



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, January 5, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on January 5, 2015 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Carla A. Kosmerl, Director of Community Development
Kevin Schenk, Town Attorney

II. Public Comment Period

III. From the Table



1. RESOLUTION 2014-645

Accept Site Plan- 2760 Union Road Olive Tree Restaurant

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Sutton Architecture on behalf of Geroge N. Aronis submitted a development review application for the construction of building additions totaling 1,100 s.f. in area to an existing restaurant at 2760 Union Road at, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of November 13, 2014 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

IV. Resolutions



1. RESOLUTION 2015-1

Transfer of Funds

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|---------------|-----------------------|------------|
| FROM: | 100.1110.4013 | Law Books | \$1,000.00 |
| | 100.1110.4082 | Business Travel | 2,000.00 |
| | 100.1110.4431 | Equipment Maintenance | 1,000.00 |
| TO: | 100.1110.4001 | Office Supplies | \$4,000.00 |

HIGHWAY

| | | | |
|-------|---------------|-----------------|-------------|
| FROM: | 300.5110.4186 | Topsoil | \$3,400.00 |
| | 300.5142.4029 | Salt | 41,482.00 |
| TO: | 300.5110.4177 | Receiver & Pipe | \$44,882.00 |

CDBG

| | | | |
|-------|---------------|--|-------------|
| FROM: | 700.1014.0600 | Housing Rehab.-Single Family | \$36,105.65 |
| TO: | 700.9014.0662 | Village of Sloan/Drain.& Sewer Improv. | \$36,105.65 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-2

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to January 5, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$2,719,129.45 |
| RISK RETENTION FUND | 791,986.02 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 10,512.50 |
| HUD HOUSING REHABILITATION FUND | 36,909.00 |
| SPECIAL DISTRICTS FUND | 738,871.79 |
| HIGHWAY FUND | 1,037,677.28 |
| CAPITAL FUND | 338,030.55 |
| TRUST & AGENCY FUND | 4,208.42 |
| HUD CDBG FUND | 9,139.75 |
| PART TOWN FUND | 113,432.46 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$5,799,897.22 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-3

Award of Bid for Demolition and Asbestos Abatement of 1007 Walden Avenue

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, a Request for Proposal was issued to local Demolition Contractors for the Demolition and Asbestos Abatement of structures at 1007 Walden Avenue; and

WHEREAS, proposals were received and opened on December 22, 2014 for said demolition and asbestos abatement; and

WHEREAS, the proposals were reviewed by the Director of Community Development and, based on proposals submitted, the Director of Community Development has recommended that this Town Board award the bid for the demolition and asbestos abatement of the structure at 1007 Walden Avenue to Geiter Done of WNY, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby award the contract for the demolition and asbestos abatement of structures located at 1007 Walden Avenue to:

Geiter Done of WNY, Inc.
300 Greene Street
Buffalo, New York 14206

for the bid price of \$14,580.00, being the lowest responsible bid meeting specifications; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute an agreement with Geiter Done of WNY, Inc., for the aforesaid services, and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from Community Development Block Grant funds.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-4

Award of Bid - Portable Chemical Toilets 2015 (Bid 2014-36)

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, bid proposals were received for the Leasing and Servicing of Portable Chemical Toilets on December 31, 2014, AND

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

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

Ball Toilet & Septic Services
P. O. Box 2072
Blasdell, New York 14219

| | | | |
|------------|---|-------------------|---|
| Category A | - | Single Units | \$3.46 Per day per unit Items I through X |
| Category B | - | Handicapped Units | \$4.95 Per day per unit Items I and II |
| Category C | - | Special Events | \$65.00 per day per unit items I through VIII |

RESULT: ADOPTED [UNANIMOUS]

MOVER: James P. Rogowski, Councilmember

SECONDER: Gerald Kaminski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



5. RESOLUTION 2015-5

Accept Amended Site Plan-5050 Transit Road

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Vern Properties submitted a development review application for an amendment to a previously approved site plan for the construction of (5) eight unit apartment buildings and a 14,800 s.f. mixed use neighborhood service building with (24) upper story apartments at 5050 Transit Road, AND

WHEREAS, on December 17, 2012 this Town Board issued a determination of non significance pursuant to the State Environmental Quality Review Act (SEQRA) for the subject project, and approved a site plan which included (5) eight unit apartment buildings, a four unit apartment building and a mixed use neighborhood service building with (20) upper story apartments, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the amended site plan at their meeting of December 11, 2014 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The installation of a 4 foot high black vinyl chain link fence around the wet retention pond.
2. The Town Engineer approving the final grading/drainage plan.
3. A photometric plan being submitted and approved by the Town Planner for the exterior site and building lighting.
4. The applicant providing monies in lieu of replacement trees for general town wide reforestation efforts consistent with the Town's Tree Preservation Law and specifically for any such trees that can not be replanted on the subject property or the paper street known as Sturm Avenue, consistent with applicant's design professional's attached correspondence dated November 26, 2014.

Attachments:

November 26, 2014 _5050 transit letter (PDF)

5050 Transit Road-Landscape_11-25-14 (PDF)

5050 Transit - Site Plan 11-25-14 (PDF)

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Diane Benczkowski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



6. RESOLUTION 2015-6

Accept Amended Site Plan- 2839-2871 Broadway Street

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Benderson Development Company, LLC submitted a development review application for an amendment to a previously approved site plan for the construction of new 64,600 sf warehouse building at its existing warehouse development at 2839-2871 Broadway, AND

WHEREAS, on July 7, 1998 this Town Board previously issued a determination of non significance pursuant to the State Environmental Quality Review Act (SEQRA) for the subject development, AND

WHEREAS, this Town Board re-affirms said determination of non significance, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the amendment to the site plan at their meeting of December 11, 2014 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the amendment to the proposed site plan subject to :

1. The Town Engineer reviewing/approving the drainage/grading plan.

Attachments:

Broadway Development Site Plan (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-7

Approval of Rezoning of 4646 Genesee Street

Sponsored By: Councilmember Benczkowski, Councilmember Meyers

WHEREAS, 4646 Genesee, LLC petitioned for a rezoning from CM-General Commercial District to MS-Motor Services District for property owned by it and located at 4646 Genesee Street, Cheektowaga, New York, which property is described in the attached legal description, for a proposed car rental facility, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 15th day of December, 2015 at 6:45 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 4646 Genesee, LLC for the rezoning from CM-General Commercial District to MS-Motor Services District of the property described in the attached legal description for a car rental facility be and the same is hereby approved, and BE IT FURTHER

RESOLVED, that any future additions to the development or site plan must be resubmitted to the Town Board to determine whether the addition is substantially in agreement with the intent of this rezoning and site plan approval, and BE IT FURTHER

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



LEGAL DESCRIPTION

All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York; being part of Lot Number 77, Township 11, Range 7 of the Holland Land Company's Survey, and bounded and described as follows:

COMMENCING at a point in the center line of Genesee Street, 924.23 feet east of the west line of Lot No. 77; thence northeasterly and at an exterior angle of 97 ° 49' 5" a distance of 191.40 feet to an angle; thence northeasterly and at an interior angle of 175 ° 54' 25" a distance of 191.12 feet to the southwest line of the Lehigh Valley Railroad; thence southeasterly and

along the south line of the Lehigh Valley Railroad to the center line of Genesee Street; thence southwesterly and along the center line of Genesee Street to the point or place of beginning.

EXCEPTING THEREFROM that part lying within the boundaries of Genesee Street;

ALSO EXCEPTING THEREFROM that part taken by the State of New York by Notice of Appropriation recorded in Liber 9501 of Deeds at page 244 and designated as Map No. 75 Parcel No. 76.

ALSO EXCEPTING THEREFROM, that part taken by the State of New York by Notice of Appropriation recorded in Liber 10387 of Deeds at page 200 and designated as Map No. 88 Parcel No. 90.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-8

Call for Public Hearing - Special Use Permit Request 6480 Transit Road - Dent Wizard

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, Dent Wizard International with the permission of the property owner, 6480 Transit Road, LLC has made application and requested a special use permit for a change in use from an existing motor service facility to a collision repair facility at 6480 Transit Road, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on January 20th, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the January 20th, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Dent Wizard International

For a special use permit a special use permit for a change in use from an existing motor service facility to a collision repair facility at 6480 Transit Road.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 75, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the center line of Transit Road (100 feet wide) said center line also being the east line of Lot No. 75 distant 2,954.64 feet northerly from the southeast corner of Lot No. 75; running thence westerly at a deflection angle of 89° 09' 40" a distance of 50.01 feet to a point on the west line of Transit Road; running thence northerly at a deflection angle of 89° 09' 40" along the west line of Transit Road, a distance of 186.68 feet to a point on the west line of Transit Road, said point being the principal point or place of beginning, continuing thence northerly along the west line of Transit Road, a distance of 106.00 feet to a point on the south

line of lands conveyed to Michael Marenovic by deed recorded in the Erie County Clerk's Office in Liber 9498 of Deeds at page 674; running thence westerly along the south line of lands conveyed to said Michael Marenovic, 218.65 feet to a point on the south line of lands conveyed to Michael Marenovic by deed aforesaid mentioned; running thence southerly at an interior angle of 90° 00' 00" and parallel to the west line of Transit Road, a distance of 106.00 feet to a point; running thence easterly at an interior angle of 90° 00' 00" along a line parallel to the south line of lands conveyed to Michael Marenovic by deed aforesaid mentioned, a distance of 218.65 feet to a point on the west line of Transit Road, said point being the principal point or place of beginning.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-9

Call for Public Hearing for Town of Cheektowaga FY 2015-2019 Consolidated Plan and FY 2015 Annual Plan

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, the Town is eligible to receive approximately \$943,802 in Community Development Block Grant funds and approximately \$223,014 in Home Investment Partnership program funds for the 2015 Program Year, and

WHEREAS, the Town is required to hold public hearings to obtain the views and comments of Town residents, public agencies and other interested parties concerning housing and community development needs in the Town, the amounts of assistance expected, and the ranges of activities that may be undertaken with CDBG and HOME funds, and

WHEREAS, the FY 2015-2019 Consolidated Plan (outlining community issues and goals) and the FY 2015 Annual Plan (detailing activities proposed for funding with Program Year 2015 Community Development Block Grant and HOME Program funds) have been made available for public review in the public libraries within the Town, the Cheektowaga Town Clerk's Office, the Community Development Office and online, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on January 20, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York 14227 for the above stated purpose, and BE IT

FURTHER RESOLVED, that the attached public notice of such public hearing be published in the Cheektowaga Bee on Thursday, January 8, 2015.

Notice of Public Hearing
Town of Cheektowaga FY 2015-2019 Consolidated Plan
and FY 2015 Annual Plan
Community Development Block Grant and HOME Programs

A public hearing will be held on Tuesday, January 20, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, NY 14227 on the Town's Fiscal Year 2015-2019 Consolidated Plan and Fiscal Year 2015 Annual Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) Programs to obtain the views of citizens and interested parties on housing and community development needs in the Town and on the draft Consolidated Plan and Action Plan which have been made available for public review in Town Hall, the Community Development Office, Cheektowaga Branch Libraries and online on the Cheektowaga web site. The Consolidated Plan provides insight into the housing and community needs of the Town and identifies programmatic goals to address those needs. The Annual Plan outlines specific housing and community development projects proposed to be funded with FY 2015 CDBG and HOME Program funds. The Town is eligible to receive funds estimated to be \$943,802 in CDBG funds and approximately \$223,014 in HOME Investment Partnership Program funds from HUD in 2015. Any difference in actual allocations received will be either added to, or deducted from, the Single-Family Rehabilitation Program. The Town also estimates approximately \$275,000 in CDBG and \$30,000 in HOME program income from its revolving housing rehabilitation loan program and \$275,000 in economic development revolving

business loan program income will be received. Those wishing to offer comments at the hearing are asked to also submit a written text, which may also be submitted to the Cheektowaga Community Development Office, 275 Alexander Avenue, Cheektowaga, New York, 14211. Interpreters or signers for the hearing impaired will be made available at the meeting upon prior request. If you need such special arrangements, contact the Cheektowaga Community Development Office at 897-7200, Ext. 7, at least seven (7) business days prior to the hearing. The hearing location is accessible to the physically disabled.

Attachments:

legalnotice Pub Hearing 1-20-15 (RTF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-10

Establishment of Town Board Meeting Dates in 2015

Sponsored By: Supervisor Holtz, Councilmember Rogowski

BE IT RESOLVED, that regular meetings of the Town Board of the Town of Cheektowaga for the calendar year 2015 shall be held at 6:45 P.M. in the Council Chambers of the Town Hall, 3301 Broadway, Cheektowaga, New York on the following referenced dates:

- January 5th, 20th
- February 2nd, 18th
- March 2nd, 16th
- April 6th, 20th
- May 4th, 18th
- June 1st, 15th
- July 6th, 20th
- August 3rd, 17th
- September 8th, 21st
- October 5th, 19th
- November 2nd, 16th
- December 7th, 21st

and BE IT FURTHER

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

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to the Cheektowaga Bee, Buffalo News and Metro Source/Courier and BE IT FURTHER

RESOLVED, that the above meeting dates shall be posted on the Town's website.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-11

Establish Work Session Dates for 2015

Sponsored By: Supervisor Holtz, Councilmember Meyers

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga shall hold work sessions for the calendar year 2015 at 6:00 P.M. on the following dates:

- January 13th, 27th
- February 10th, 24th
- March 10th, 31st
- April 14th, 28th
- May 12th, 26th
- June 9th, 30th
- July 14th, 28th
- August 11th
- September 1st, 15th, 29th
- October 13th, 27th
- November 10th
- December 1st, 15th, 29th

, and BE IT FURTHER

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

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to the Cheektowaga Bee, Buffalo News and the Metro Source/Courier, and BE IT FURTHER

RESOLVED, that the above Work Session dates shall be posted in the Town's website.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-12

Establish Salaries of Town Officials and Employees 2015

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, 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, 2015:

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|--|----------|
| Town Engineer | \$87,506 |
| Director of Administration & Finance | 94,981 |
| Accountant | 66,936 |
| Executive Director Youth & Recreation | 80,000 |
| Town Attorney | 99,187 |
| Clerk to Town Justice | 48,820 |
| Director of Community Development | 93,000 |
| Council Office Clerk Stenographer | 51,074 |
| Municipal Administrative Assistant Legal | 55,553 |
| Deputy Town Clerk | 50,839 |
| Deputy Superintendent of Highways | 83,229 |
| Director of Senior Services | 80,000 |
| Secretary to the Supervisor's office | 58,991 |
| Coordinator of Employee Relations | 90,950 |
| Employee Relations Administrative Clerk | 54,816 |
| Principal Personnel Clerk | 51,884 |
| Director of Information Technology and Records | 87,000 |
| Disaster Coordinator | 24,200 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-13

Designation of Official Newspaper

Sponsored By: Councilmember Rogowski, Councilmember Benczkowski

WHEREAS, Section 64(11) of the Town Law empowers a Town Board to designate a newspaper as the official paper of the Town provided such newspaper is regularly published in the Town and has been entered as second class mail matter, and

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

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-14

Designate Depositories for 2015

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following banking institutions be named official Town Depositories for the Year 2015:

First Niagara Bank (Cheektowaga Office)
Manufacturers and Traders Trust Company (Airport Plaza)
Key Bank (Appletree Business Park and Union Road)
Bank of America (Dick Road Office))
JP Morgan Chase Bank, N.A. (Buffalo Office)
Citizens Bank (Cheektowaga Office)
Evans National Bank

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-15

Direct Depositories to Accept Supervisor's Facsimile Signature

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that First Niagara Bank (Cheektowaga Office), Bank of America (Dick Road Office), Key Bank (Cheektowaga Office), JP Morgan Chase Bank, N.A. (Buffalo Office), Citizens Bank (Cheektowaga Office), Evans National Bank and Manufacturers and Traders Trust Company (Airport Plaza Office), as designated depositories of the Town of Cheektowaga, be and they are hereby requested, authorized and directed to honor checks, notes and other instruments for the payment of moneys against Town funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of the Supervisor, and BE IT FURTHER

RESOLVED, that First Niagara Bank (Cheektowaga Office), Bank of America (Dick Road Office), Key Bank (Cheektowaga Office), JP Morgan Chase Bank, N.A. (Buffalo Office), Citizens Bank (Cheektowaga Office), Evans National Bank and Manufacturers and Traders Trust Company (Airport Plaza Office) shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes and other instruments, regardless of by whom or by what means the actual purported facsimile signature thereon maybe affixed thereto, if such signature resembles the facsimile specimen or specimens, duly certified to or filed with said banks by the Supervisor, the Town Clerk or other officers of the Town of Cheektowaga.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-16

Readopt Investment Policy

Sponsored By: Supervisor Holtz, Councilmember Kaminski

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

WHEREAS, by subsequent resolutions, the Cheektowaga Town Board adopted amendments to such Investment Policy, and

WHEREAS, periodically, this Town Board must readopt and reaffirm such Investment Policy as the Investment Policy of the Town of Cheektowaga, NOW, THEREFORE, BE IT

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

TOWN OF CHEEKTOWAGA

INVESTMENT POLICY

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on behalf of the Town of Cheektowaga or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the Town of Cheektowaga investment activities are to conform with all applicable federal, state, and other legal requirements; to adequately safeguard principal; to provide sufficient liquidity to meet all operating requirements; and to obtain a reasonable rate of return.

III. DELEGATION OF AUTHORITY

The Town Board's responsibility for administration of the investment program is delegated to the Chief Fiscal Officer (Supervisor), and Director of Administration & Finance who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amount of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence

in the Town of Cheektowaga to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudent discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Town of Cheektowaga to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling if this proves to be advantageous to the Town.

VI. INTERNAL CONTROLS

It is the policy of the Town of Cheektowaga for all moneys collected by any officer or employee of the Town of Cheektowaga to transfer those funds to the Supervisor and/or Director of Administration & Finance within 3 days of deposit, or within the time period specified in law, whichever is shorter.

The Supervisor, Director of Administration & Finance, or other officer having custody of money is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITORIES

The banks and trust companies authorized for the deposit of monies up to the maximum amount are designated in Appendix A to the policy.

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, Sec. 10, all deposits of the Town of Cheektowaga, including certificates of deposits, and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML Sec. 10, equal to the aggregate amount of deposits from the categories designated in Appendix B to the policy.
2. By an eligible "letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the Town of Cheektowaga for a time not to exceed 90 days with an aggregate value equal to the 140% of the

aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest recognized statistical rating organizations or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the Town of Cheektowaga for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure the Town of Cheektowaga deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the Town of Cheektowaga to exercise its rights against the pledged securities. In the event that the securities are not registered on inscribed in the manner of the Town of Cheektowaga, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Town of Cheektowaga or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for the Town of Cheektowaga, will be

kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm to receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the Town of Cheektowaga a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, Sec. 11, the Town of Cheektowaga authorizes the Chief Fiscal Officer, Director of Administration & Finance, or other officer having custody of money to invest moneys not required for immediate expenditure for terms not to exceed 185 days or its projected cash flow needs in the following types of investments:

. Special Time Deposit accounts;

- . Certificate of Deposits;
- . Obligations of the United States of America;
 - . Obligations issued pursuant to LFL Sec. 24.00 of 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Town of Cheektowaga;
 - . Obligations of public housing authorities, urban renewal agencies and industrial development agencies where general State statutes governing such entities or whose specific enabling legislation authorizes such investment;
 - . Certificates of Participations (COPS) issued pursuant to GML Sec. 109-b;
 - . Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML Sec(s) 6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Town of Cheektowaga within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds, or notes, shall be payable or redeemable at the option of the Town of Cheektowaga within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Town of Cheektowaga shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution of dealer. All financial institutions with which the Town of Cheektowaga conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the

Town of Cheektowaga. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Chief Fiscal Officer and/or the Director of Administration & Finance is responsible for evaluating the financial position and maintaining a listing of proposed depositories, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Chief Fiscal Officer and/or the Director of Administration & Finance, or other officer having custody of money is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.

3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the Town Board.

All purchased obligations, unless registered or inscribed in the name of the Town, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Town of Cheektowaga by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, Sec. 10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for the Town of Cheektowaga, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the Town of Cheektowaga a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- . All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- . Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.
- . Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- . No substitution of securities will be allowed.
- . The custodian shall be a party other than the trading partner.

