth as follows, effective January 1,
2001:

Disaster Coordinator	\$14,545.00
Bingo Inspector (5)	7,193.00
Bingo Chairman (1)	7,532.00
Planning Board Members (5)	3,397.00
Planning Board Secretary (1)	4,300.00
Planning Board Chairman (1)	5,019.00
Zoning Board Member (4)	4,005.00
Zoning Board Chairman (1)	5,425.00

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Zoning Inspector (Part-Time)	16.955/hr.
Assessment Review Board Member (4)	1,260.00
Assessment Review Board Chairman (1)	1,566.00
Police Matron (4)	13,250.00
School Crossing Guard (28)	7.107/hr.
School Crossing Guard Supervisor	16,000.00
Town Historian	1,500.00
Court Officer	12.50/hr.
Court Officer Supervisor	13.50/hr.
Secretary to Traffic Safety Commission	4,800.00
Cell Block Attendants	14.00/hr.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 12 Motioned by Councilmember Jaworowicz, Seconded by Unanimous to adjourn this meeting. This meeting was adjourned at 6:20 P.M.

Richard M. Moleski
Town Clerk