Appendix A

| BANK | TYPE | ACCOUNT NUMBER | MAXIMUM AMOUNT | TOWN OFFICER |
|-----------------|--|---------------------------|---------------------------|-------------------------|
| Bank of America | Joint Bail | XXX1314 | 200,000 | Justice |
| Bank of America | Parking | XXX4164 | 75,000 | Justice |
| Bank of America | Small claims | XXX2363 | 25,000 | Justice |
| Bank of America | Town Fees | XXX5658 | 200,000 | Justice |
| Bank of America | Town Fees | XXX2451 | 200,000 | Justice |
| Chase | Block Grant | XXXXX3141 | | Dir. Of Admin & Finance |
| Chase | Consolidated Savings | XXXXX4217 | 80,000,000 | Dir. Of Admin & Finance |
| Chase | Controlled Disbursement account (Zero balance Account) | XXXXX5888 | - | Dir. Of Admin & Finance |
| Chase | First Niagara Risk Management | XXXXX3827 | 200,000 | Dir. Of Admin & Finance |
| Chase | JAG Grant | XXXXX7385 | | Dir. Of Admin & Finance |
| Chase | Municipal Clearing Checking | XXX5589 | 3,000,000 | Dir. Of Admin & Finance |
| Chase | NYS Home Program | XXXXX9969 | | Dir. Of Admin & Finance |
| Chase | Payroll Checking | XXXXXX3914 | \$2,000,000 | Dir. Of Admin & Finance |
| Chase | School Tax | XXXXX0376 | | Town Clerk |
| M&T Bank | School Tax | XXXXXX4406 | | Town Clerk |
| Chase | Tax Collection Savings Account | XXXXX0422 | | Town Clerk |
| Chase | Tax Receiver | XXXXX0368 | | Town Clerk |
| Chase | Town Clerk | XXXXX0384 | | Town Clerk |
| M&T Bank | Town & County Taxes | XXXXXX4414 | | Town Clerk |
| M&T Bank | Municipal Money Market Tax Savings | XXXXXXXXXX6489 | | Town Clerk |
| Chase | Trust & Agency - Asset Forfeiture | XXXXX9955 | 500,000 | Dir. Of Admin & Finance |
| Chase | Trust & Agency - Checking | XXXXX9890 | 7,000,000 | Dir. Of Admin & Finance |
| Chase | Trust & Agency - DARE | XXXXX9963 | 50,000 | Dir. Of Admin & Finance |
| Chase | Trust & Agency - Library | XXX6144 | 800,000 | Dir. Of Admin & Finance |
| Chase | Trust & Agency - Pyramid | XXXXX9939 | 500,000 | Dir. Of Admin & Finance |
| Chase | Trust & Agency - Sewer Drainage | XXXXX9971 | | Dir. Of Admin & |

| | | | | |
|---------------|----------------------------------|-----------------|-----------|-------------------------|
| Chase | Cheektowaga Youth & Rec Services | xxxxx8285 | 500,000 | Finance |
| Chase | NSP Grant | xxxxx6170 | | Dir. Of Admin & Finance |
| M&T bank | Investments | xxxxxx2207 | | Dir. Of Admin & Finance |
| Citizens | General fund checking | xxxxxx0824 | | Dir. Of Admin & Finance |
| M&T bank | Risk Retention fund | xxxxxx0836 | | Dir. Of Admin & Finance |
| Chase | HUD Rehab Loan Program | XXXXXX2675 | | Dir. Of Admin & Finance |
| First Niagara | Money Market Account | XXXXXX0455 | | Dir. Of Admin & Finance |
| chase | NYS Affordable Housing | XXXXXX5032 | | Dir. Of Admin & Finance |
| M&T bank | General - Checking | xxx7346 | | Dir. Of Admin & Finance |
| M&T bank | General - Savings | xxxxxx7271 | 6,000,000 | Finance |
| MBIA-Class | Debt Reserve Fund | NY-xx-xx73-0001 | 6,000,000 | Finance |
| MBIA-Class | General Fund | NY-xx-xx73-0003 | 2,000,000 | Dir. Of Admin & Finance |
| MBIA-Class | Risk Retention Fund | NY-xx-xx73-0002 | 2,000,000 | Finance |
| MBIA-Class | Special Districts Fund | NY-xx-xx73-0004 | 1,000,000 | Dir. Of Admin & Finance |
| | | | 3,000,000 | Finance |

APPENDIX B

Schedule of Eligible Securities

- (i) Obligations issued or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.
- (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development, Inter-American Development Bank, the Asian Development Bank and the African Development Bank.
- (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.
- (iv) Obligations issued or fully guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State of obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.
- (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.
- (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

APPENDIX B

Page 2

- (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.
- (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by the bank regulatory agencies.
- (x) Commercial paper and banker's acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.
- (xi) Zero coupon obligations of the United States government marketed as

“Treasure Strips”.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-17

Authorize Town Clerk/Receiver of Taxes to Invest Tax Moneys

Sponsored By: Councilmember Benczkowski, Supervisor Holtz

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

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

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

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

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

RESOLVED, that Alice Magierski, Town Clerk/Receiver of Taxes and Assessments for the Town of Cheektowaga, be and hereby is authorized to invest real property tax moneys on a short-term basis in 2015, and BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-18

Authorize Supervisor to Execute Initial Project Proposal for the Cheektowaga Safe Crossings Transportation Alternative Project 2014

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, by Resolution 2014-271 adopted May 5, 2014, this Town Board authorized the Town's grant consultant to submit an application for Transportation Alternatives Program ("TAP") funding, administered by the New York State Department of Transportation; and

WHEREAS, by letter dated October 27, 2014, the Town was advised that funding was approved for the Cheektowaga Safe Crossings Transportation Alternative Project 2014, and provides for an eighty percent (80%) federally funded reimbursement for eligible expenses and requires a twenty percent (20%) local share match; and

WHEREAS, funds have been allocated to provide for the Town's matching share; and

WHEREAS, it is in the best interest of the Town to avail itself of said funding to provide intersection and sidewalk improvements for safer access to schools by our children, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes and directs the Supervisor to execute the Initial Project Proposal for the Cheektowaga Safe Crossings Transportation Alternatives Project 2014 and submit same to the New York State Department of Transportation, and to execute any and all further documents that may be necessary for this project to proceed, subject to approval by the Town Attorney; and BE IT FURTHER

RESOLVED, that the Town's matching funds for this project shall be appropriated from previously allocated monies in an account to be designated by the Director of Administration and Finance.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-19

Authorization to Purchase Eight Tactical Vests

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, the Cheektowaga Police Department is requesting authorization to purchase eight (8) new Alpha One AXIII A Ballistics OD Green with Police panel tactical vests as specified in New York State Contract Number PC65899, AND

WHEREAS, funds for said purchase have been budgeted and are available from the Police Asset Forfeiture Line 600-0600-0881, AND

WHEREAS, fifty percent (50%) of the total purchase cost will be reimbursed by the New York Office of the Attorney General's Bullet Proof Vest Partnership, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the purchase of eight (8) new Alpha One AXIII A Ballistics OD Green with Police panel tactical vests in the amount of \$19,008.00 from:

Sewing Technology Uniform Company
691 Seneca Street
Buffalo, New York 14210

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-20

Authorize Tax Credit for Village of Depew

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, Section 150 of the Town Law grants discretionary authority to a town for entry into an agreement with a village located partially within its boundaries having a police department of four (4) or more police officers on an annual full-time basis, to determine what part of the cost of the town police department shall be assessed against the property in the village, and

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

WHEREAS, the annual budget of the Town for the fiscal year beginning January 1, 2015 provides for a credit of \$440,000.00 to the Village of Depew for the cost of the Town Police Department assessed against the property in the Village of Depew, and

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

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-21

Creation of Plumbing Inspector Position

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

BE IT RESOLVED, that this Town Board hereby creates a Plumbing Inspector position pursuant to Civil Service Laws and Rules effective January 5, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-22

Retain Foreign Language Interpreters 2015

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, the New York State Unified Court System, Eighth Judicial District, requires the Cheektowaga Justice Court to provide qualified foreign language and sign language interpreters in all civil and criminal matters if a party does not speak or understand the English language; and

WHEREAS, the Unified Court System has provided the Justice Court with a list of the names of qualified interpreters in various languages, all of whom meet the necessary requirements and are qualified by education and experience to provide such services; and

WHEREAS, the Town is desirous of retaining such interpreters for use in civil and criminal matters on a *per diem* basis when the need arises; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the retention of foreign language and sign language interpreters for use in civil and criminal matters before the Justice Court, on a *per diem* basis, provided said interpreters meet the qualifications, requirements, and certification necessary to perform interpretation services in a legal and courtroom environment; and BE IT FURTHER

RESOLVED, that an interpreter shall be chosen first from an up-to-date list of qualified *per diem* foreign and sign language interpreters as such list is provided by the New York State Unified Court System, Eighth Judicial District, or, if said list does not contain the name of an interpreter for the particular language required, then from any other source that will provide an interpreter meeting the requirements of the Unified Court System; and BE IT FURTHER

RESOLVED, that the cost for said interpreters shall be appropriated from line item number 100-1110-4592; and BE IT FURTHER

RESOLVED, that subject to approval by the Town Attorney, the Supervisor is hereby authorized to execute agreements for the services of interpreters during calendar year 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-23

Retain Stenographers for 2015

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga in need of the services of stenographers for civil, criminal, and miscellaneous matters in the Justice Court and other Town departments in which transcripts and records of said proceedings are required; and

WHEREAS, the Town has, in the past, retained the services of various qualified and experienced court reporters who have provided such services when needed; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board approves the retention of qualified and experienced court stenographers for the calendar year 2015 when such services are required by the Town including, but not limited to, the following named persons and agency: Paula Bielat, Martha Emiliana, Deborah Delalys, Diana Proudman, and DePaolo Crosby Reporting Services, and BE IT FURTHER

RESOLVED, that the cost of these services shall be charged to the line items designated for said expenses for the respective department; and BE IT FURTHER

RESOLVED, that subject to approval of the Town Attorney, the Supervisor is authorized to execute Agreements for the above services for the calendar year 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-24

Reappointment of Bingo Inspectors

Sponsored By: Councilmember Kaminski, Councilmember Benczkowski

BE IT RESOLVED, that the following individuals be and hereby are reappointed as Bingo Inspectors, effective January 1, 2015 to December 31, 2015:

Katherine Ferdinand, Cheektowaga, New York
Dennis Smith, Cheektowaga, New York
Anthony Prep, Cheektowaga, New York

and BE IT FURTHER

RESOLVED, that the following individual be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 2015 for a term of one year:

Thaddeus I. Marciniak, Cheektowaga, New York

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-25

Reappoint Member of Library Board

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the term of Mark E. Weber as Member of the Cheektowaga Public Library Board expired on December 31, 2014, and

WHEREAS, Mark E. Weber has requested reappointment to the Cheektowaga Library Board, and

WHEREAS, the Cheektowaga Library Board has recommended that Mark E. Weber be reappointed as member of the Cheektowaga Library Board, NOW, THEREFORE, BE IT

RESOLVED, that Mark E. Weber, of Cheektowaga, New York be and hereby is reappointed to the position of Member of the Cheektowaga Public Library Board, effective January 1, 2015 and terminating on December 31, 2019.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



26. RESOLUTION 2015-26

Reappoint Secretary of Planning Board

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the term of Joan Meyers as Secretary of the Planning Board expired as of December 31, 2014, and

WHEREAS, Joan Meyers has expressed an interest in continuing to serve as Secretary of the Planning Board, and

WHEREAS, Joan Meyers has satisfactorily served on the Planning Board and merits reappointment, NOW, THEREFORE, BE IT

RESOLVED, that Joan Meyers be and hereby is reappointed to the position of Secretary of the Planning Board, effective January 1, 2015 and terminating on December 31, 2019.

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| RESULT: | ADOPTED [5 TO 0] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSTAIN: | Timothy J. Meyers |



27. RESOLUTION 2015-27

Reappointment to Traffic Safety Commission

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, the term of Cheektowaga Traffic Safety Commission Secretary Mark Nacke and Member David Przepiora expired on December 31, 2014 and

WHEREAS, Mark Nacke and David Przepiora have expressed an interest in continuing to serve on the Traffic Safety Commission, and

WHEREAS, the Traffic Safety Commission has recommended that Mark Nacke and David Przepiora be re-appointed to the Traffic Safety Commission, NOW, THEREFORE, BE IT

RESOLVED, that Mark Nacke be and hereby is re-appointed as Secretary of the Traffic Safety Commission and David Przepiora is reappointed as Member of the Traffic Safety Commission, effective immediately and terminating on December 31, 2017.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



28. RESOLUTION 2015-28

Reappointment of Zoning Board Member

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the term of John Ptak as Member of the Zoning Board of Appeals expired on December 31, 2014, and

WHEREAS, John Ptak has expressed an interest in being reappointed to this position, and

WHEREAS, John Ptak has satisfactorily served as Member of the Zoning Board of Appeals for a number of years and merits reappointment to such position, NOW, THEREFORE, BE IT

RESOLVED, that John Ptak of Cheektowaga, New York be and hereby is reappointed to the position of Member of the Zoning Board of Appeals, effective January 1, 2015 and terminating on December 31, 2019.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



29. RESOLUTION 2015-29

Request for Extension (Residency) K. Marchese

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

WHEREAS, Karen R. Marchese was appointed to the position of Coordinator of Employee Relations by Town Board Resolution effective August 4, 2014; AND

WHEREAS, that in compliance with the Local Law known as the Residency Law of the Town of Cheektowaga, Ms. Marchese was ordered to obtain residency within the Town of Cheektowaga within six (6) months from the date of her appointment; AND

WHEREAS, current real estate market conditions have made it difficult for Ms. Marchese to sell her current domicile and establish residency within the Town; NOW, THEREFORE, BE IT

RESOLVED, that in compliance with the Local Law known as the Residency Law of the Town of Cheektowaga, Karen R. Marchese of Batavia, New York, is hereby granted an additional six (6) months from the expiration of the prior resolution until August 4, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



30. RESOLUTION 2015-30

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

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

FACILITIES DEPARTMENT Laborer \$9.00/hour effective 1/6/15
Krysta Siwek, Cheektowaga, New York

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

SANITATION DEPARTMENT

Andrew Babcock effective 11/15/14
Derek Dalka effective 12/2/14
Kyle J. Kehoe effective 11/15/14
Gregory Merritt effective 11/13/14
Brian O'Connor effective 11/19/14
Ny'Juan Rainey effective 11/8/14
Justin Struzik effective 12/6/14
Mark Urbanski effective 11/14/14
Louis Hyatt effective 12/16/14

JUSTICE COURT

Faye Delano effective 1/10/15

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the reading of names for this resolution. Motion Carried.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



31. RESOLUTION 2015-31

Establish Hourly Rates for Part-Time Employees

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the hourly rates of the following Town part-time employees who are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 2015:

| NAME | HOURLY | TITLE |
|-------------------------|-------------|-------------------------|
| Justice Court | RATE | |
| BOSWORTH, JUNE | 9.25 | CLERK PART-TIME |
| CIESLINSKI, MICHAEL | 9.25 | CLERK PART-TIME |
| FLOYD, MARISSA | 9.25 | CLERK PART-TIME |
| MATALONIS, WILLIAM | 9.25 | CLERK PART-TIME |
| ROSS, MARIA | 9.25 | CLERK PART-TIME |
| YOUNG, ASHLEY | 9.25 | CLERK PART-TIME |
| SZCZEPANOWSKI, MARY ANN | 15.25 | CLERK PART-TIME |
| SZYMBORSKI, CHARLES | 15.50 | CLERK PART-TIME |
| WITKOWSKI, CHRISTINE | 9.25 | CLERK PART-TIME |
| ZAJDOWICZ, MARY ANN | 15.50 | CLERK PART-TIME |
| Accounting | | |
| LEWANDOWSKI, LORRAINE | 9.00 | CLERK PART-TIME |
| Emergency Services | | |
| MAZUROWSKI, MICHAEL | 15.25 | ASST NAT DISASTER COORD |
| Assessor | | |
| GERVASE, KIMBERLY D | 9.25 | CLERK PART-TIME |
| MURPHY, AMANDA J | 9.25 | CLERK PART-TIME |
| ROGERS, ANNETTE K | 9.25 | CLERK PART-TIME |
| WACHOWSKI, ALEXANDRA M | 9.25 | CLERK PART-TIME |
| Town Clerk | | |
| CISKAL, TAMMY J | 16.00 | CLERK PART-TIME |
| DABB, MELISSA A | 11.25 | CLERK PART-TIME |
| ADAMSKI, EVELYN | 9.50 | CLERK PART-TIME |
| GASIEWICZ, KATHLEEN | 10.00 | CLERK PART-TIME |
| GOUBA, KATHLEEN A | 9.25 | CLERK PART-TIME |
| KARASZEWSKI, LINDA | 9.25 | CLERK PART-TIME |
| MILLER, PATRICIA | 10.25 | CLERK PART-TIME |
| PANER, NANCY A | 10.25 | CLERK PART-TIME |
| SISTI, MARGARET M | 9.75 | CLERK PART-TIME |
| Law | | |

| | | |
|-----------------------|-------|-----------------------|
| WILES, PATRICIA A | 12.75 | CLERK PART-TIME |
| Personnel | | |
| KEHOE, BARBARA N | 11.50 | CLERK PART-TIME |
| Records | | |
| FEDYNA, JOSEPH | 11.50 | CLERK PART-TIME |
| FETTER, SANDRA | 9.75 | CLERK PART-TIME |
| Police | | |
| DOERR, SHEILA M | 8.75 | CLERK PART-TIME |
| FEDYNA, CHARLENE | 8.75 | CLERK PART-TIME |
| REINHEIMER, ELIZABETH | 9.25 | CLERK PART-TIME |
| RICHARDSON, DEANA | 9.25 | CLERK PART-TIME |
| STROUD, MELISSA E | 8.75 | CLERK PART-TIME |
| WACIENGA, BARBARA | 9.00 | CLERK PART-TIME |
| ZIELONKA, DENISE | 9.00 | CLERK PART-TIME |
| BARRY, KATHLEEN P | 15.25 | POLICE ATTENDANT PT |
| BUCZKOWSKI, MARY | 15.25 | POLICE ATTENDANT PT |
| CARNEY, JESSICA M | 15.25 | POLICE ATTENDANT PT |
| JAKUBOWICZ, COURTNEY | 15.25 | POLICE ATTENDANT PT |
| KISHBAUGH, JACQUELINE | 15.25 | POLICE ATTENDANT PT |
| BAUMER-BULL, SUSAN K | 15.25 | POLICE ATTENDANT PT |
| GRUPKA, JULIA M | 15.25 | POLICE ATTENDANT PT |
| KANDEFER, RACHEL L | 15.25 | POLICE ATTENDANT PT |
| MOORE, CHRISTINA | 15.25 | POLICE ATTENDANT PT |
| REED, ANDREA | 15.25 | POLICE ATTENDANT PT |
| ROSS, JANIE L | 15.25 | POLICE ATTENDANT PT |
| SCHMITT, EMELIA N | 15.25 | POLICE ATTENDANT PT |
| SOBCZAK, LAURA A | 15.25 | POLICE ATTENDANT PT |
| BEEK, MARGARETA E | 10.00 | SCHOOL CROSSING GUARD |
| BENKLEMAN, BRENDA | 10.00 | SCHOOL CROSSING GUARD |
| CZERNIAK, MARIE A | 10.00 | SCHOOL CROSSING GUARD |
| FISCHER, DAWN M | 10.00 | SCHOOL CROSSING GUARD |
| JUSZKIEWICZ, ELAINE | 10.00 | SCHOOL CROSSING GUARD |
| KELLY, ANN M | 10.00 | SCHOOL CROSSING GUARD |
| KNOX, PATRICIA A | 10.00 | SCHOOL CROSSING GUARD |
| PAGE, ARTHUR F | 12.25 | SCHOOL CROSSING GUARD |
| SCHRUEFER, RICHARD | 10.00 | SCHOOL CROSSING GUARD |
| SZARY, JEAN M | 10.00 | SCHOOL CROSSING GUARD |
| CARLUCCI, KENNETH JR | 10.00 | SCHOOL CROSSING GUARD |
| BRZYSKI, KELLY A | 8.75 | STUDENT ASSISTANT |
| BAUMAN, BRAD | 8.75 | STUDENT ASSISTANT |
| HOCKWATER, MICHAEL | 8.75 | STUDENT ASSISTANT |
| BENSON, HANNAH | 8.75 | STUDENT ASSISTANT |

| | | |
|------------------------|-------|--------------------------------|
| RUSSILLO, EMILY R | 8.75 | STUDENT ASSISTANT |
| LIPCZYNSKI, KATHERINE | 8.75 | STUDENT ASSISTANT |
| STROUD, MATTHEW J | 9.15 | STUDENT ASSISTANT |
| SZYMANSKI, SEAN T | 8.75 | STUDENT ASSISTANT |
| BAILEY, BRIAN E | 17.35 | POLICE ATTENDANT PT |
| BENSON, TIMOTHY K | 17.35 | POLICE ATTENDANT PT |
| BUTLER, JOSEPH L | 17.35 | POLICE ATTENDANT PT |
| CEREMUGA, RICHARD | 17.35 | POLICE ATTENDANT PT |
| DEGUIRE, DAVID J | 17.35 | POLICE ATTENDANT PT |
| DUDZIAK, PHILLIP | 17.35 | POLICE ATTENDANT PT |
| DUNSHIE, JAMES L | 17.35 | POLICE ATTENDANT PT |
| DYL, MARK J | 17.35 | POLICE ATTENDANT PT |
| ENSER, ANDREW R. | 17.35 | POLICE ATTENDANT PT |
| JACOBS, JEFFREY A | 17.35 | POLICE ATTENDANT PT |
| JANORA, LEONARD R | 17.35 | POLICE ATTENDANT PT |
| KISHBAUGH, KENNETH | 17.35 | POLICE ATTENDANT PT |
| LOREFICE, PAUL W | 17.35 | POLICE ATTENDANT PT |
| LUKASIEWICZ, BRIAN | 17.35 | POLICE ATTENDANT PT |
| MARCINIAK, ROY H | 17.35 | POLICE ATTENDANT PT |
| MCFARLAND, NICHOLAS | 17.35 | POLICE ATTENDANT PT |
| MEKEEL, DOUGLAS J | 17.35 | POLICE ATTENDANT PT |
| MINGLE, MICHAEL J | 17.35 | POLICE ATTENDANT PT |
| O'ROURKE, WILLIAM | 17.35 | POLICE ATTENDANT PT |
| PILARSKI JR, RICHARD | 17.35 | POLICE ATTENDANT PT |
| PUNDT, STEVEN D | 17.35 | POLICE ATTENDANT PT |
| SCANZUSO, MICHAEL | 17.35 | POLICE ATTENDANT PT |
| SCHMITT, KEVIN P. | 17.35 | POLICE ATTENDANT PT |
| TAMARAZIO, JOSEPH | 17.35 | POLICE ATTENDANT PT |
| DEMYANICK, DERIC | 17.35 | POLICE ATTENDANT PT |
| THOMAS, ROBERT J | 17.35 | POLICE ATTENDANT PT |
| TURNBULL, ARTHUR | 17.35 | POLICE ATTENDANT PT |
| WEIGAND, ERIC R | 17.35 | POLICE ATTENDANT PT |
| JACOBS, GARRETT W | 17.35 | POLICE ATTENDANT PT |
| WYNN, GARRETT A | 17.35 | POLICE ATTENDANT PT |
| Dog Control | | |
| KANDEFER, AARON D | 13.00 | ASST DOG CONTROL OFFICER PT |
| MAGUDA, ANDREW D. | 10.75 | ASST DOG CONTROL OFFICER PT |
| MENTH, AMY L | 10.75 | ASST DOG CONTROL OFFICER PT |
| Senior Services | | |

| | | |
|--|-------|----------------------|
| STIEGLER, LINDA S | 10.85 | CLERK PART-TIME |
| GALLAGHER, DIANE | 9.10 | LABORER PART-TI |
| BOHRER, DONNA | 9.00 | REC ATTEN PT/SEASONA |
| KASPRZAK, CHRISTINE | 10.25 | REC ATTEN PT/SEASONA |
| KOLB, LINDA | 10.25 | REC ATTEN PT/SEASONA |
| PALISTRANT, ALICE | 9.35 | REC ATTEN PT/SEASONA |
| STEPNICK, NANCY A | 9.35 | REC ATTEN PT/SEASONA |
| ZULAWSKI, SHIRLEY | 9.35 | REC ATTEN PT/SEASONA |
| BENZINGER, ROBERT | 10.25 | VAN DRIVER PT |
| FARUGIA, JOSEPH P | 10.25 | VAN DRIVER PT |
| GABRYSZAK, ALEX J | 10.25 | VAN DRIVER PT |
| GEORGE, THOMAS E | 10.25 | VAN DRIVER PT |
| GRANAT, JOSEPH E | 10.25 | VAN DRIVER PT |
| KRUGER, GARY R | 10.25 | VAN DRIVER PT |
| LIEGL, SHAWN P | 10.25 | VAN DRIVER PT |
| LUMADUE, JOHN F | 10.25 | VAN DRIVER PT |
| LEWANDOWSKI, JOHN | 9.50 | VAN DRIVER PT |
| NOWAK, LEONARD T | 10.25 | VAN DRIVER PT |
| PINSKI JR, STANLEY | 10.25 | VAN DRIVER PT |
| PRELL, MARY ELLEN | 10.25 | VAN DRIVER PT |
| STARK, GENE R | 10.25 | VAN DRIVER PT |
| WROTEKI, EUGENE | 9.50 | VAN DRIVER PT |
| WIERZBA, JILL M | 10.25 | VAN DRIVER PT |
| ZBYTEK, HARRY W | 10.25 | VAN DRIVER PT |
| ALBEE, CATHERINE | 11.00 | REC INSTRUCTOR PT |
| KAWA, KIMBERLY M | 14.25 | REC INSTRUCTOR PT |
| Community Development/Senior Services | | |
| WOJCINSKI, PATRICIA | 12.25 | REC ATTEN PT/SEASONA |
| Sanitation | | |
| KOTRYS, SHARON A | 10.25 | CLERK PART-TIME |
| SCHALL, GEOFFREY | 10.25 | LABORER PART-TIME |
| Sewer | | |
| BOBECK, AUSTIN J | 9.25 | LABORER PART-TIME |
| LATCHFORD, FRANK | 9.25 | LABORER PART-TIME |
| Main Pump Station | | |
| KLAFFKA, SHERYL A | 10.75 | CLERK PART-TIME |
| Highway | | |
| INDELICATO, JOSEPHINE | 9.50 | CLERK PART-TIME |
| STACHURA, LEEANN | 9.50 | LABORER SEASONAL |
| Code Enforcement | | |
| FRONCZAK, GENEVIEVE | 9.50 | CLERK PART-TIME |

| | | |
|--------------------|-------|----------------------------|
| GREENBERG, MATTHEW | 9.00 | CLERK PART-TIME |
| KOPERA, JOSEPH J | 17.00 | ZONING INSPECTOR PART-TIME |
| GILL, GERALD J | 17.00 | HOUSING INSPECTOR PT |
| ROKITKA, LAWRENCE | 17.00 | HOUSING INSPECTOR PT |

Motion by Councilmember Rogowski; Seconded by Councilmember Benczkowski to waive the reading of names for this resoltuion. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Gerald Kaminski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

V. Communications

A. Departmental Communications

1. Planning Board Minutes: December 11, 2014
2. Building Permit List - November 2014
3. Supervisor's Statement of Funds - November 2014

B. General Communications

1. Summons: Citifinancial Company vs. Debbie Lou Delaney aka Debbie Lou Malachowski; Delores L. Berlin Malachowski, The Town of Cheektowaga & Etal. Premises: 118 Cayuga Road
2. Notice of Petition: Brett Carter vs. Town of Cheektowaga Zoning Board of Appeals
3. Notice of Claim: Kathleen Holmer-Wach vs. Town of Cheektowaga
4. Notice of Claim: Jenna Kearly vs. Town of Cheektowaga
5. Notice of Claim: Theresa Lisowski vs. Town of Cheektowaga
6. Notice of Claim: Jason D. Malcolm vs. Town of Cheektowaga
7. Notice of Claim: Dan Nowak vs. Town of Cheektowaga
8. Notice of Claim: David D. Rosier vs. Town of Cheektowaga
9. Notice of Claim: Nancy Suda vs. Town of Cheektowaga

10. Notice of Claim: Teresa Virgil vs. Town of Cheektowaga
11. Notice of Claim: Cynthia Wisniewski vs. Town of Cheektowaga
12. Notice of Claim: Gino Carosa vs. Town of Cheektowaga

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjournment

Motion by Supervisor Holtz; Seconded by Councilmember Kaminski to adjourn the meeting at 7:15 PM

Alice Magierski, Town Clerk

GPI Greenman-Pedersen, Inc.

Engineering and Construction Services

GPI Engineering and Surveying, LLP

November 26, 2014

Mr. Daniel Ulatowski, AICP
Planning and Zoning Administration
275 Alexander Street, 2nd Floor
Cheektowaga, New York 14221

RE: PLAN SUBMISSION
5050 TRANSIT ROAD

Dear Mr. Ulatowski:

Please find enclosed the following materials for approval by the Town of Cheektowaga:

1. Ten (10) copies of the proposed Landscape Plan
2. Ten (10) copies of the Site Plan
3. Three (3) copies of the updated Tree Impact Survey and map

Since our last submission a number of changes have occurred to the site plan. Per the Engineering Department, we now direct all of the drainage from the proposed wet pond to Transit Road (SR 78). The only drainage that flows to the west under the current configuration is the drainage from the existing wetland and a small amount of storm flow from the bio-retention area. Through our drainage calculations, we have determined that the post developed rate of stormwater runoff as well as the volume of water flowing to the west has been reduced from the pre-developed conditions.

We have received design approvals from the NYSDOT, ECWA and ECHD at this time. The Town Engineering Department approval is pending but we believe that we've addressed all of their concerns.

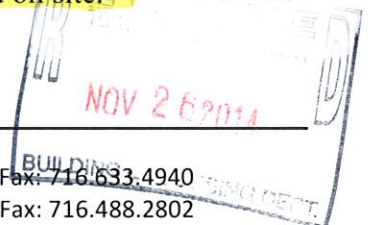
Based on the provided Tree Impact Survey prepared by Wilson Environmental Technologies, it has been determined that 389 trees will be impacted by the proposed project. The landscape plan currently shows 126 trees being planted within the site as part of the landscaping and wetland mitigation plantings. An additional 42 trees are anticipated to be planted along the Sturm Avenue paper street. These plantings are subject to field conditions and final approval by Benderson Development, the current property owner. We understand that the Town's tree policy is to replace each impacted tree. Due to the wooded nature of the site, we are unable to provide any further plantings on site beyond those specified. The owner is willing to pay the Town the \$ 35 per tree impact fee for the remaining 221 trees that will be removed and not replaced on site.

Western New York Branches

- 4950 Genesee Street, Suite 100, **Buffalo**, NY 14225 Tel: 716.633.4844 Fax: 716.633.4940
- 200 Harrison Street, Suite H2, **Jamestown**, NY 14701 Tel: 716.488.2803 Fax: 716.488.2802
- 20 Wildbriar Road, Suite E, **Rochester**, NY 14623 Tel: 585.486.4859

www.gpinet.com

An Equal Opportunity Employer



Attachment: November 26, 2014 _5050 transit letter (RES-2015-5 : Accept Site Plan- 5050 Transit Road)



We respectfully request that the plan approval be scheduled for the next available Planning Board meeting. Please direct any questions to me at 633-4844. Thank you for your consideration in this matter.

Sincerely,

GREENMAN-PEDERSEN, INC.

A handwritten signature in black ink, appearing to read "Kenneth C. Zollitsch", is positioned above the printed name.

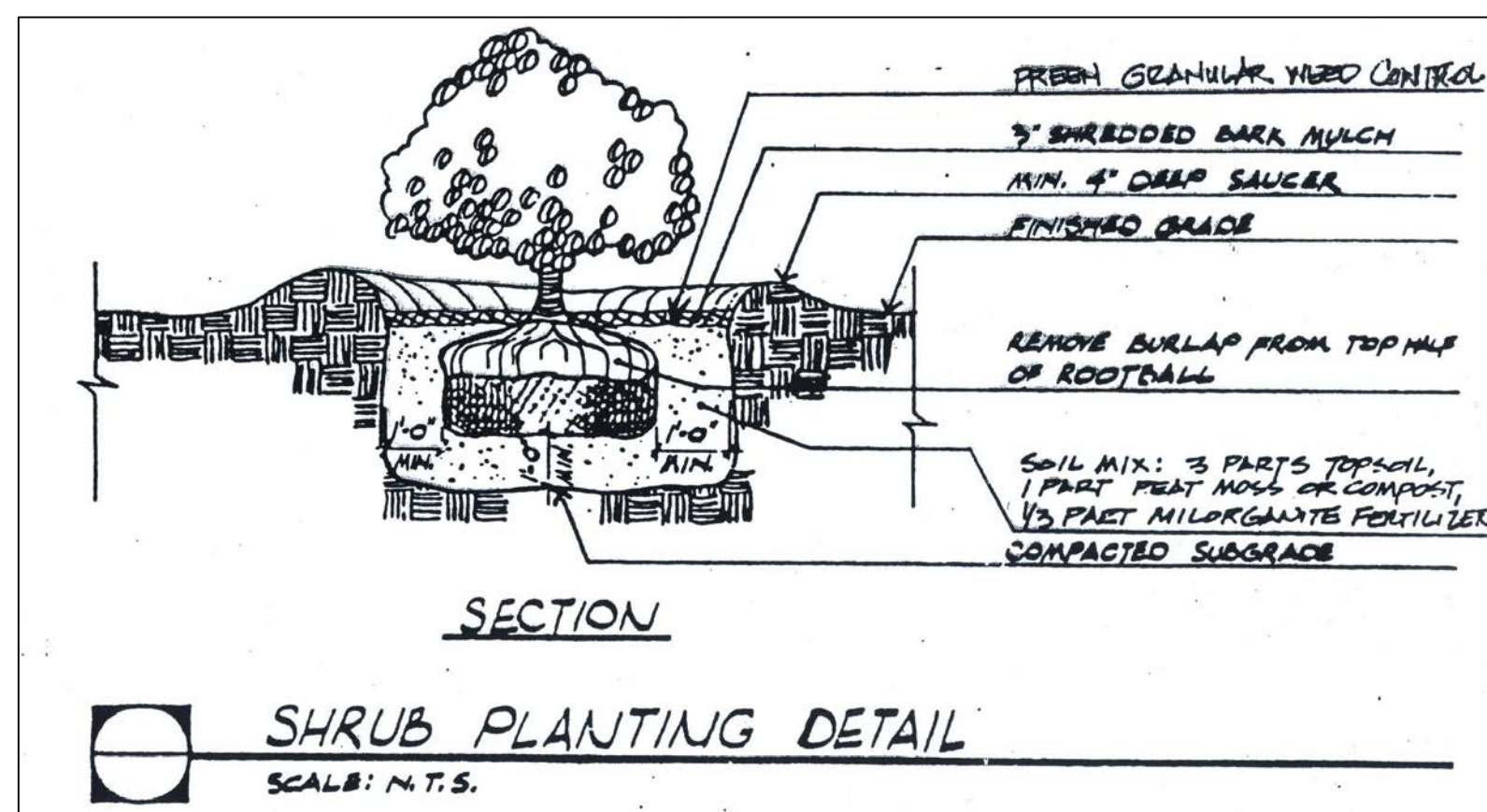
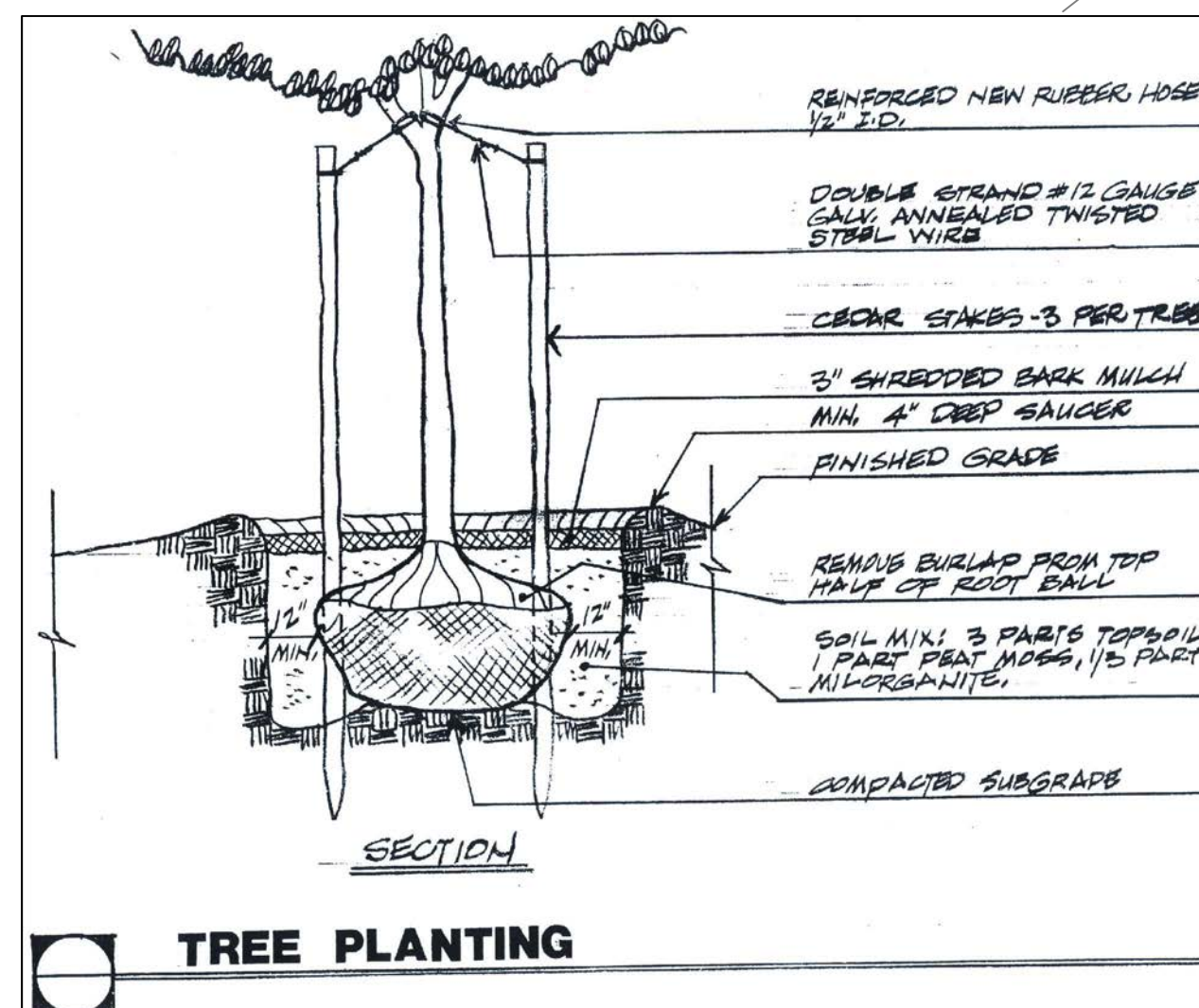
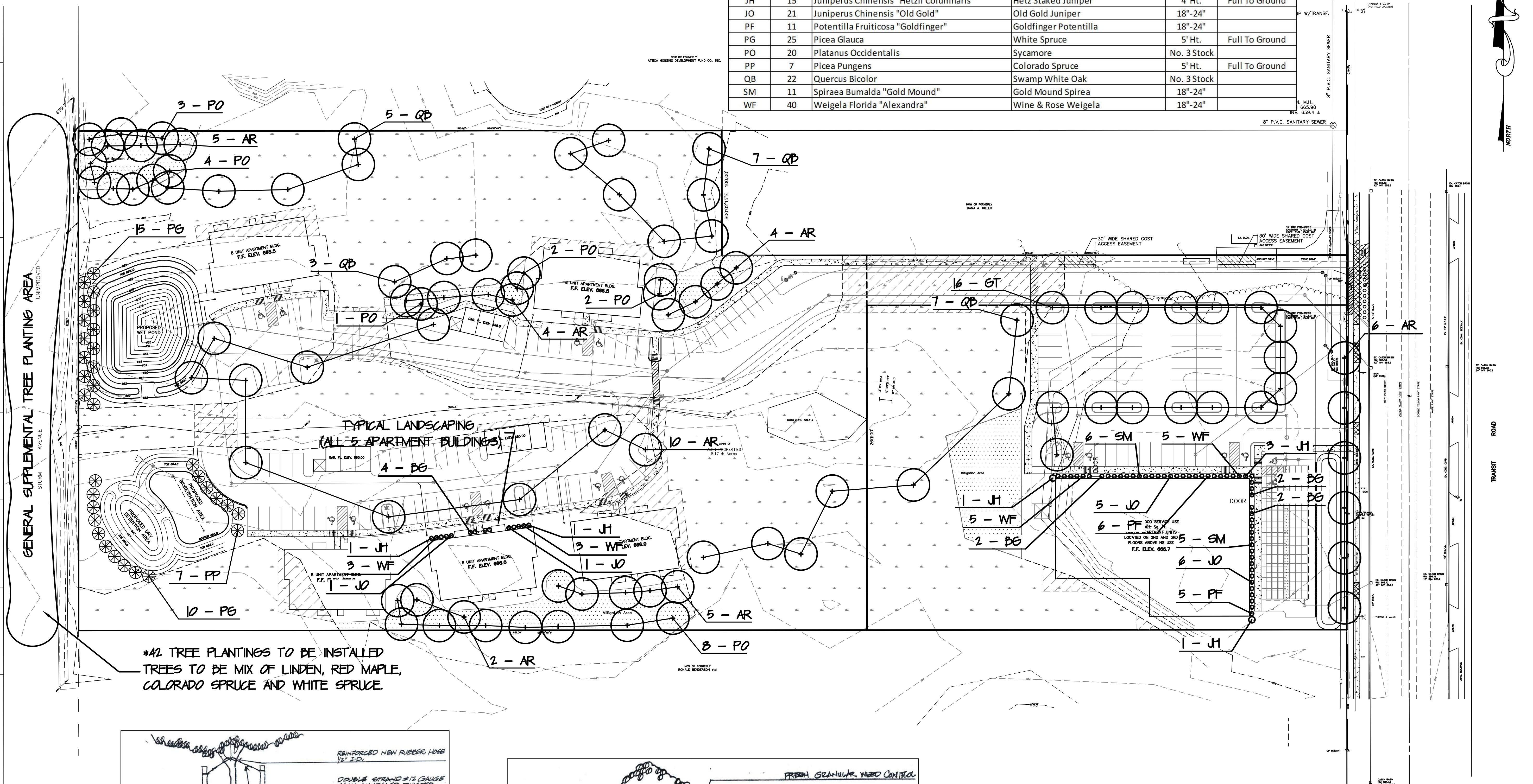
Kenneth C. Zollitsch
Project Manager

cc: Barrett Greene, Vern Properties
File

Attachment: November 26, 2014 _5050 transit letter (RES-2015-5 : Accept Site Plan- 5050 Transit Road)

Plant Materials Schedule (Excludes Sturm Ave Area)

| Key | No. | Botanical Name | Common Name | Min. Size | Remarks |
|-----|-----|---|-----------------------|-------------|----------------|
| AR | 36 | Acer Rubrum "Red Sunset" | Red Sunset Maple | 2 1/2" Cal. | B & B |
| BG | 26 | Buxus "Green Velvet" | Green Velvet Boxwood | 24" | B & B |
| GT | 16 | Gleditsia Triacanthos Inermis "Skyline" | Skyline Honeylocust | 2 1/2" Cal. | B & B |
| JH | 15 | Juniperus Chinensis "Hetzi Columnaris" | Hetz Staked Juniper | 4' Ht. | Full To Ground |
| JO | 21 | Juniperus Chinensis "Old Gold" | Old Gold Juniper | 18"-24" | |
| PF | 11 | Potentilla Fruticosa "Goldfinger" | Goldfinger Potentilla | 18"-24" | |
| PG | 25 | Picea Glauca | White Spruce | 5' Ht. | Full To Ground |
| PO | 20 | Platanus Occidentalis | Sycamore | No. 3 Stock | |
| PP | 7 | Picea Pungens | Colorado Spruce | 5' Ht. | Full To Ground |
| QB | 22 | Quercus Bicolor | Swamp White Oak | No. 3 Stock | |
| SM | 11 | Spiraea Bumalda "Gold Mound" | Gold Mound Spirea | 18"-24" | |
| WF | 40 | Weigela Florida "Alexandra" | Wine & Rose Weigela | 18"-24" | |



* PLANTINGS ALONG STURM AVENUE
ARE CONTINGENT UPON APPROVAL
FROM BENDERSON DEVELOPMENT.

Town of Cheektowaga
ERIE COUNTY NEW YORK
TOWN JOB NO.:

APPROVED BY:

TOWN ENGINEER

DATE:

REVISED AS PER E.C.D.S.M. COMMENTS 05-30-14 SWS

ADDED ADDITIONAL PLANTINGS 04-02-14 SWS

REVISION DATE BY

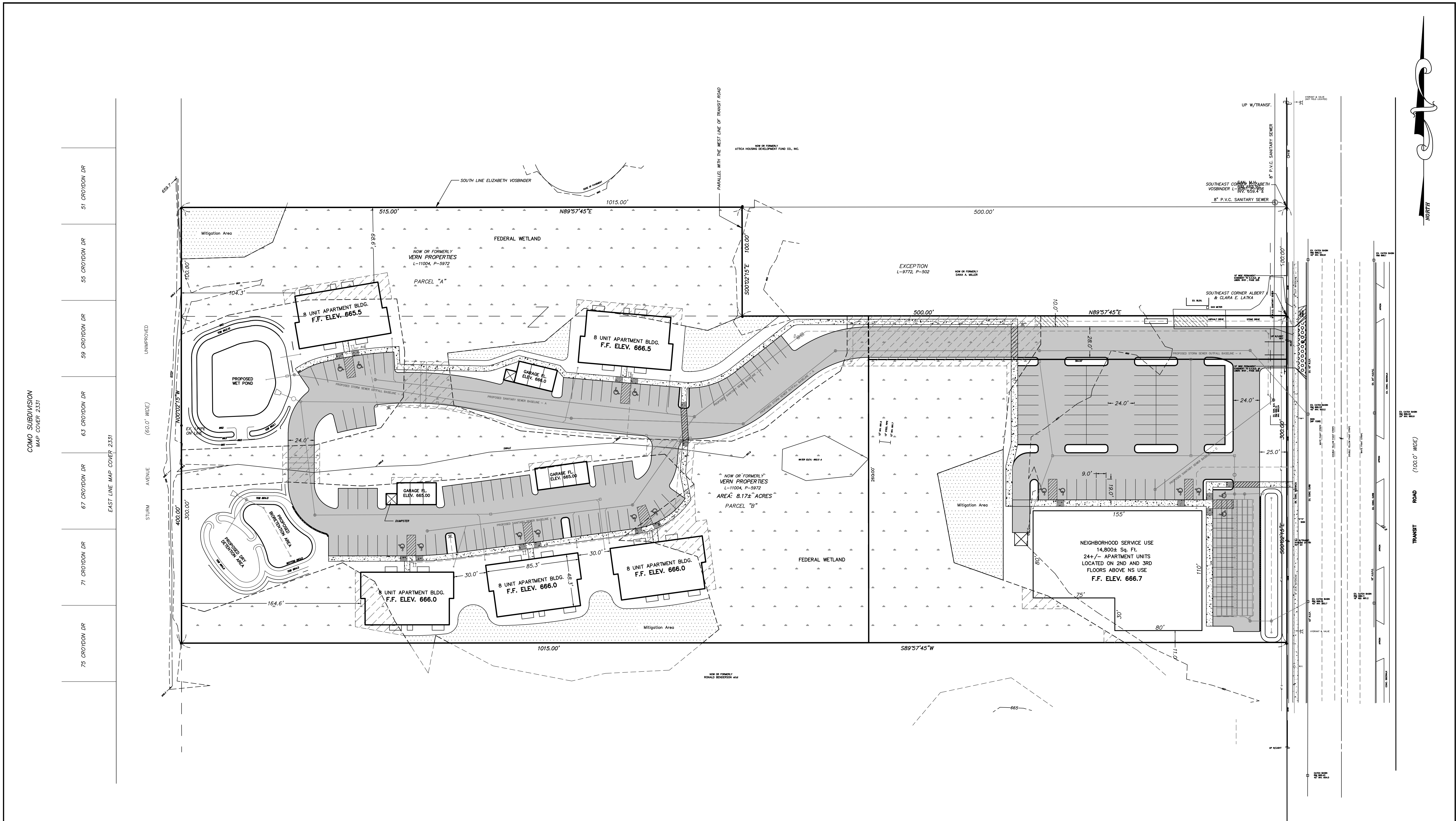
NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

5050 TRANSIT ROAD DEVELOPMENT

PLAN: LANDSCAPE



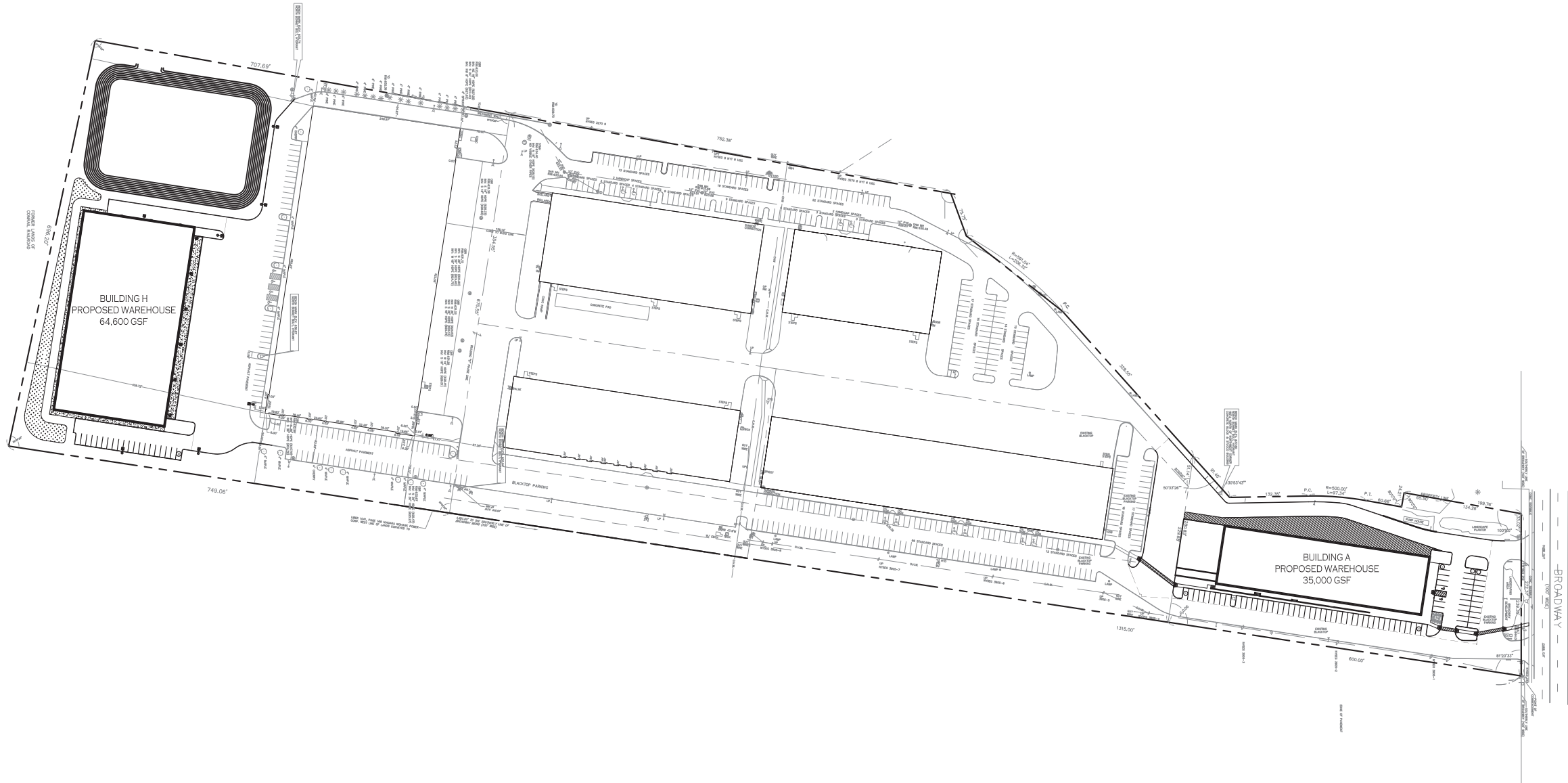
DRAWN: JOB NO.: 20100555 SHEET NO.:
CHECKED: DATE: FEBRUARY 2010
APPROVED: SCALE: 1"=400' 1 of 1



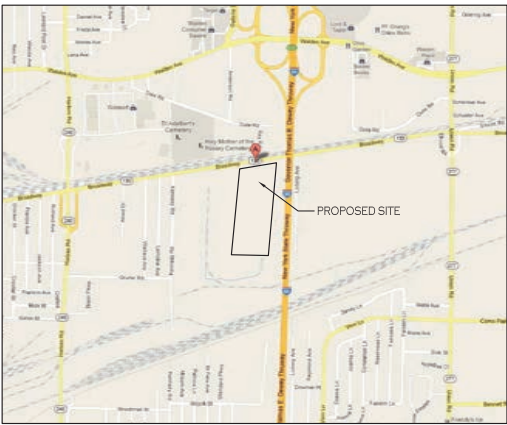
| | |
|--|------------------------------------|
| Site Data: | |
| Site Acreage: 8.17± Acres | Total Wetland Impact: 0.47± Acres |
| Existing Zoning: NS (frontage) and RA | |
| Neighborhood Service Frontage | Apartment District |
| Potential Layout: | Total Apartments: 40 Units |
| Neighborhood Service Area: 14,800± Sq. Ft. | Parking Spaces Required: 93 Spaces |
| Parking Spaces Required: 74 Spaces | Parking Spaces Proposed: 84 Spaces |
| Parking Spaces Proposed: 76 Spaces | |

| | | | |
|--|--|--|--|
| Town of Cheektowaga ERIE COUNTY NEW YORK TOWN JOB NO.: _____ | | 5050 Transit Road SITE PLAN | |
| APPROVED BY: _____ TOWN ENGINEER DATE: _____ | | <div><div>GPI</div><div>GREENMAN-PEDERSEN, INC. CONSULTING ENGINEERS ENGINEERING • SURVEYING • PLANNING SURVEYING SERVICES PERFORMED BY GPI ENGINEERING AND SURVEYING LLP 4950 GENESEE STREET SUITE 105 BUFFALO, NY 14225 (716) 633-4844 FAX (716) 633-4840</div></div> | |
| REVISION DATE BY | | | |
| NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW. | | DRAWN: _____ JOB NO.: 2010055 CHECKED: _____ DATE: NOVEMBER 2014 APPROVED: _____ SCALE: 1"= 40' | |

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SITE PLAN
SCALE: 1"=100'



SITE LOCATION MAP
SCALE: NONE

LOGGED 1182
DATE 11/25/14
BY KIB

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD MORRIS, D.P.C. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

100' 0 100 200FT.

| REVISIONS: | |
|------------|-------------|
| No. | Description |
| | |

Broadway Development Park
2839-2871 Broadway Street
Cheektowaga, NY
BDCI Property # 1182

Issued for Construction: xx.xx.xx
Municipality Submission: 11/21/2014
Drawn by: KPB
Scale: As Noted

DRAWING NAME:
Overall Site Plan

DRAWING NO.
C-4
Project no: 14.012

Notice of Public Hearing
Town of Cheektowaga FY 2015-2019 Consolidated Plan
And FY 2015 Annual Plan
Community Development Block Grant and HOME Programs

A public hearing will be held on Tuesday, January 20, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, NY 14227 on the Town's Fiscal Year 2015-2019 Consolidated Plan and Fiscal Year 2015 Annual Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) Programs to obtain the views of citizens and interested parties on housing and community development needs in the Town and on the draft Consolidated Plan and Action Plan which have been made available for public review in Town Hall, the Community Development Office, Cheektowaga Branch Libraries and online on the Cheektowaga web site. The Consolidated Plan provides insight into the housing and community needs of the Town and identifies programmatic goals to address those needs. The Annual Plan outlines specific housing and community development projects proposed to be funded with FY 2015 CDBG and HOME Program funds. The Town is eligible to receive funds estimated to be \$943,802 in CDBG funds and approximately \$223,014 in HOME Investment Partnership Program funds from HUD in 2015. Any difference in actual allocations received will be either added to, or deducted from, the Single-Family Rehabilitation Program. The Town also estimates approximately \$275,000 in CDBG and \$30,000 in HOME program income from its revolving housing rehabilitation loan program and \$275,000 in economic development revolving business loan program income will be received. Those wishing to offer comments at the hearing are asked to also submit a written text, which may also be submitted to the Cheektowaga Community Development Office, 275 Alexander Avenue, Cheektowaga, New York, 14211. Interpreters or signers for the hearing impaired will be made available at the meeting upon prior request. If you need such special arrangements, contact the Cheektowaga Community Development Office at 897-7200, Ext. 7, at least seven (7) business days prior to the hearing. The hearing location is accessible to the physically disabled.

Attachment: legalnotice Pub Hearing 1-20-15 (RES-2015-9 : Call for Public Hearing for CDBG Program)



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, January 20, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on January 20, 2015 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Absent | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Mark Wegner, Highway Superintendent

II. Public Comment Period

III. Public Hearings

1. Special Use Permit Request 6480 Transit Road - Dent Wizard

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Diane Benczkowski, Councilmember
SECONDER: Timothy J. Meyers, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers
ABSENT: Christine Adamczyk

**2. Town of Cheektowaga
FY 2015-2019 Consolidated Plan and FY 2015 Annual Plan**

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Diane Benczkowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers
ABSENT: Christine Adamczyk

IV. Resolutions



1. RESOLUTION 2015-32

Transfer of Funds-2014

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|--------------------|--|------------|
| FROM: | 100.3120.4321 | Data Processing Services | \$3,750.00 |
| | 100.7180.1971.1901 | Pt. Reg. Bathhouse Attendants | 3,250.00 |
| | 100.7140.1971.1614 | Pt. Reg. Playground Attendants | 4,200.00 |
| | 100.7140.1971.1630 | Pt. Reg. Gymnastics Salaries | 500.00 |
| | 100.7140.1971.1642 | Pt. Reg. Tennis Salaries | 600.00 |
| | 100.7140.1971.1632 | Pt. Reg. Dartwood Camp Salaries | 1,100.00 |
| | 100.7140.1971.1645 | Pt. Reg. Sports Rotation Salaries | 3,375.00 |
| | 100.7140.1971.1648 | Pt. Reg. Arts-Crafts Rotation Salaries | 3,138.00 |
| | 100.7310.1971.1803 | Pt. Reg. Adapted Rec. Program | 300.00 |
| | 100.7310.1971.1804 | Pt. Reg. Administrative Interns | 200.00 |
| | 100.7310.1971.1816 | Pt. Reg. Youth Conservation Corps | 700.00 |
| | 100.7180.1971.1901 | Pt. Reg. Bathhouse Attendants | 200.00 |
| | 100.7310.1971.1816 | Pt. Reg. Youth Conservation Corps | 300.00 |
| | 100.7310.1971.1816 | Pt. Reg. Youth Conservation Corps | 3,900.00 |
| | 100.7140.1971.1642 | Pt. Reg. Tennis Salaries | 1,200.00 |
| | 100.7140.1971.1815 | Pt. Reg. Outdoor Basketball Salaries | 107.00 |
| | 100.7140.1971.1646 | Pt. Reg. Sports Camp Salaries | 1,039.00 |
| | 100.7140.1971.1646 | Pt. Reg. Sports Camp Salaries | 310.00 |
| | 100.7140.1971.1815 | Pt. Reg. Outdoor Basketball Salaries | 330.00 |
| | 100.7140.1971.1630 | Pt. Reg. Gymnastics Salaries | 820.00 |
| | 100.7140.1971.1611 | Pt. Reg. Rink Patrol | 1,500.00 |
| | 100.7140.1971.1630 | Pt. Reg. Gymnastics Salaries | 1,500.00 |
| | 100.7140.1971.1630 | Pt. Reg. Gymnastics Salaries | 1,180.00 |
| | 100.7140.1971.1642 | Pt. Reg. Tennis Salaries | 1,100.00 |
| | 100.7140.1971.1815 | Pt. Reg. Outdoor Basketball Salaries | 500.00 |
| | 100.7310.1971.1816 | Pt. Reg. Youth Conservation Corps | 410.00 |
| | 100.7140.1971.1636 | Pt. Reg. Soccer Salaries | 200.00 |
| | 100.7310.1971.1816 | Pt. Reg. Youth Conservation Corps | 530.00 |
| | 100.7140.1971.1636 | Pt. Reg. Soccer Salaries | 300.00 |
| | 100.7180.1971.1901 | Pt. Reg. Bathhouse Attendants | 3,470.00 |
| TO: | 100.3120.2501 | Other Equipment | \$3,750.00 |
| | 100.7180.1971.1902 | Pt. Reg. Supervisors Beach-Pool | 3,250.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 4,200.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 500.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 600.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 1,100.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 3,375.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 3,138.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 300.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 200.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 700.00 |
| | 100.7310.1971.1801 | Pt. Reg. Alexander Day Camp | 200.00 |

| | | |
|--------------------|--|----------|
| 100.7310.1971.1811 | Pt. Reg. Youth Conservation Corps. Sup | 300.00 |
| 100.7310.1971.1814 | Pt. Reg. Teen Center Initiative | 3,900.00 |
| 100.7140.1971.1613 | Pt. reg. Playground Supervisors | 1,200.00 |
| 100.7140.1971.1624 | Pt. Reg. Polish Festival Support | 107.00 |
| 100.7140.1971.1627 | Pt. Reg. Volleyball Salaries | 1,039.00 |
| 100.7140.1971.1633 | Pt. Reg. Softball Salaries | 310.00 |
| 100.7140.1971.1633 | Pt. Reg. Softball Salaries | 330.00 |
| 100.7140.1971.1633 | Pt. Reg. Softball Salaries | 820.00 |
| 100.7140.1971.1639 | Pt. Reg. Hockey Salaries | 1,500.00 |
| 100.7140.1971.1639 | Pt. Reg. Hockey Salaries | 1,500.00 |
| 100.7140.1971.1640 | Pt. Reg. Inline Skating | 1,180.00 |
| 100.7140.1971.1640 | Pt. Reg. Inline Skating | 1,100.00 |
| 100.7140.1971.1640 | Pt. Reg. Inline Skating | 500.00 |
| 100.7140.1971.1640 | Pt. Reg. Inline Skating | 410.00 |
| 100.7140.1971.1654 | Pt. Reg. Basketball Salaries | 200.00 |
| 100.7140.1971.1664 | Pt. Reg. Pre K Salaries | 530.00 |
| 100.7140.1971.1664 | Pt. Reg. Pre K Salaries | 300.00 |
| 100.7140.1971.1664 | Pt. Reg. Pre K Salaries | 3,470.00 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



2. RESOLUTION 2015-33

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to January 20, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$381,900.71 |
| RISK RETENTION FUND | 176,761.50 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 279,072.00 |
| HUD HOUSING REHABILITATION FUND | 0.00 |
| SPECIAL DISTRICTS FUND | 543,592.06 |
| HIGHWAY FUND | 172,345.14 |
| CAPITAL FUND | 47,904.39 |
| TRUST & AGENCY FUND | 12,022.75 |
| HUD CDBG FUND | 360,930.47 |
| PART TOWN FUND | 5,120.50 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$1,979,649.52 |

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



3. RESOLUTION 2015-34

Award of Bid - 2 (Two) 2015 Ford Escape SE, SUV (BID 2014-37 CD)

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, a Notice to Bidders for the purchase of Two (2) New and Unused 2014 or Newer Ford Escape SE, SUV, or Equal (BID 2014-37 CD) was approved by the Town Board on December 15, 2014, AND

WHEREAS, the Notice to Bidders was advertised beginning December 18, 2014, AND

WHEREAS, bids were received and publicly opened on December 31, 2014, AND

WHEREAS, said bids were referred to the Director of Community Development for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the purchase and delivery of two (2) 2015 Ford Escape SE, SUV be awarded to:

Basil Ford, Inc.
1540 Walden Avenue
Cheektowaga, New York 14225

for their submission of the lowest bid meeting the requirements of the specifications in the amount of \$46,536.00, AND, BE IT FURTHER

RESOLVED, that the aforesaid purchase shall be chargeable to Community Development Block Grant Funds, Account No. 700.1013.0703.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



4. RESOLUTION 2015-35

Negative SEQR Declaration - 4646 Genesee Street

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by 4646 Genesee Street, LLC for a rezoning request from CM- General Commercial to MS- Motor Service to permit the re-use of 4646 Genesee Street for a car rental facility, 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, the Town of Cheektowaga Planning Board recommended approval of the special use permit at their meeting of December 11, 2014, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on December 10, 2014 recommended a determination of non-significance, AND

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

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



5. RESOLUTION 2015-36

Accept Site Plan- 510 Ellicott Road NKM Contracting

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Bruce Hora submitted a development review application for the construction of a 3,000 s.f warehouse addition at 510 Ellicott Road, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of December 11, 2014 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan, subject to :

1. The Zoning Board of Appeals granting the necessary setback variances along the west and north property lines.
2. The Town engineer reviewing/approving the grading/drainage plan.

Attachments:
site plans (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



6. RESOLUTION 2015-37

Accept Site Plan- 400 Airborne Parkway Uniland Development Company

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Michael Longo, R.A. for Uniland Partnership of Delaware, LP submitted a development review application for the construction of a (3) story, 108,000 s.f. administrative at 400 Airborne Parkway, AND

WHEREAS, the Town Environmental Advisory Committee reviewed the proposed site plan for this portion of the Airborne Business Park and have re-affirmed the negative declaration issued the by the Town Board on September 9, 1998, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of December 11, 2014 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The Town Engineer reviewing and approving the drainage/grading plan.
2. The Town Planner reviewing/approving a photometric plan for exterior lighting.
3. The Zoning Board of Appeals granting the necessary area variance for the building height.
4. The developer completing that portion of the required internal sidewalk from Genesee to the accessible route to the new building, as show on his/her attached plan.

Attachments:
sidewalk route01.07.15 (PDF)
Site Plans (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



7. RESOLUTION 2015-38

2015 Youth Development Award Contract

Sponsored By: Councilmember Rogowski, Supervisor Holtz

BE IT RESOLVED that subject to the approval of the Town Attorney, the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute the 2015 Youth Development Program Award Contract #LYB-887 in the amount of \$36,000 on behalf of the Department of Youth & Recreational Services and the Erie County Youth Bureau.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



8. RESOLUTION 2015-39

Notice to Bidders Baseball & Softball Equipment #2015-1

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS it is in order that bids be advertised for the purchase of baseball and softball equipment (Bid # 2015-1) for the Town of Cheektowaga Department of Youth and Recreational Services, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders, to be published in the CHEEKTOWAGA BEE, for the furnishing of said equipment. Information for bidders and specifications may be obtained from the office of Alice Magierski, Town Clerk, and BE IT FURTHER

RESOLVED that sealed bids (Bid #2015-1) will be received on February 4, 2015 at 11:00 a.m. Eastern Standard Time at a public bid opening to be held in the Town Clerk's Office located in Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed bid proposals will be received and considered by the Town Board of the Town of Cheektowaga, publicly opened and read by the Town Clerk of the Town of Cheektowaga, Erie County, New York, on February 4, 2015 at 11:00 a.m. Eastern Standard Time at Town Hall, corner of Broadway and Union Road for the purchase of baseball and softball equipment (Bid 2015-1).

Information for bidders and specifications may be obtained from the Town Clerk at her office located in the Cheektowaga Town Hall. One bid is to be submitted for the purchase of Baseball and Softball Equipment (or equivalents) as 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.

Alice Magierski, Town Clerk

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



9. RESOLUTION 2015-40

Notice to Bidders for an Asbestos Survey for Property Located at 36 Peachrow Lane (BID 2015-2 LAW)

Sponsored By: Councilmember Benczkowski, Supervisor Holtz

WHEREAS, pursuant to the Town's Unsafe Buildings Law, Nussbaumer & Clarke, Inc., a duly authorized agent of the Town of Cheektowaga, has issued a written report stating that the structures located at **36 Peachrow Lane** are unsafe and recommended that such structures be demolished; and

WHEREAS, the owners and/or lienholders of said property were notified to demolish said structures and no action for said demolition has been taken to date; and

WHEREAS, a hearing was held in front of this Board on October 20, 2014 concerning said unsafe structures and the requested demolition; and

WHEREAS, the Town of Cheektowaga needs to take action to demolish the structures located on said property in the event the owners of same do not do so; and

WHEREAS, prior to demolition of said structures, the Town needs to have an asbestos survey done to determine whether there is asbestos in said structures; and

WHEREAS, a Notice to Bidders has been prepared for this matter; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the Notice to Bidders for an Asbestos Survey for Property Located at **36 Peachrow Lane** in the Town of Cheektowaga (BID 2015-02 LAW); and BE IT FURTHER

RESOLVED, that the Town Clerk's Office be and hereby is directed to publish the attached Notice to Bidders in the CHEEKTOWAGA BEE; and BE IT FURTHER

RESOLVED, that bids for an Asbestos Survey for Property Located at **36 Peachrow Lane** (BID 2015-2 LAW) shall be due no later than **Wednesday, February 4, 2015 at 11:00 A.M.** at the Town Clerk's Office, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is appointed as the officer to open said bids in the Council Chambers of Town Hall on Wednesday, February 4, 2015 at 11:00 a.m.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on **Wednesday, February 4, 2015 at 11:00 A.M.** at the Town Hall, 3301 Broadway, Cheektowaga, New York, for an Asbestos Survey for Property Located at **36 Peachrow Lane, Cheektowaga, New York (Bid 2015-2)..**

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

Alice Magierski, Town Clerk

Dated: 20 January 2015

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



10. RESOLUTION 2015-41

Notice to Bidders - Equipment & Operators for Public Works Projects (Bid #2015-3)

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, it is in order that bids be advertised for the furnishing of Equipment and Operators for Public Works Projects in the Town of Cheektowaga for the period of February 16, 2015 to February 15, 2016, AND

WHEREAS, the Engineering Department was requested to prepare specifications, 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 the furnishing of Equipment & Operators for Public Works Projects, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 4th day of February, 2015 at 11:00 am at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 4, 2015 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of Equipment and Operators for Public Works Projects in the Town of Cheektowaga, effective February 16, 2015 to February 15, 2016. (Bid 2015-3)

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing of Equipment and Operators for Public Works Projects" and submitted to the Town Clerk prior to bid opening.

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Please be advised that in accordance with a resolution adopted by the Cheektowaga Town Board on December 23, 2008, effective December 24, 2008, contractors on all construction contracts with a value in excess of \$1,000,000 and up to \$3,000,000 must have apprenticeship agreements appropriate for the type and scope of work to be performed that have been registered with and approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

Alice Magierski, Town Clerk

DATED: January 20, 2015

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



11. RESOLUTION 2015-42

Purchase 1 Wheelchair Accessible & 2 Passenger Vans for the Senior Center

Sponsored By: Councilmember Benczkowski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga Office of Community Development would like to purchase one (1) Wheelchair Accessible Van and two (2) Passenger Vans for use by the Town of Cheektowaga Senior Center, and

WHEREAS, Article 5-A of the General Municipal Law of the State of New York permits a municipality to utilize County bid pricing for purchases in lieu of advertising for bids on its own, and

WHEREAS, the County of Chautauqua has awarded a bid for the purchase of such vehicles (Contract Number PC66384) and has, as part of said bid process, allowed various municipalities, including the Town of Cheektowaga, to utilize its bid prices for the purchase of such vehicles, and

WHEREAS, the Cheektowaga Office of Community Development has reviewed the County bid pricing for the vehicles it wishes to purchase, and has determined that the Town of Cheektowaga can save money by utilizing Chautauqua County's bid to purchase these vehicles, and

WHEREAS, the Chautauqua County bid price for one (1) Wheelchair Van is \$55,017.39 and one (1) Passenger Van is \$25,078.00, and

WHEREAS, Emerling Chevrolet has agreed to provide one (1) Wheelchair Van at a cost of \$55,017.39 and two (2) Passenger Vans at a cost of \$25,078.00 each, for a total cost of \$105,173.39, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby agrees to utilize Chautauqua County Contract Number PC66384 for the purchase of one (1) Wheelchair Accessible Van and two (2) Passenger Vans at a total cost of \$105,173.39 as per the proposal submitted by Emerling Chevrolet dated 11/25/2014, and BE IT FURTHER

RESOLVED, that funding for the purchase of these vehicles shall be appropriated from Community Development Block Grant Funds, Account No. 700.1014.0665.

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



12. RESOLUTION 2015-43

Retain Outside Counsel for Litigation Matters

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, periodically, the Town of Cheektowaga requires the services of outside legal counsel to assist and/or represent the Town with regard to various litigation matters, and

WHEREAS, moneys have been budgeted by the Town for this purpose, and

WHEREAS, Marylou K. Roshia, Esq., formerly of the firm of Damon Morey, LLP, has represented the Town in many civil litigation proceedings and has the necessary expertise in this area, and

WHEREAS, Marylou K. Roshia, Esq., on behalf of the firm of Colucci & Gallaher, P.C., has submitted an engagement letter to the Town to provide these services to the Town, NOW, THEREFORE, BE IT

RESOLVED, that Colucci & Gallaher, P.C., be and hereby is retained as outside counsel to assist the Town of Cheektowaga on an as-needed basis with respect to civil litigation matters against the Town as per its engagement letter dated January 6, 2015, at the following rates: \$175.00 per hour for Partner time, \$145.00 per hour for Associate time, and \$85.00 per hour for Paralegal time, and BE IT FURTHER

RESOLVED, that payments for said outside counsel shall be appropriated from budget line item number 101-1932-4703, and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said engagement letter, subject to approval of the Town Attorney.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



13. RESOLUTION 2015-44

Chief and Assistant Chief of Police salary adjustment

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town and the Cheektowaga Captains and Lieutenants Association, Inc. have negotiated and have agreed upon a successor agreement for Years 2014 through 2015 by resolution 2014-305 on May 19, 2014, and

WHEREAS, the Town believes the Chief and Assistant Chief of Police should also have their compensation adjusted to that contract settlement agreement, NOW, THEREFORE, BE IT

RESOLVED, that the Chief and Assistant Chief of Police compensation shall be adjusted in accordance with the Captains and Lieutenants Association, Inc. Settlement regarding the wage increase and clothing and longevity modifications for 2014 and 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



14. RESOLUTION 2015-45

Standard Work Day and Reporting Resolution for Appointed Assessor

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Comptroller of New York State has adopted revised regulations for reporting days worked by elected and appointed officials to the New York State and Local Retirement System (NYSLRS). Regulation 315.4 more clearly defines the reporting process and adds requirements for both employers and elected and appointed officials. This regulation applies to new terms of office or appointments beginning on or after August 12, 2009, NOW, THEREFORE BE IT

RESOLVED, that the Town of Cheektowaga hereby establishes the following as standard work days for appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the time keeping system records:

| Title | Name | Standard work day (hrs/day) | Term begins/ends | Participates in Employer's Time keeping |
|---------------------|-------------------|-----------------------------------|---------------------|---|
| Appointed Officials | | | | |
| Assessor | Jeneen McSkimming | 8 | 10/1/2013-9/30/2019 | Yes |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



15. RESOLUTION 2015-46

Minimum Wage Increase Youth & Recreation Department

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the New York State Legislature has approved minimum wage increases in 2014, 2015, and 2016 and

WHEREAS, the second of three increases becomes effective January 1, 2015, NOW THEREFORE BE IT

RESOLVED that the following individuals be and hereby are elevated as follows so as to comply with the new minimum wage law as it affects the existing workforce pay structure of those earning less than \$8.75 per hour (regular part-time/part-time):

RETRO TO 1/1/15

| | | |
|----------------|---|---------|
| Shannon Kelly | - | \$ 9.30 |
| Roger Newhouse | - | \$19.55 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



16. RESOLUTION 2015-47

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.25/hour effective 12/26/14
Allen K. Steltermann, Cheektowaga, NY
Keith M. Pignatora, Cheektowaga, NY

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

SANITATION DEPARTMENT
Trevor D. Starzynski effective 12/24/14

BE IT RESOLVED, that the following be and hereby are amended as follows:

SANITATION DEPARTMENT Termination Date
Louis A. Hyatt effective 12/18/14

TOWN CLERK'S OFFICE (Records Management) Clerk \$15/hour effective 1/21/15
Joseph S. Fedyna, Cheektowaga, New York

Motion by Councilmember Rogowski; Seconded by Councilmember Benczkowski to waive the reading of names for this resolution. Motion Carried.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



17. RESOLUTION 2015-48

Termination of Clerk to the Town Justice (Exempt) Kimberly Kent-Chojnicki

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

BE IT RESOLVED, that Kimberly K. Kent-Chojnicki be and hereby is terminated from her position as Clerk to the Town Justice effective January 15, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



18. RESOLUTION 2015-49

Appoint Patrick T. Bowen, P.E., Project Manager for the Cheektowaga Safe Crossings Transportation Alternative Project 2014

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, by letter dated October 27, 2014, the Town was advised that funding was approved for the Cheektowaga Safe Crossings Transportation Alternative Project 2014 (TAP 2014), PIN #5761.10, which provides for an eighty percent (80%) federally funded reimbursement for eligible expenses and requires a twenty percent (20%) local share match, AND

WHEREAS, funds have been allocated to provide for the Town's matching share, AND

WHEREAS, the grant is required to be administered in accordance with New York State Department of Transportation guidelines and procedures for locally administered Federal Aid Projects, AND

WHEREAS, the grant administration guidelines require the Town to assign a Project Manager for this project, AND

WHEREAS, Patrick T. Bowen, P.E., Town Engineer, is familiar with this project and is qualified to act as Project Manager, NOW, THEREFORE, BE IT

RESOLVED, that Patrick T. Bowen, P.E., Town Engineer, be and hereby is appointed Project Manager for the Cheektowaga Safe Crossings Transportation Alternative Project 2014.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



19. RESOLUTION 2015-50

Appointment of Clerk to the Town Justice (Exempt) Mary Ann Zajdowicz

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, a vacancy exists in the title of Clerk to the Town Justice; AND

WHEREAS, said title is in the exempt class of civil service; AND

WHEREAS, Town Justice Dennis Gorski has requested that such title be filled as he does not have an individual to manage, administer and coordinate the various judicial and non-judicial activities and responsibilities associated with his official office; AND

WHEREAS, Mary Ann Zajdowicz, currently employed as a part-time Clerk in the Justice Court, meets the qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Mary Ann Zajdowicz of Depew, New York, be and hereby is appointed to the position of Clerk to the Town Justice effective January 16, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



20. RESOLUTION 2015-51

Travel Authorization Accounting Department, Engineering Department and Justice Court

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Association of Towns of the State of New York 2015 Training School and Annual Meeting will be held in New York City from February 15th - 18, 2015; and

WHEREAS, said training meeting and annual school covers numerous municipal topics of interest to town officials, and

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

RESOLVED, that the following individuals be and hereby are authorized to attend the 2015 Training School and Annual Meeting of the Association of Towns, and payments for expenses incurred by said individuals shall be appropriated from the following respective budget lines:

| <u>Official/Employee Authorized to Attend</u> | <u>Budget Line Item No.</u> |
|--|-----------------------------|
| Town Engineer Patrick Bowen | 100.1440.4088 |
| Director of Administration and Finance Brian M. Krause | 100.1315.4088 |
| Town Justice Paul Piotrowski | 100.1110.4082 |
| Town Justice Dennis Gorski | 100.1110.4082 |

And BE IT FURTHER

RESOLVED, that Director of Administration and Finance Brian Krause hereby is designated as the Official Voting Delegate (Town Engineer Patrick Bowen designated as Alternate Voting Delegate) to represent the Town at the Association of Towns meeting, and BE IT FURTHER

RESOLVED, that the Town shall reimburse the above named individuals for the reasonable and necessary expenses incurred in attending such meeting out of the above referenced budget line numbers.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



21. RESOLUTION 2015-52

Travel Authorization Emergency Services

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the NYS Emergency Managers Winter Conference is being held February 10 through February 12, 2015 in Syracuse, New York; AND

WHEREAS, Natural Disaster Coordinator Earl Loder has been recommended to attend said conference; AND

WHEREAS, Mr. Loder has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$353; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Natural Disaster Coordinator Earl Loder be and hereby is authorized to attend the NYS Emergency Managers Winter Conference being held February 10 through February 12, 2015 in Syracuse, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



22. RESOLUTION 2015-53

Travel Authorization Police Department

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, the Building a Disaster Resilient Niagara 2015 Seminar is being held February 27, 2015 in Niagara Falls, Ontario, Canada; AND

WHEREAS, Assistant Chief of Police James Speyer, Captain Michael Sliwinski and Captain Michael Isbrandt have been recommended to attend said seminar; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$180; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Assistant Chief of Police James Speyer, Captain Michael Sliwinski and Captain Michael Isbrandt be and hereby are authorized to attend the Building a Disaster Resilient Niagara 2015 being held February 27, 2015 in Niagara Falls, Ontario, Canada.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



23. RESOLUTION 2015-54

Travel Authorization Police Department

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, the Senior Management Institute for Police Conference is being held July 12 through July 30, 2015 in Boston, Massachusetts; AND

WHEREAS, Police Chief David Zack is requesting approval to attend said conference and has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$10,555; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Chief David Zack be and hereby is authorized to attend the Senior Management Institute for Police being held July 12 through July 30, 2015 in Boston, Massachusetts.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



24. RESOLUTION 2015-55

Travel Authorization Police Department

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, Basic SWAT School is being held March 9 through March 20, 2015 and May 4 through May 15, 2015 at a site yet to be determined; AND

WHEREAS, Police Officers Justin Haag, Shawn McAdams, David Vogel and Darryl Leszkowicz have been recommended to attend said school; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$3,518.53; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officers Justin Haag, Shawn McAdams, David Vogel and Darryl Leszkowicz be and hereby are authorized to attend Basic SWAT School being held March 9 through March 20, 2015 and May 4 through May 15, 2015 at a site yet to be determined.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



25. RESOLUTION 2015-56

Travel Authorization Youth and Recreational Services

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the NSPF Certified Pool/SPA Operator Course is being held February 17 and February 18, 2015, in Rochester, New York; AND

WHEREAS, Recreation Instructor Jeffrey Kunkel has been recommended to attend said course; AND

WHEREAS, the Executive Director Ellen Fischer has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$295; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Recreation Instructor Jeffrey Kunkel be and hereby is authorized to attend the NSPF Certified Pool/SPA Operator Course being held February 17 and February 18, 2015, in Rochester, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



26. RESOLUTION 2015-57

Travel Authorization Youth and Recreational Services

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Association of New York State Youth Bureaus Annual Youth Leadership Conference is being held February 9 through February 10, 2015 in Albany, New York; AND

WHEREAS, Program Coordinator Jillian Gorman-King, YES Director Melissa Nosal and town youth representatives Slade Miller and Tyler Kunkel have been recommended to attend said conference; AND

WHEREAS, Executive Director Ellen Fischer has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$550; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Program Coordinator Jillian Gorman-King, YES Director Melissa Nosal and town youth representatives Slade Miller and Tyler Kunkel be and hereby are authorized to attend the Association of New York State Youth Bureaus Annual Youth Leadership Conference being held February 9 through February 10, 2015 in Albany, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |

V. Communications

A. Departmental Communications

1. Town of Cheektowaga Emergency Services - Quarterly Report for October to December 2014
2. Town of Cheektowaga GASB 45 Disclosure and Expense Report for the Fiscal Year Ending December 31, 2014
3. Building Permit List - December 2014

4. Minutes: Cheektowaga Traffic Safety Commission - November 18, 2014 - Meeting Cancelled
5. Minutes: Cheektowaga Traffic Safety Commission - December 16, 2014

B. General Communications

1. Notice of Claim: Walter T. Brown vs. Town of Cheektowaga
2. Notice of Claim: Barbara Michalski vs. Town of Cheektowaga
3. Notice of Claim: Jacqueline Rusinek vs. Town of Cheektowaga
4. Notice of Claim: Paul Staring vs. Town of Cheektowaga
5. Notice of Claim: James Wlosinski vs. Town of Cheektowaga
6. Notice of Claim: Jack Zaenglein vs. Town of Cheektowaga

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjourn

Motion by Supervisor Holtz; Seconded by Councilmember Meyers to adjourn the meeting and have a moment of silence for Retired Receiver of Taxes, Joan Dudek.

Alice Magierski, Town Clerk

WARNINGS: IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED ARCHITECT OR PROFESSIONAL ENGINEER, TO ALTER IN ANY WAY, PLANS, SPECIFICATIONS, OR REPORTS TO WHICH THE SEAL OF A LICENSED ARCHITECT OR PROFESSIONAL ENGINEER HAS BEEN APPLIED.

NOTES

1. FOR REFERENCE INFORMATION SEE TOPOGRAPHIC BOUNDARY SURVEY PREPARED BY LAWRENCE J. ZYGAI, PLS, PC DATED FEBRUARY 25, 2014 AND IDENTIFIED AS JOB NO. 14009, INCLUDED WITH THIS SET OF SITE PLANS.
2. ALL CONSTRUCTION SHALL CONFORM TO TOWN OF CHEEKTOWAGA STANDARDS AND NEW YORK STATE CODE REQUIREMENTS, AS WELL AS THE LATEST A.I.S.C., A.C.I., AND A.S.T.M. STANDARDS. WHERE CODES OVERLAP, THE CONTRACTOR SHALL COMPLY WITH THE MORE STRINGENT CODE.
3. WHERE A SPECIFIC MANUFACTURER'S PRODUCT IS CALLED OUT ON THIS SHEET OR ANY OTHER PLAN IN THIS SET OF DRAWINGS, THE CONTRACTOR MUST COMPLY WITH THE MANUFACTURER'S LATEST PRINTED INSTRUCTIONS AND RECOMMENDATIONS FOR INSTALLATION.
4. ANY TEMPORARY TRAFFIC CONTROL AND WARNING SIGNS USED DURING CONSTRUCTION SHALL CONFORM TO N.Y.S.D.O.T. MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
5. THE CONTRACTOR SHALL MAINTAIN ACCESSIBLE PASSAGEWAYS FOR TRAFFIC AND PEDESTRIANS TO EXISTING BUSINESSES WHICH WILL REMAIN IN OPERATION THROUGHOUT THE DURATION OF THE CONSTRUCTION.
6. ANY CAST-IN-PLACE CONCRETE SHALL CONFORM TO N.Y.S.D.O.T. STANDARD SPECIFICATIONS (SECTION 501). USE CLASS "C" FOR STRUCTURAL SLABS. USE CLASS "D" FOR SIDEWALKS AND ALL OTHER GENERAL PURPOSE CONCRETE PAVEMENT ON SITE. CEMENT USED TO PRODUCE CONCRETE SHALL CONFORM WITH BOTH ACI 318 AND ASTM C1157. CONCRETE SHALL HAVE A SLUMP OF NO MORE THAN 5" AND AN AIR ENTRAINMENT OF 4-6%.
7. ALL CONCRETE CURBS, SIDEWALKS, APRONS, AND PADS SHALL BE CURED USING A PIGMENTED CURING COMPOUND CONFORMING TO A.S.T.M. C309.
8. ANY DEVIATION FROM ANY PLANS IN THIS DRAWING SET SHALL REQUIRE APPROVAL OF DESIGN ENGINEER AND THE TOWN OF CHEEKTOWAGA PLANNING AND BUILDING DEPARTMENTS, AS WELL AS THE APPROPRIATE UTILITY COMPANIES AND SERVICE PROVIDERS.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PAYING ALL NECESSARY FEES AND OBTAINING ALL NECESSARY PERMITS PRIOR TO THE START OF CONSTRUCTION. CONTACT TOWN OF CHEEKTOWAGA BUILDING DEPARTMENT (686-3567) FOR INSTRUCTIONS, PERMIT APPLICATIONS, AND FEES.

CODE & SITE DATA

TOTAL PARCEL = 0.79 ACRES (±34,533 SQ. FT.)
ZONED: M1 (LIGHT MANUFACTURING)

| BUILDING SETBACK | REQUIRED | PROVIDED |
|------------------|----------|-----------|
| FRONT | 50'-0" | 0'-2" *** |
| SIDE | 10'-0" | 1'-2" *** |
| REAR | 20'-0" | 248'-9" |

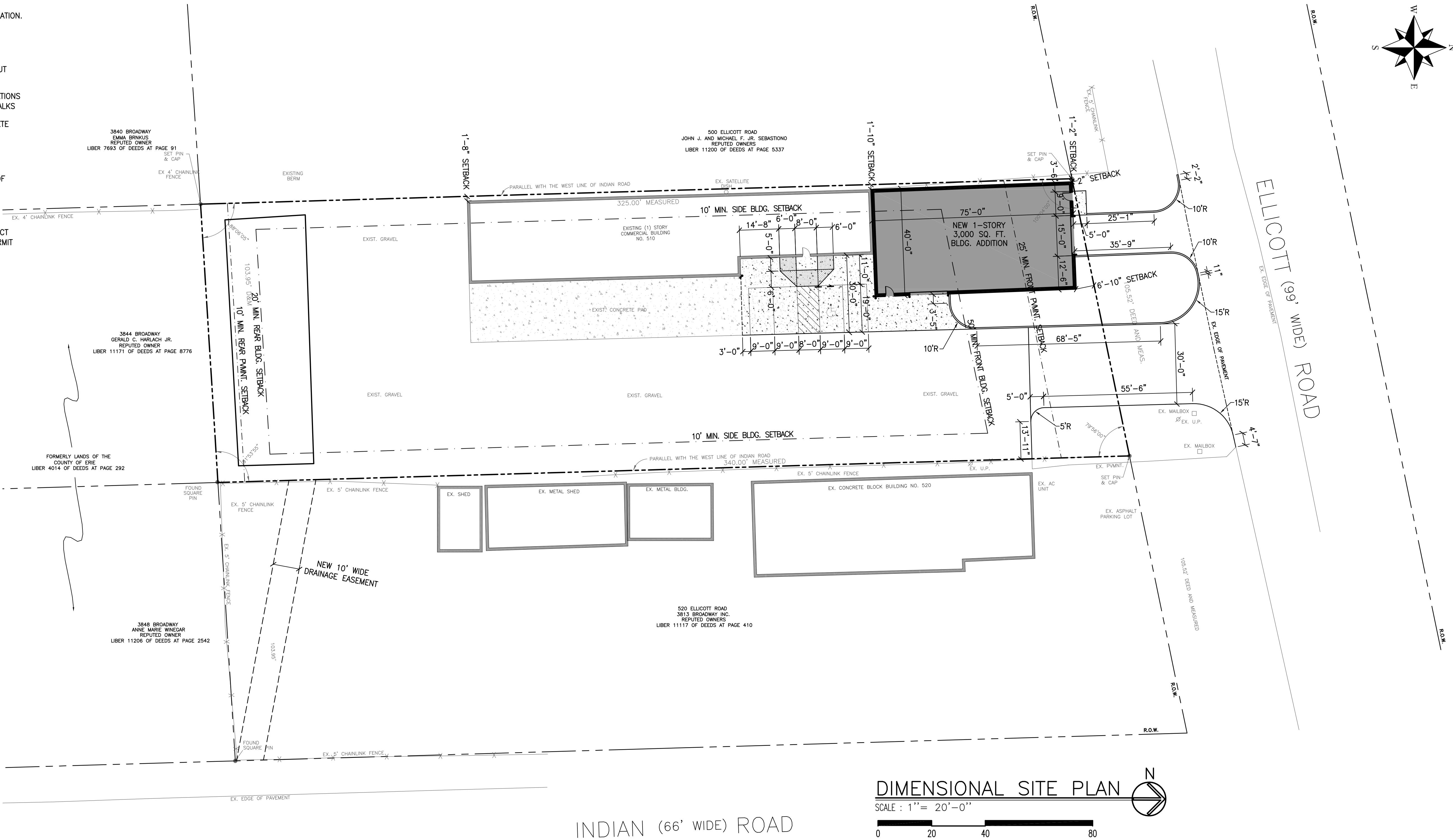
| LANDSCAPE | REQUIRED | PROVIDED |
|--------------|----------|----------|
| TOTAL PARCEL | 15% | 4% *** |

| PARKING | REQUIRED | PROVIDED |
|----------|----------|----------|
| PROPOSED | 4 SPACES | 4 SPACES |
| HANDICAP | 1 SPACE | 1 SPACE |

PROP. BLDG. FOOTPRINT = ±3,000 SQ. FT. (GROSS)
*** VARIANCE REQUESTED

LEGEND

- NEW SIGN
- EXISTING FENCE
- EXISTING EDGE OF PAVEMENT
- NEW EDGE OF PAVEMENT
- EXISTING CURB
- NEW CURB (6")
- SITE PARCEL PROPERTY/R.O.W. LINE
- ADJACENT PROPERTY/R.O.W. LINES
- EXISTING UTILITY POLE
- EXISTING CONCRETE AREAS
- NEW CONCRETE AREAS



BUILDING ADDITION
510 ELLICOTT ROAD
CHEEKTOWAGA, NEW YORK 14227

THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER BEFORE EXCAVATION & CONSTRUCTION TO ENSURE HE/SHE HAS THE FINAL SET OF DESIGN DOCUMENTS AS ISSUED FOR CONSTRUCTION. THIS PLAN IS CURRENT AS OF THE DATE IT WAS ISSUED. SUBSEQUENT UPDATES OF THIS PLAN BY THE DESIGN ENGINEER DOES NOT AFFORD ANY TRANSFEREES THE RIGHT TO RECEIVE SAID UPDATES, BUT PLACES THE RESPONSIBILITY TO THE TRANSFEREE TO OBTAIN UPDATED PLANS WHICH ARE ISSUED FOR CONSTRUCTION AS THESE MAY DIFFER FROM PREVIOUS PLANS ISSUED FOR PERMIT OR BID.



| | |
|------------------------------|----------|
| RE-ISSUED FOR SITE PLAN REV. | 11/20/14 |
| ISSUED FOR SITE PLAN REV. | 4/30/14 |

DIMENSIONAL SITE PLAN

optima
LANDSCAPE ARCHITECTS, PLLC
Tri-Main Center
2495 Main Street, Suite 301
Buffalo, New York 14224
Phone: (716) 803-6400
Fax: (716) 810-9504

DRAWN BY: AVT
CHECKED BY: OST
JOB # 13-335

SHEET
C-1.1

LANDSCAPE NOTES

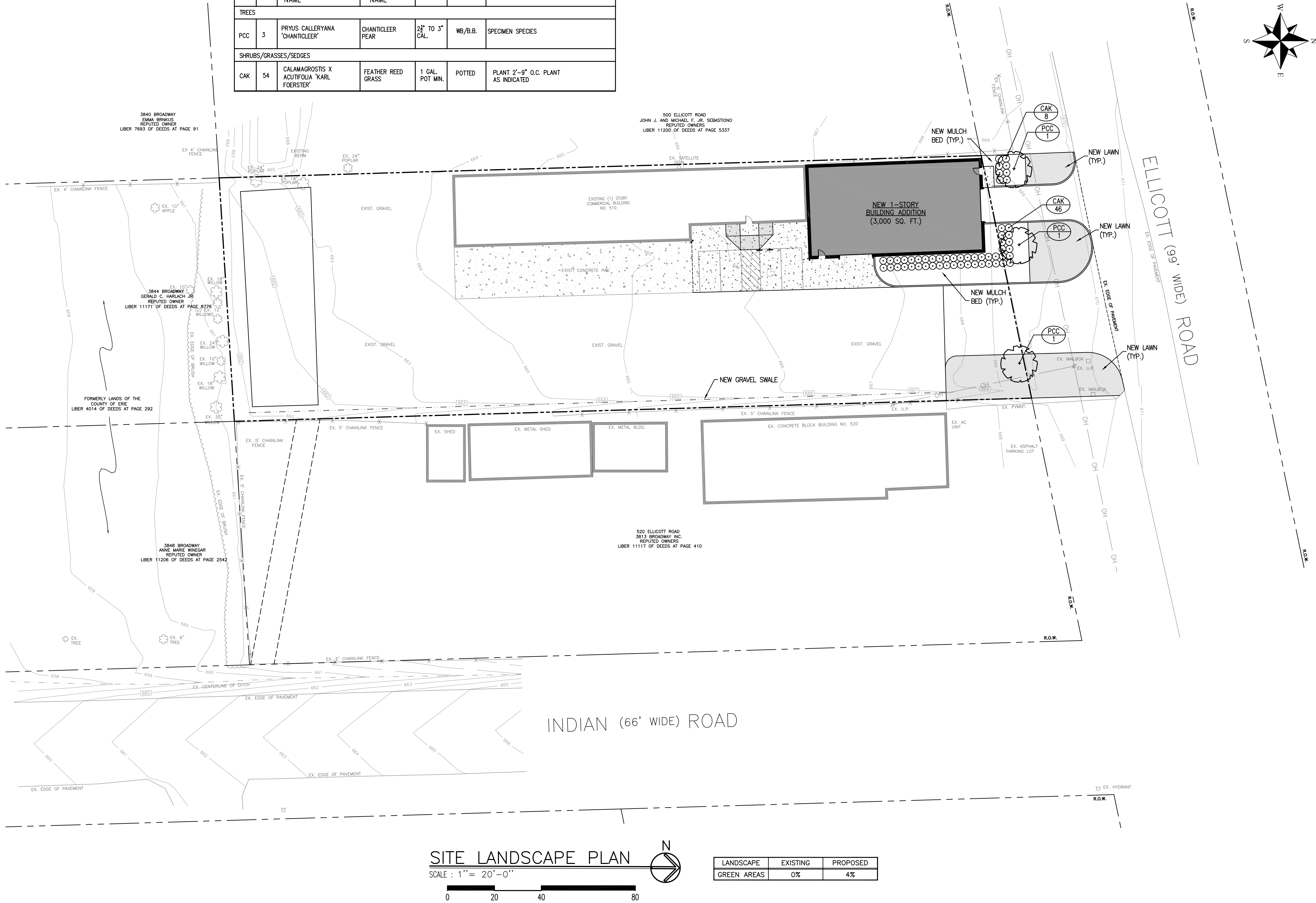
- THE CONTRACTOR SHALL PROVIDE MAINTENANCE INCLUDING FERTILIZING, RE-SEEDING, AND WATERING AS REQUIRED DURING LANDSCAPE INSTALLATION AND PLANTING FOR A MINIMUM PERIOD OF 12 MONTHS FROM PLANTING DATE.
- THE CONTRACTOR SHALL SCARIFY ALL NEW LANDSCAPE AREAS PRIOR TO SEEDING. REMOVE DEBRIS AND ROCKS TO 24" DEPTH PRIOR TO APPLYING TOPSOIL. LIME SOIL AS NECESSARY TO A pH OF 6.5. FERTILIZE WITH 850 lbs. OF 5-10-10 OR EQUIVALENT PER ACRE (20 lbs. PER EVERY 1000 SQ. FT.). LIME AND FERTILIZE THE TOP 2"-4" OF TOPSOIL.
- THE CONTRACTOR SHALL FURNISH AND INSTALL A 3" MINIMUM LAYER OF HIGH-QUALITY SHREDDED HARDWOOD BARK OR CEDAR MULCH IN ALL PLANTING BEDS.
- ALL PROPOSED LANDSCAPE AREAS AND PLANTING BEDS SHALL BE EXCAVATED OF ALL BUILDING MATERIALS AND POOR UNSUITABLE SOILS TO A DEPTH OF 24" AND BACKFILLED WITH TOPSOIL AND THE PLANTING MIXTURE AS SPECIFIED IN THE DETAILS.
- BURLAP MESH MAY BE USED TO COVER SEEDING ON ANY SLOPE EMBANKMENTS STEEP ENOUGH TO IMPEDE THE ESTABLISHMENT OF LAWN AREAS.
- UNLESS RECOMMENDED OTHERWISE BY THE SEED VENDOR OR THE LANDSCAPE CONTRACTOR, PERMANENT GRASS SEEDING SHALL CONSIST OF A MIXTURE OF THE FOLLOWING:
 - KENTUCKY BLUEGRASS = 25% BY WEIGHT (98% MIN. PURITY; 85% MIN. GERMINATION)
 - PENN LAWN RED FESCUE = 25% BY WEIGHT (95% MIN. PURITY; 80% MIN. GERMINATION)
 - TRIPLE CROWN PERENNIAL RYE = 50% BY WEIGHT (95% MIN. PURITY; 90% MIN. GERMINATION)
- HAND-BROADCASTING OR HYDRO-SEEDING AND HYDRO-MULCHING SHALL BE USED TO ESTABLISH ALL NEW LAWN AREAS. IF HAND-BROADCASTING, SEW SEED AT A RATE OF 5 lbs. PER 1000 SQ. FT. RAKE SEED INTO TOP 1/8" OF TOPSOIL, ROLL, AND WATER WITH FINE MIST. WATER SEED AS RECOMMENDED BY SEED VENDOR. UNIFORMLY SPREAD 2 INCHES OF STRAW MULCH OVER ENTIRE SEED AREA, AT THE RATE OF 2 TONS PER ACRE, IMMEDIATELY AFTER ROLLING AND WATERING SEEDING AREAS. REMOVE ANY WIND-SWEPT MULCH PILES AS NECESSARY TO PREVENT DAMAGE TO GRASS.
- IN NEW MULCH BEDS THE CONTRACTOR SHALL INSTALL A QUALITY WOVEN LANDSCAPE FABRIC (SUCH AS FABRISCAPE 4.75 OZ. WOVEN WEED RESTRICTOR PLUS OR APPROVED EQUAL) FOR WEED CONTROL BENEATH A 2"-3" LAYER OF CEDAR / HARDWOOD BARK MULCH. CALL (800) 992-0550 TO ORDER AND FOR INSTALLATION INSTRUCTIONS.
- TOPSOILING AND SEEDING, HYDROSEEDING, OR SODDING SHALL TAKE PLACE WITHIN 24 HOURS OF FINAL GRADING. SEED SHALL NOT BE BROADCAST DURING CONDITIONS OF HIGH WIND OR EXCESSIVE MOISTURE.
- FERTILIZERS SHALL BE APPLIED ONLY IN THE MINIMUM AMOUNTS REQUIRED BY THE MANUFACTURER. FERTILIZERS SHALL BE COMPLETELY WORKED INTO THE SOIL IMMEDIATELY FOLLOWING APPLICATION TO LIMIT EXPOSURE TO STORMWATER RUNOFF. FERTILIZERS SHALL BE STORED IN A COVERED SHED AND PARTIALLY USED BAGS SHALL BE TRANSFERRED TO A SECURELY-SEALED BIN TO AVOID SPILLS.
- MOW NEWLY SEEDED AREAS FOR THE FIRST THREE (3) TIMES. AT EACH MOWING CUT TO A HEIGHT OF 2 INCHES AFTER GROWTH HAS REACHED APPROXIMATELY 3-½ INCHES. APPLY WEED AND FEED AS DIRECTED ON MANUFACTURER'S APPLICATION INSTRUCTIONS AFTER THE SECOND MOWING.
- ALL NEW LAWN AREAS SHALL HAVE A 6 INCH MINIMUM LAYER OF TOPSOIL BEFORE SEEDING.
- ALL NEW LAWN AREAS SHALL BE COMPLETE IN COVERAGE AND VIGOROUS IN GROWTH IN ORDER TO BE ACCEPTABLE. REPAIR, RE-SEED, AND WATER NEW LAWN AREAS AS NECESSARY UNTIL THEY REACH THE LEVEL OF FINAL ACCEPTANCE.
- REMOVE ALL STICKS, RUBBISH, STONES, AND ANY DEBRIS COLLECTED DURING RAKING, MOWING, AND LAWN ESTABLISHMENT ACTIVITIES. DISPOSE OF AT AN APPROPRIATE OFF-SITE LOCATION PER LOCAL REGULATIONS.

LEGEND

- EXISTING TREE OR SHRUB TO REMAIN
- NEW TREE OR SHRUB
- EXISTING BRUSH/TREELINE TO REMAIN
- EXISTING SIGN
- NEW SIGN
- EXISTING UTILITY POLE
- EXISTING FENCE
- NEW FENCE
- EXISTING EDGE OF PAVEMENT
- NEW EDGE OF PAVEMENT
- EXISTING CURB
- NEW CURB (6")
- SITE PROPERTY LINE
- ADJACENT PROPERTY LINE
- CENTERLINE OF EXISTING SWALE
- CENTERLINE OF NEW SWALE
- NEW CONCRETE AREAS
- EXISTING CONCRETE AREAS
- NEW LAWN AREAS

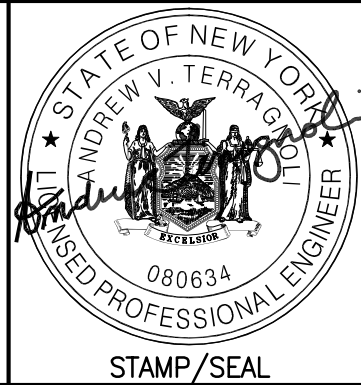
PLANT LIST: NEW PLANT MATERIAL

| KEY | NO. | BOTANICAL NAME | COMMON NAME | SIZE | CONDIT. | REMARKS |
|-----------------------|-----|--|--------------------|-------------------|---------|-------------------------------------|
| TREES | | | | | | |
| PCC | 3 | PRYUS CALLERYANA 'CHANTICLEER' | CHANTICLEER PEAR | 2 1/2" TO 3" CAL. | WB/B.B. | SPECIMEN SPECIES |
| SHRUBS/GRASSES/SEDGES | | | | | | |
| CAK | 54 | CALAMAGROSTIS X ACUTIFOLIA 'KARL FOERSTER' | FEATHER REED GRASS | 1 GAL. POT MIN. | POTTED | PLANT 2'-9" O.C. PLANT AS INDICATED |



BUILDING ADDITION
510 ELLICOTT ROAD
CHEEKTOWAGA, NEW YORK 14227

THE CONTRACTOR SHALL CONTACT THE DESIGN ENGINEER BEFORE EXCAVATION & CONSTRUCTION TO ENSURE HE/SHE HAS THE FINAL SET OF DESIGN DOCUMENTS AS ISSUED FOR CONSTRUCTION. THIS PLAN IS CURRENT AS OF THE DATE IT WAS ISSUED. SUBSEQUENT UPDATES OF THIS PLAN BY THE DESIGN ENGINEER DOES NOT AFFORD ANY TRANSFERREES THE RIGHT TO RECEIVE SAID UPDATES, BUT PLACES THE RESPONSIBILITY TO THE TRANSFERREE TO OBTAIN UPDATED PLANS WHICH ARE ISSUED FOR CONSTRUCTION AS THESE MAY DIFFER FROM PREVIOUS PLANS ISSUED FOR PERMIT OR BID.



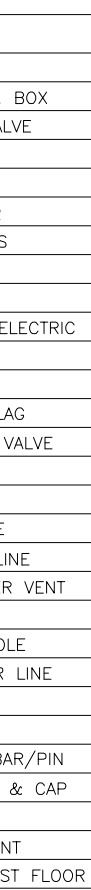
| | |
|------------------------------|----------|
| RE-ISSUED FOR SITE PLAN REV. | 11/20/14 |
| ISSUED FOR SITE PLAN REV. | 4/30/14 |

SITE LANDSCAPE
PLAN

optima
LANDSCAPE ARCHITECTS, PLLC
Tri-Main Center
2495 Main Street, Suite 301
Buffalo, New York 14214
Phone: (716) 803-6400
Fax: (716) 810-9504

DRAWN BY: OST
CHECKED BY: AVT
JOB #13-335

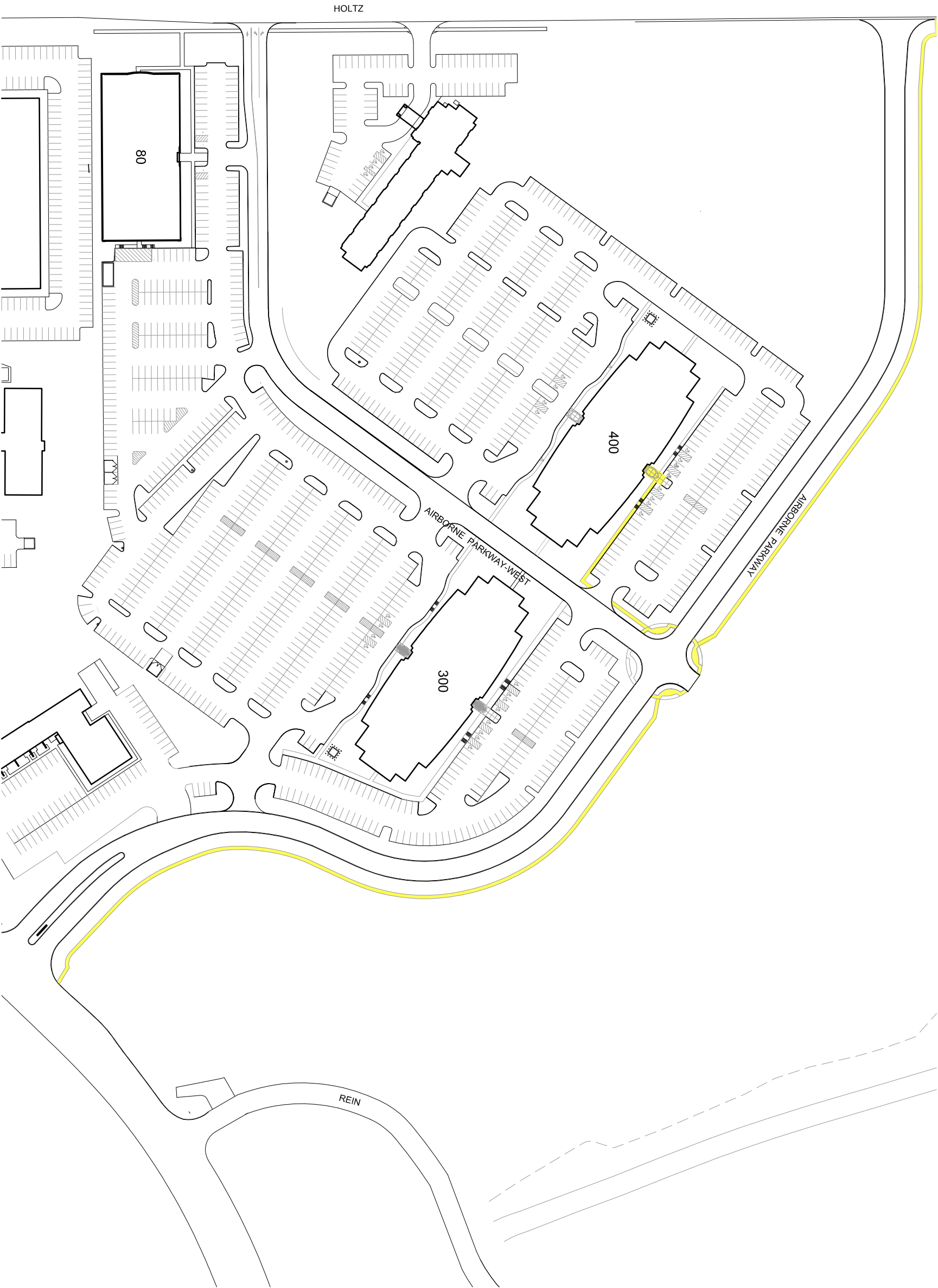
SHEET
C-4.0



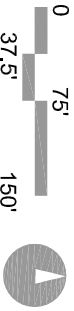
ALL UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE. BEFORE YOU DIG, DRILL, OR BLAST, CALL UFPO AT 1-800-962-7962.

| | | | |
|-------------|---------------|--------------------|---|
| Survey Date | Revision Date | Comment | <p>Map of Survey</p> <p>Part of Lot 2 Township 11 Range 7 H.L.C.</p> <p>Town of Cheektowaga</p> <p>County of Erie</p> <p>State of New York</p> <p>LAWRENCE J. ZYGAI, PLS, PC</p> <p>NYS Land Surveyor – License No. 049714-1</p> <p>222 Bear Road, Cowlesville, New York 14037</p> <p>Office: (585) 652-4843 Fax: (585) 652-1137</p> <p>ljzsurvey@rochester.rr.com</p> |
| Date: | 2/25/2014 | Scale: 1" = 20' | Drawn by: JLS |
| Job No.: | 14009 | Drawing: 14009.dwg | Checked by: LJZ |

Airborne Business Park | Cheektowaga, New York

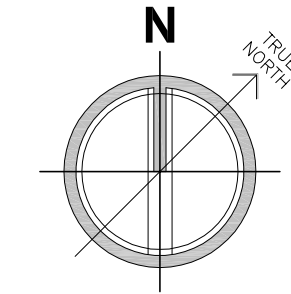


Attachment: sidewalk route01.07.15 (RES-2015-37 : Accept Site Plan- 400 Airborne Parkway)



SITE LAYOUT PLAN

1" = 30'



SITE DATA

CURRENT ZONING: M-1: LIGHT MANUF.

TOTAL SITE AREA: 7.14 ACRES (AC) AREA OF IMPROVEMENT: 7.14 AC

IMPERVIOUS AREA:

BUILDING FOOTPRINT: 0.84 AC

PAVT: 4.24 AC

TOTAL IMPERVIOUS: 5.08 AC

TOTAL GREENSPACE: 2.06 AC (28% OF TOTAL SITE AREA)

INTERIOR GREENSPACE: (>5% MIN OF NEW PARKING LOT)

PARKING DATA

SPACES REQUIRED: OFFICE AT 1/200 NSF x 85%(108,000 GSF) = 459

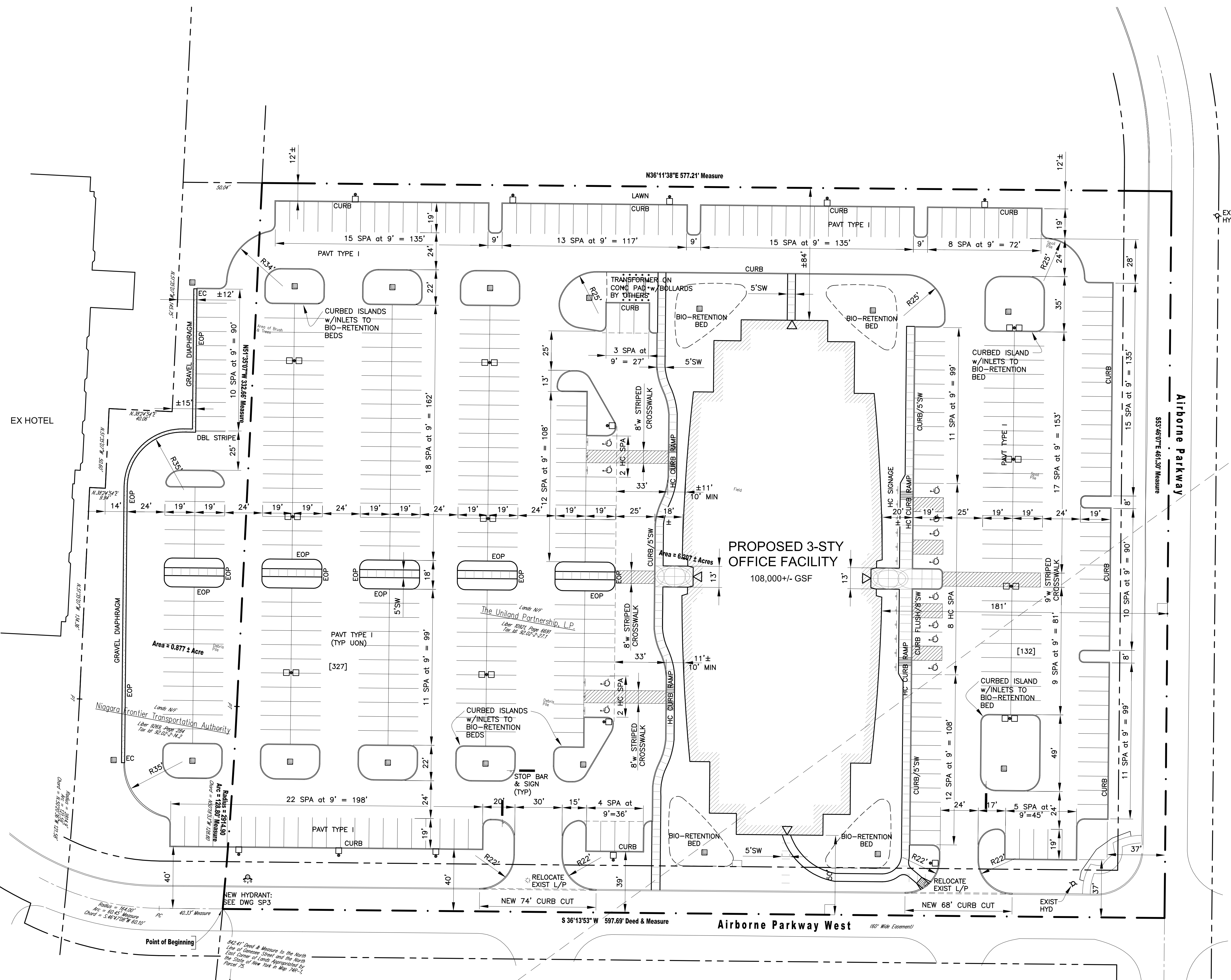
SPACES PROVIDED: 459

REGULAR: 447

HANDICAP: 12

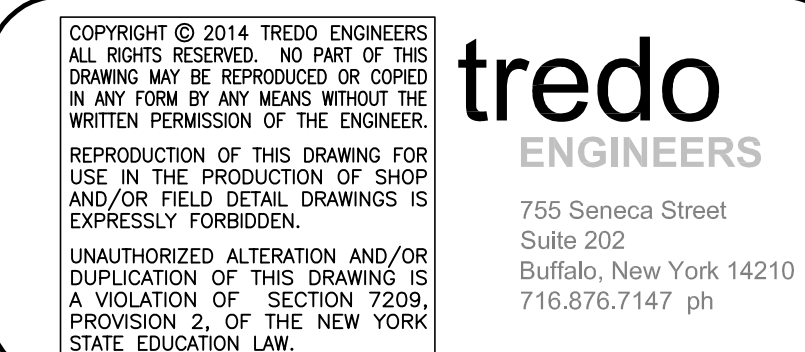
NOTES:

1. EC = END OF CURB
2. EOP = EDGE OF PAVEMENT
3. BOUNDARY AND TOPOGRAPHIC DATA SHOWN ON THIS DRAWING IS FOR INFORMATION ONLY. REFER TO SURVEYS PROVIDED BY NIAGARA BOUNDARY & MAPPING. ENGR ASSUMES NO LIABILITY FOR DATA SHOWN AND UNFORESEEN UNDERGROUND CONDITIONS.
4. SITE LIGHTING IS SHOWN FOR INFORMATION ONLY AND IS NOT DESIGNED BY TREDO ENGINEERS



OFFICE BUILDING 400 AIRBORNE PARKWAY CHEEKTOWAGA, NEW YORK

SITE LAYOUT PLAN



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| PROJECT NO. | 14.53 |
|-------------|------------|
| SCALE: | AS NOTED |
| DATE: | 12.1.14 |
| DRAWN BY: | min |
| CHECKED BY: | AVM |
| DRAWING NO. | 1453_PLANS |

SHEET NO.

SP1

SITE GRADING AND EROSION CONTROL PLAN

1" = 30'

SOIL RESTORATION SEQUENCE OF OPERATIONS:

1. STRIP EXISTING TOPSOIL & STOCKPILE
2. ROUGH GRADE to -6" OF FINAL GRADE
3. APPLY 3-INCHES OF COMPOST OVER SUBSOIL
4. TILL COMPOST INTO SUBSOIL TO A MINIMUM DEPTH OF 12-INCHES
5. ROCK-PICK AND REMOVE MATERIAL > 4"
6. APPLY 6" MINIMUM TOPSOIL & SEED

LAWN SEED SCHEDULE

| Mixtures | Rate per Acre (lbs) | Rate per 1,000 sq. ft. (lbs) |
|--|---------------------|------------------------------|
| A. Birdsfoot trefoil or lady's clover | 8 | 0.20 |
| Tall fescue or smooth bromegrass | 20 | 0.45 |
| Redtop | 2 | 0.05 |
| OR | 30 | 0.70 |
| B. Kentucky bluegrass | 25 | 0.60 |
| Creeping red fescue | 20 | 0.50 |
| Perennial ryegrass | 10 | 0.20 |
| | 55 | 1.30 |

LEGEND

- SILT FENCE
- WHEEL WASH/DUST CONTROL STATION
- STABILIZED CONSTRUCTION ENTRANCE
- INLET PROTECTION
- MULCHING
- PERMANENT SEEDING
- TEMPORARY SEEDING
- SOIL RESTORATION -SEE NOTES THIS SHT.
- TOPSOILING

NOTE: GRADING THIS AREA REQUIRES PERMISSIONS FROM NEIGHBORING PROPERTY OWNER - AREA SHALL BE RESTORED TO LAWN

PRE-FAB MULCH WEAVED EROSION CONTROL BLANKETS IN EXCAVATED SWALE-INSTALL PER MANUF. RECOMMENDATIONS

AREA TO REMAIN UNDISTURBED UNTIL PHASE I PARKING AREAS AND BUILDING FLOOR IS STABILIZED BY GRAVEL AND STORM SEWERS INSTALLED TO PHASING LINE

CONSTR TRAILERS/ DUMPSTERS & LAY-DOWN AREA

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SITE GRADING AND EROSION CONTROL PLAN

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100 Corporate Plaza • Suite 500 • Amherst, NY 14226
716.834.5000 • Fax: 716.834.5034
www.uniland.com

tredo
ENGINEERS
755 Seneca Street
Suite 202
Buffalo, New York 14210
716.876.7147 ph

PROJECT NO. 14.53
SCALE: AS NOTED
DATE: 12.1.14
DRAWN BY: gvm
CHECKED BY: MJE
DRAWING NO. 1453_PLANS

REVISIONS

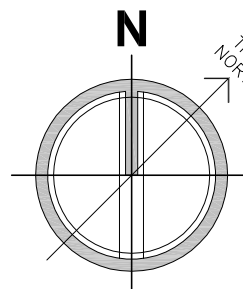
SHEET NO.
SP2

SITE DRAINAGE AND UTILITIES PLAN

1" = 30'

LEGEND:

| | | | |
|-------|--|------------|---|
| XX.XX | DENOTES PROPOSED SPOT ELEVATIONS | ---ELEV--- | DENOTES EXISTING SPOT ELEVATIONS |
| CO | DENOTES PROPOSED CATCH BASIN/MANHOLE | --- | DENOTES EXISTING STORM SEWER DROP INLET |
| CO | DENOTES PROPOSED CLEANOUT | --- | DENOTES EXISTING STORM SEWER MANHOLE |
| CO | DENOTES CONNECTION TO EXISTING UTILITY | --- | DENOTES EXISTING SANITARY SEWER MANHOLE |
| + | DENOTES PROPOSED LIGHT POLE | --- | DENOTES EXISTING HYDRANT |
| + | DENOTES NEW HYDRANT | --- | DENOTES EXISTING LIGHT POLE |
| + | DENOTES EXISTING WATER VALVE | --- | DENOTES EXISTING WATER VALVE |
| --- | DENOTES NEW CONTOURS | --- | DENOTES EXISTING CONTOURS |
| --- | DENOTES EXISTING UTILITY POLE & OVERHEAD UTIL. | --- | DENOTES EXISTING STORM SEWER LINE |
| --- | DENOTES EXISTING STORM SEWER LINE | --- | DENOTES EXISTING SANITARY SEWER LINE |
| --- | DENOTES EXISTING WATER LINE | --- | DENOTES EXISTING WATER LINE |
| --- | DENOTES EXISTING ELECTRIC LINE | --- | DENOTES EXISTING GAS LINE |
| --- | DENOTES EXISTING GAS LINE | --- | INDICATES NEW STORM SEWER PIPING |
| --- | INDICATES NEW STORM SEWER PIPING | --- | INDICATES NEW SANITARY SEWER PIPING |
| --- | INDICATES NEW SANITARY SEWER PIPING | --- | INDICATES NEW WATERLINE/FIRE-PROTECTION |
| --- | INDICATES NEW WATERLINE/FIRE-PROTECTION | | |



TO ELLICOTT CREEK

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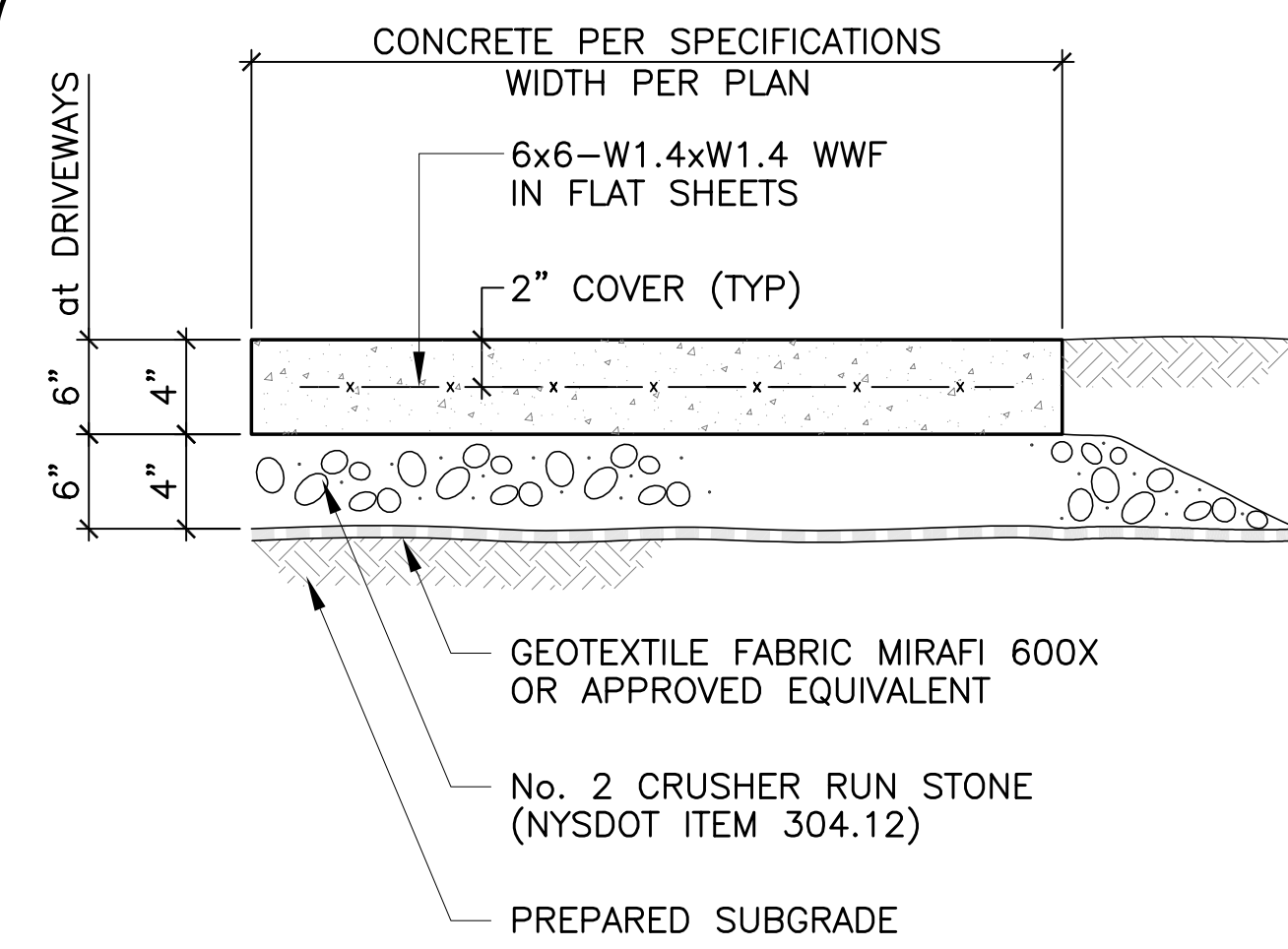
SITE DRAINAGE AND UTILITIES PLAN

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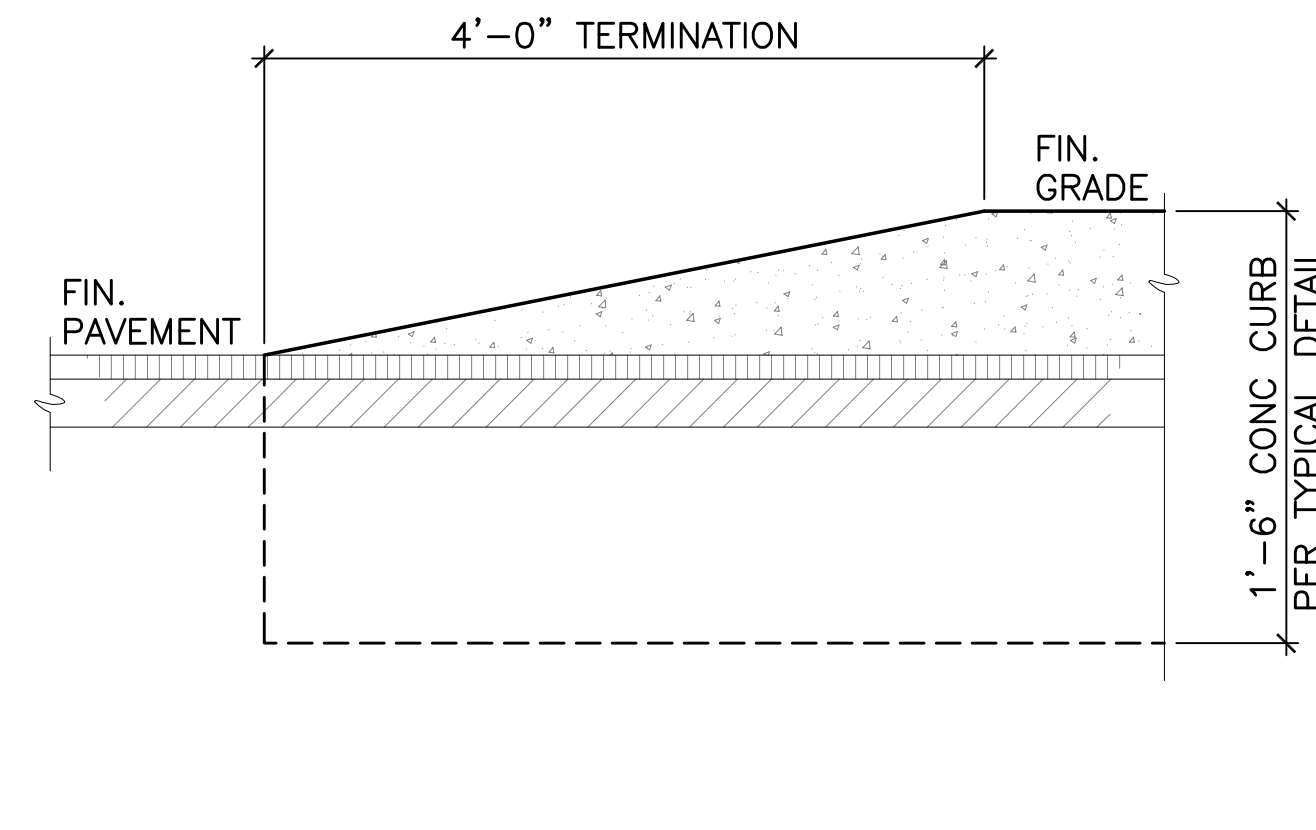
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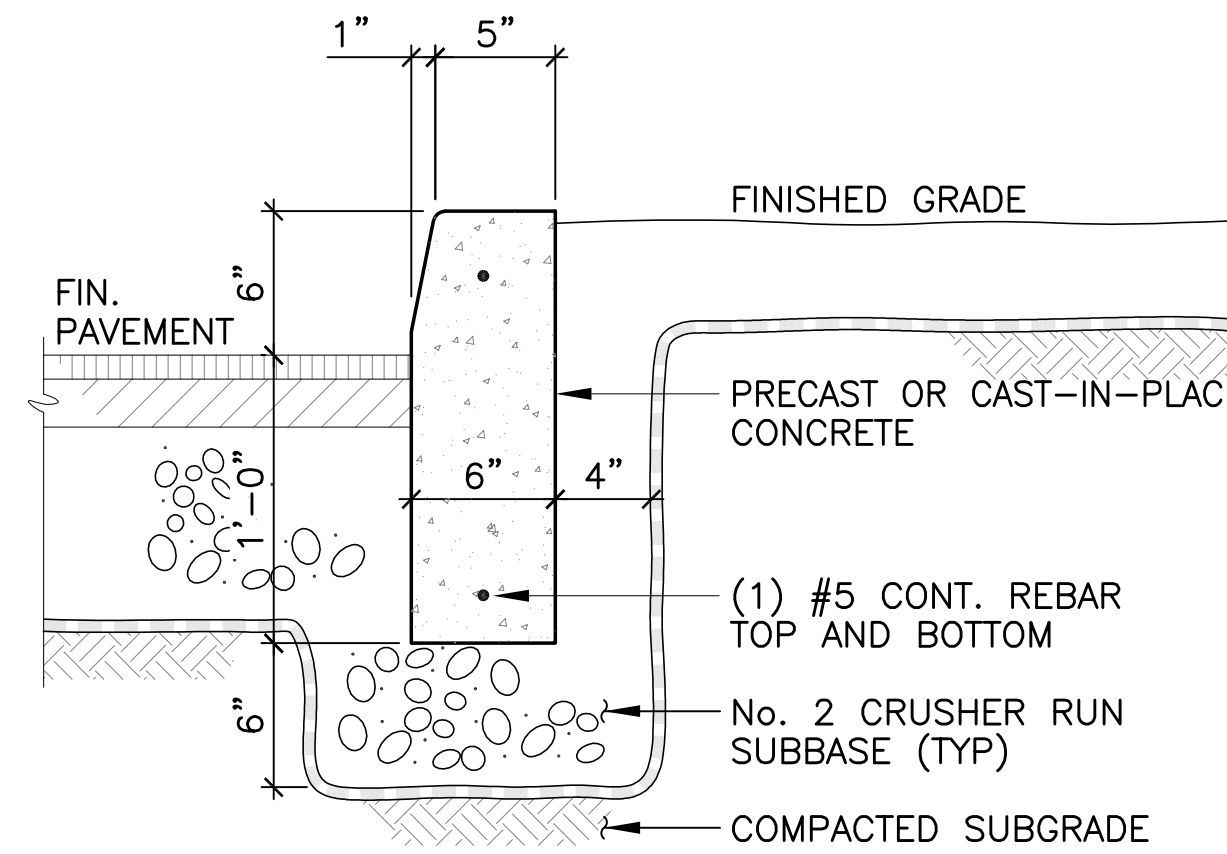
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| DATE: | 12.1.14 | | |
| DRAWN BY: | gym | | |
| CHECKED BY: | MJE | | |
| DRAWING NO. | 1453_PLANS | | |
| SHEET NO. | SP3 | | |



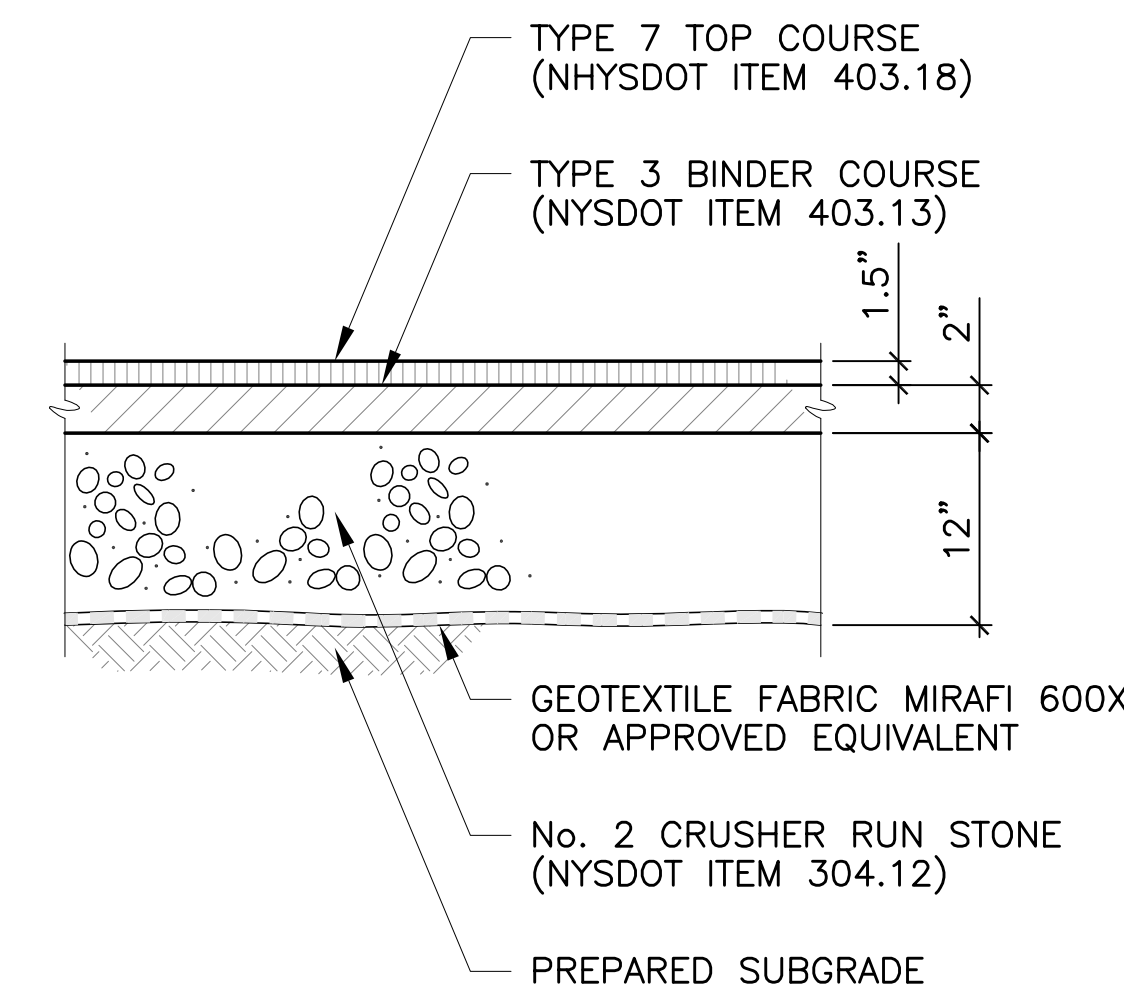
4 TYPICAL
CONCRETE SIDEWALK



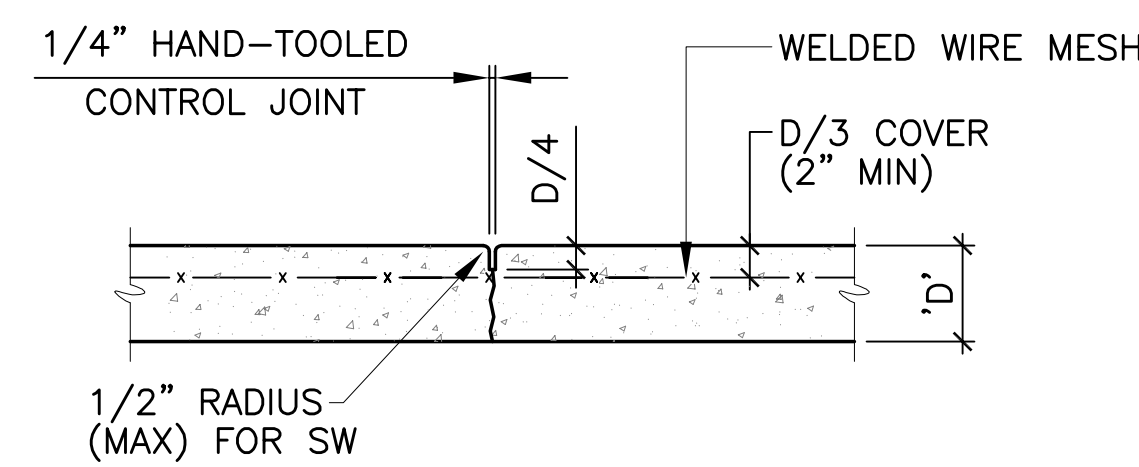
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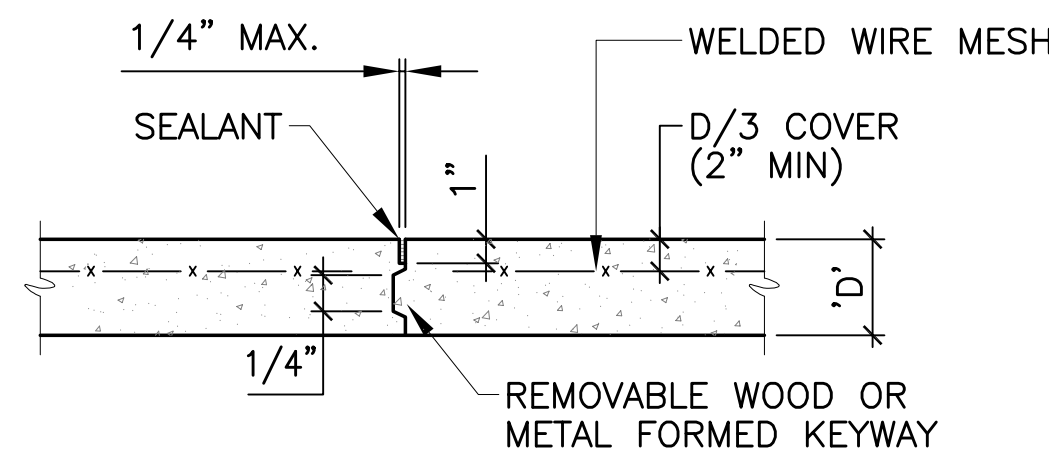
2 TYPICAL CONCRETE CURB



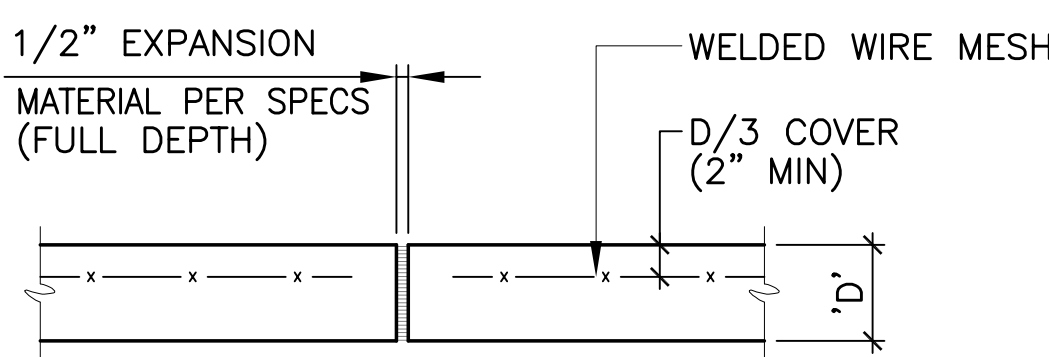
1 TYPICAL TYPE I
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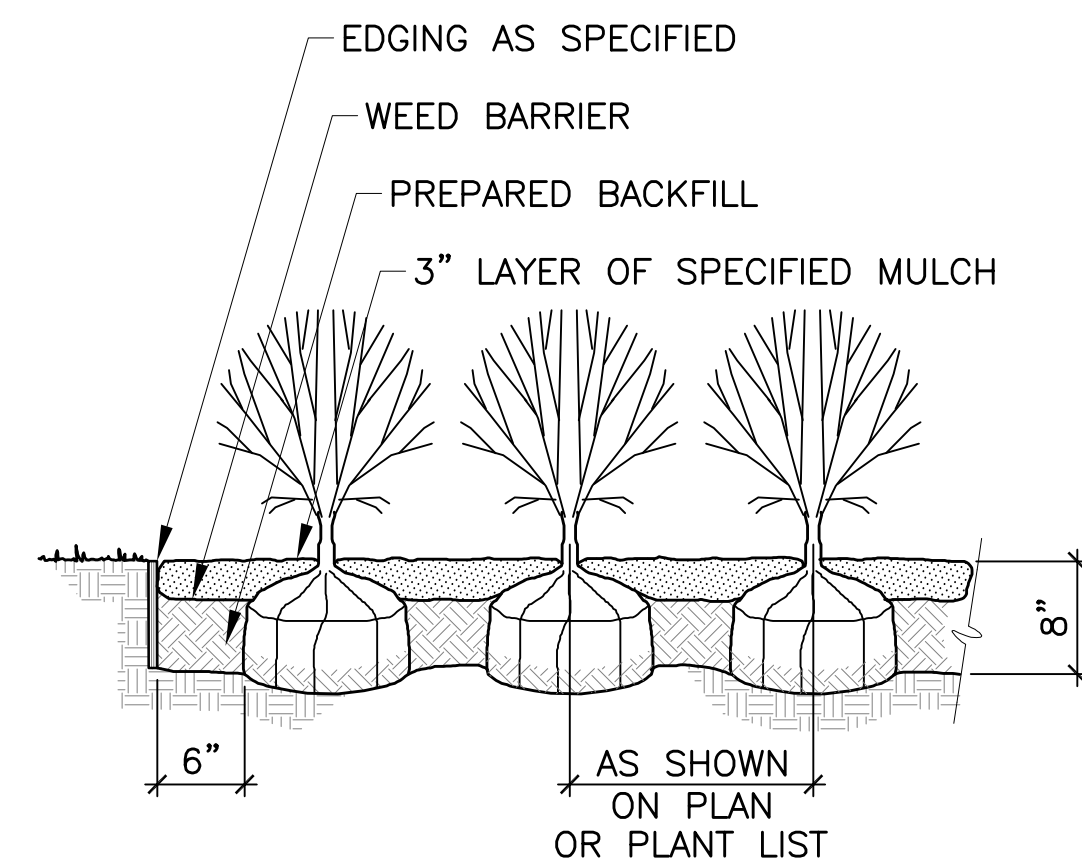
11 CONTROL JOINT IN
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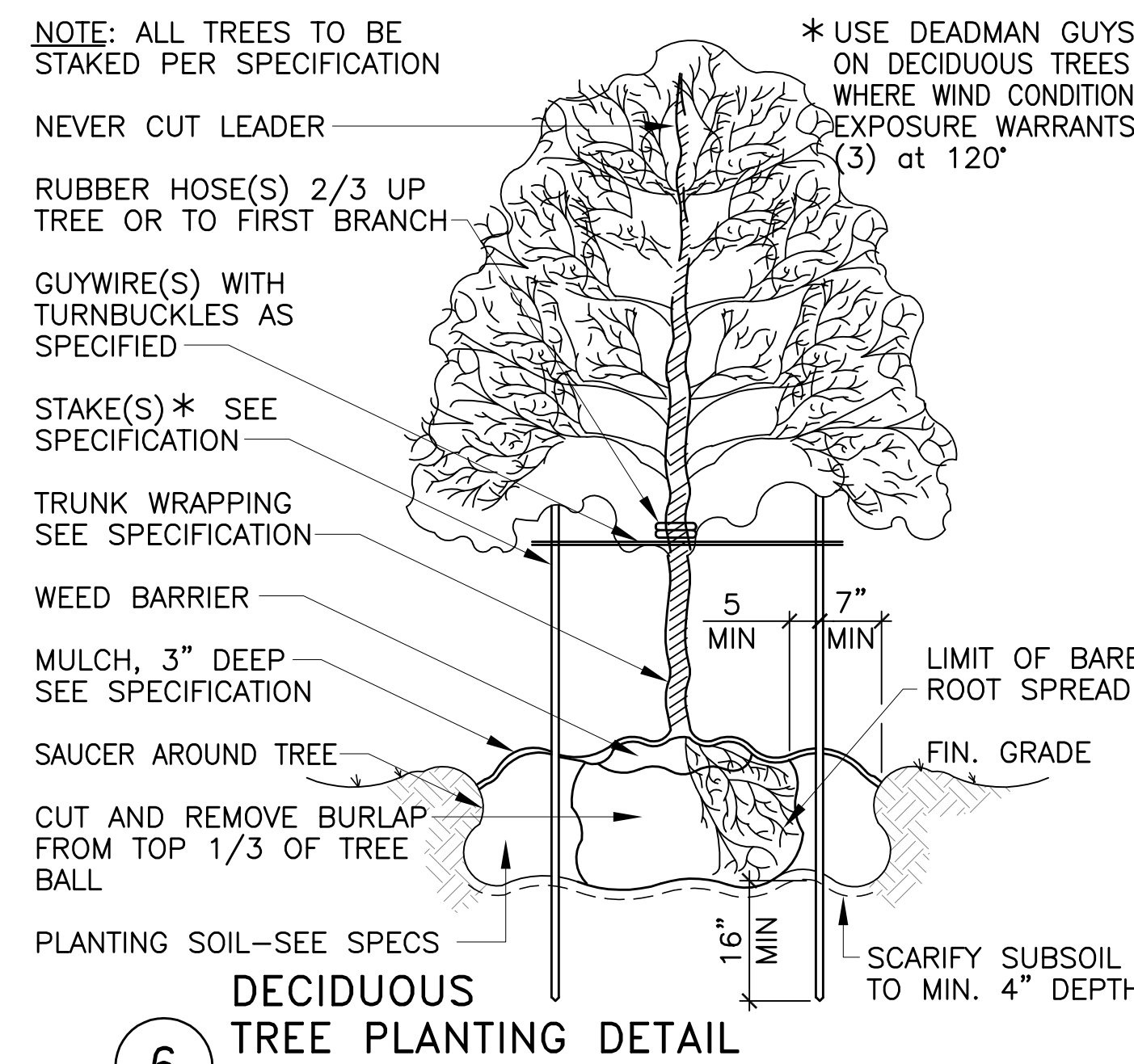
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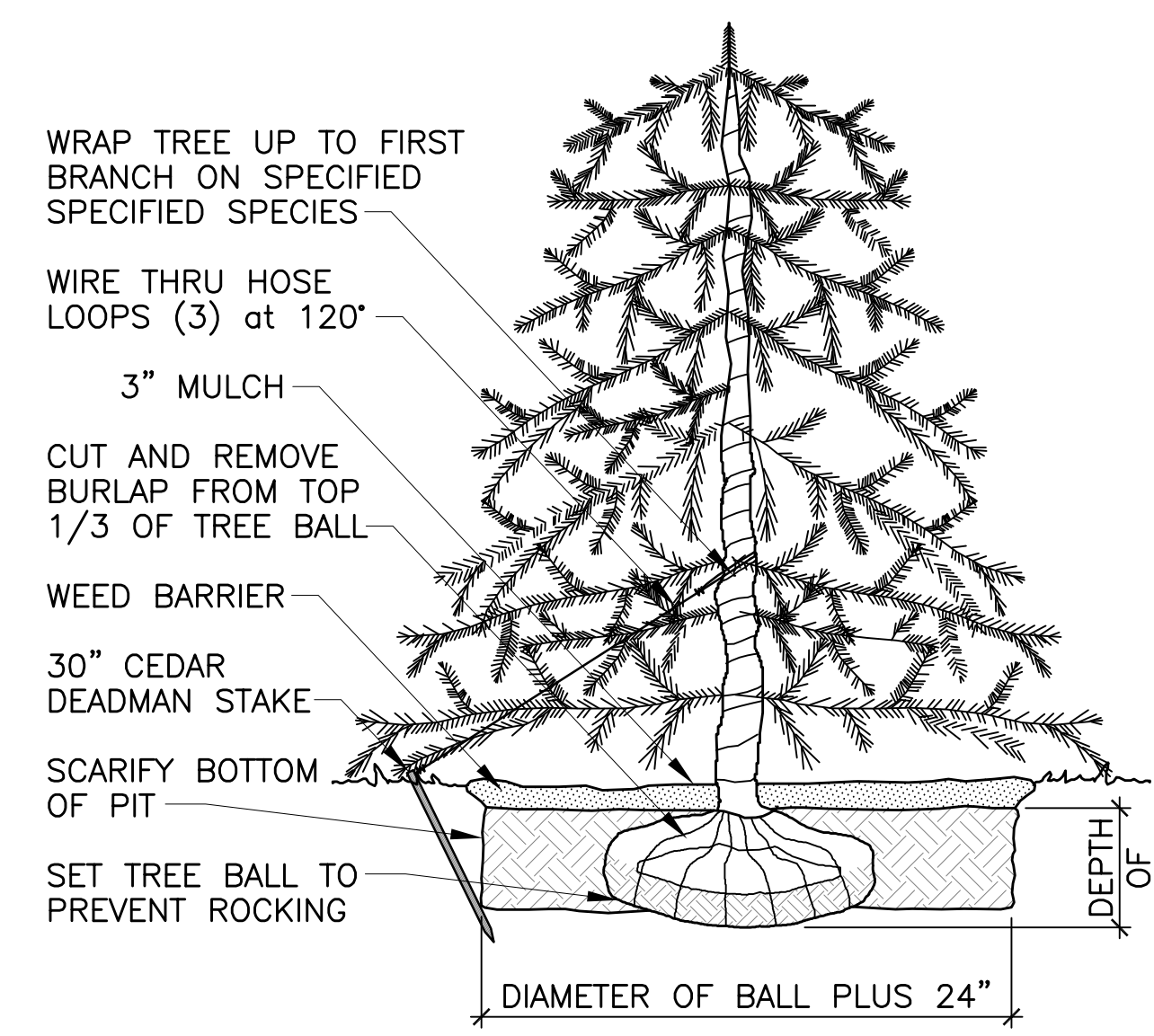
13 EXPANSION JOINT IN
EXTERIOR CONC PAVEMENT



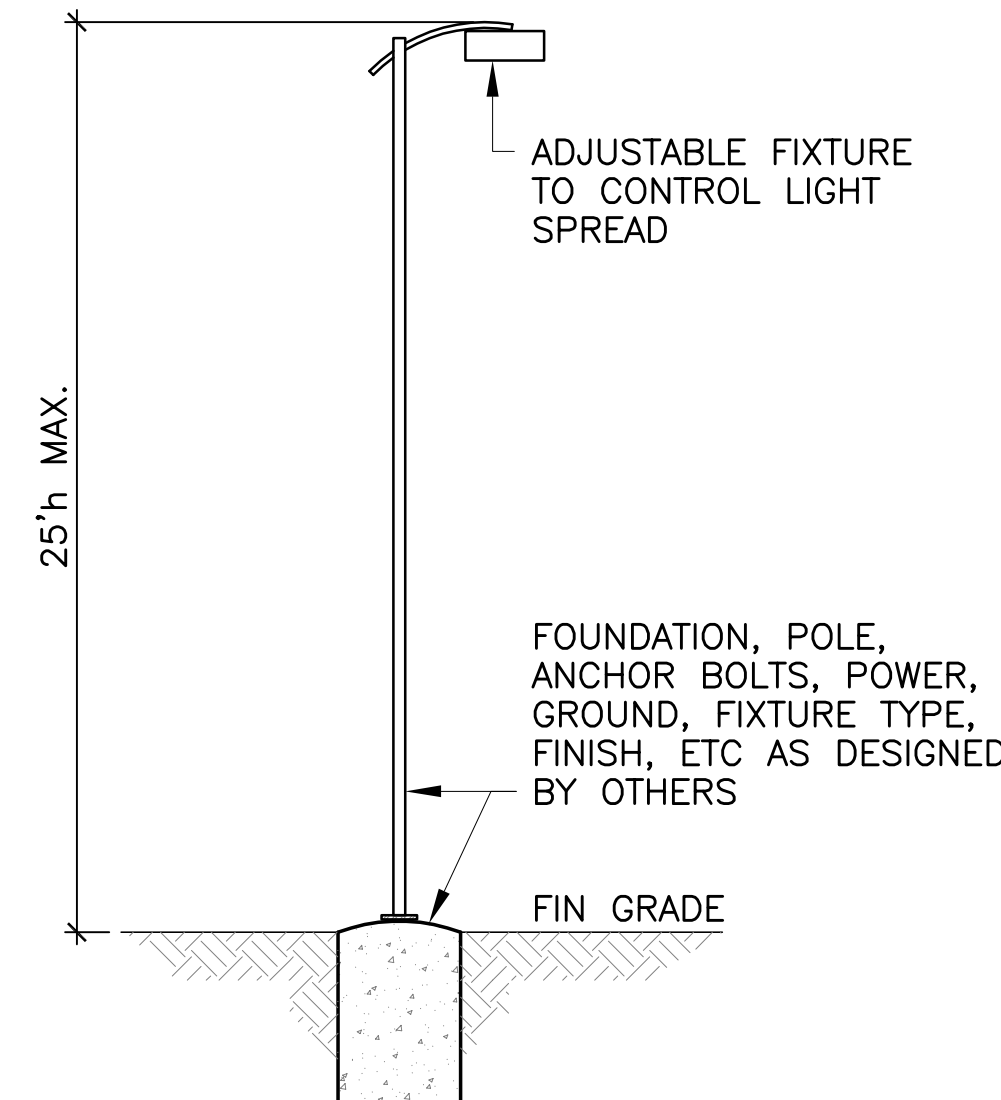
7 SHRUB PLANTING DETAIL



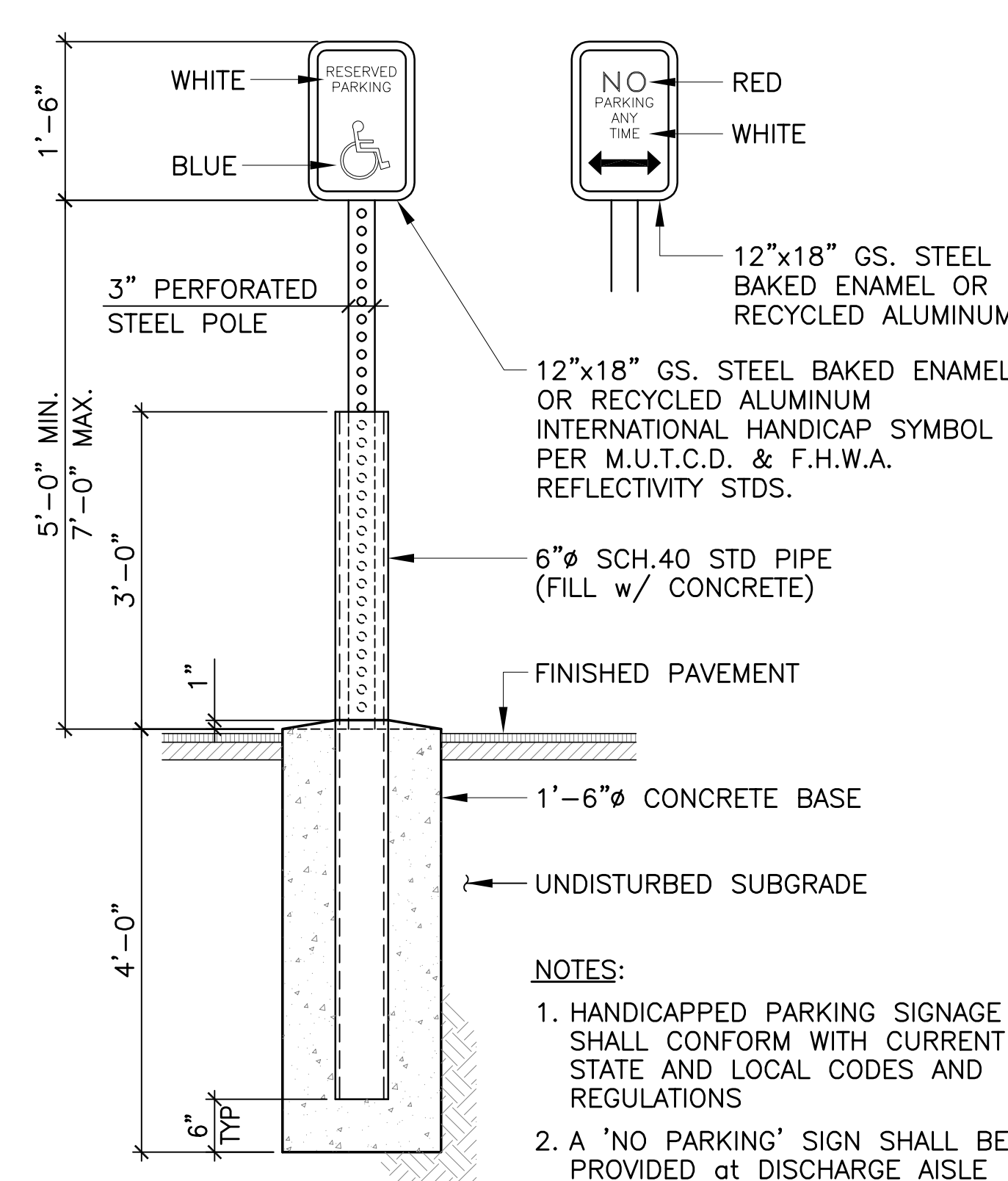
6 DECIDUOUS
TREE PLANTING DETAIL



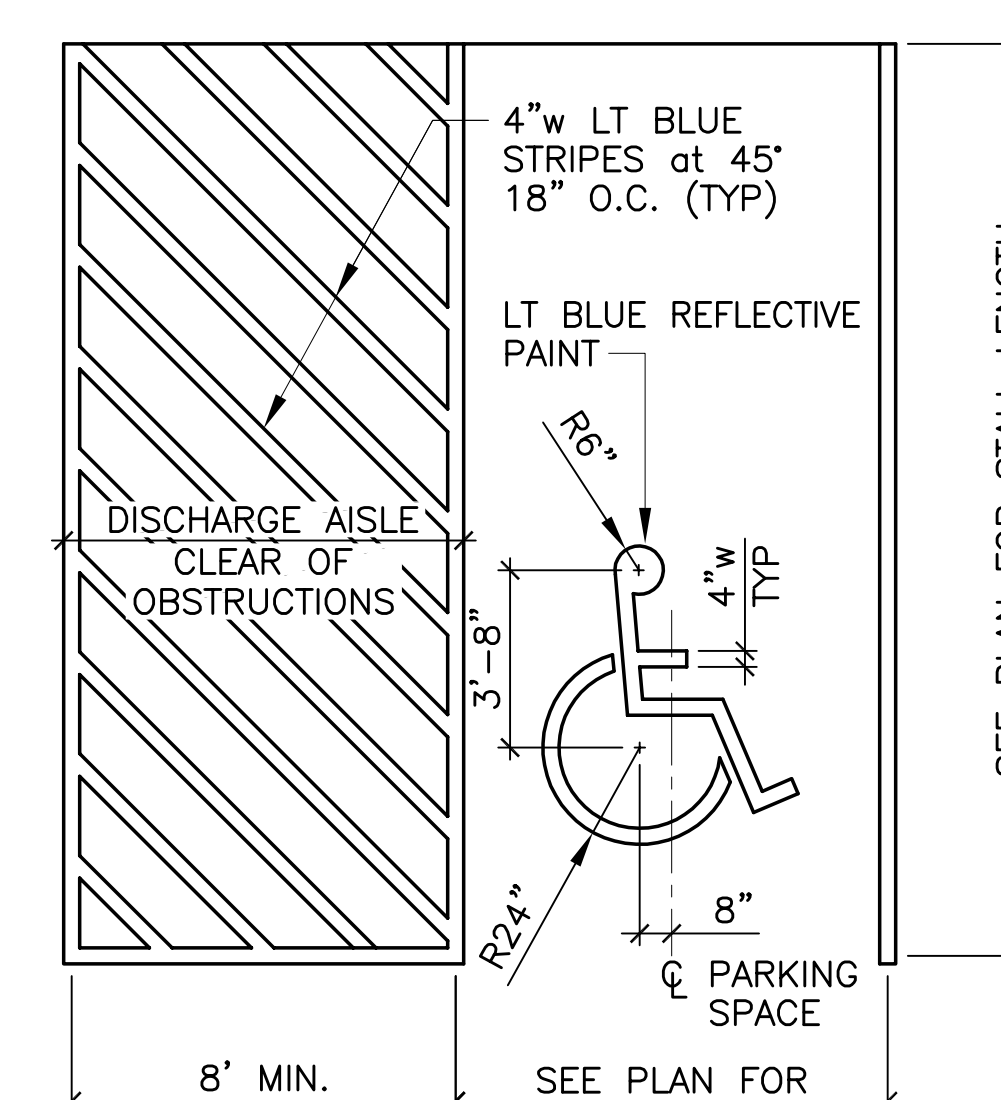
5 EVERGREEN
TREE PLANTING DETAIL



10 LIGHT STANDARD DETAIL



9 HANDICAPPED
PARKING SIGNAGE
LOCATED IN PAVEMENT



8 HANDICAP SYMBOL DETAIL

GENERAL SITE NOTES

- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST RULES AND REGULATIONS OF THE TOWN OF CHEEKTOWAGA, NYSDOT, ECDSM, ECWA & NYSDEC.
- INSTALL ALL MATERIALS TO THE MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF THE TRADE INVOLVED.
- SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER APPROVAL AND SHALL BE EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
- WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
- VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER OF ANY DISCREPANCIES IN CONDITIONS SHOWN ON THE DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
- CONTRACTORS SHALL BE RESPONSIBLE FOR THE PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
- CONTRACTOR SHALL KEEP THE JOB SITE FREE OF DEBRIS AND MAKE FINAL CLEANUP TO THE SATISFACTION OF THE OWNER.
- CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK DOES NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
- CONTRACTOR SHALL OBTAIN AND PAY FOR ALL PERMITS NECESSARY TO PERFORM THE WORK.
- DURING CONSTRUCTION, THE CONTRACTOR SHALL INSTALL SILT FENCES TO CONTROL EROSION FROM THE SITE.
- ALL UTILITY TRENCHES UNDER PAVEMENT, CURBS, SIDEWALKS, AND DRIVEWAYS SHALL BE FULLY BACKFILLED WITH No. 2 CRUSHER RUN STONE AND PROPERLY COMPACTED TO AVOID SETTLEMENT.
- CONTRACTOR SHALL REPLACE IN KIND ANY EXISTING IMPROVEMENTS TO REMAIN THAT ARE DAMAGED DURING CONSTRUCTION. THIS SHALL INCLUDE, BUT NOT BE LIMITED TO, CURBS, ROAD PAVEMENTS, SIDEWALKS, AND EXISTING UTILITIES.

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OFFICE BUILDING
400 AIRBORNE PARKWAY
CHEEKTOWAGA, NEW YORK

TYPICAL SITE DETAILS

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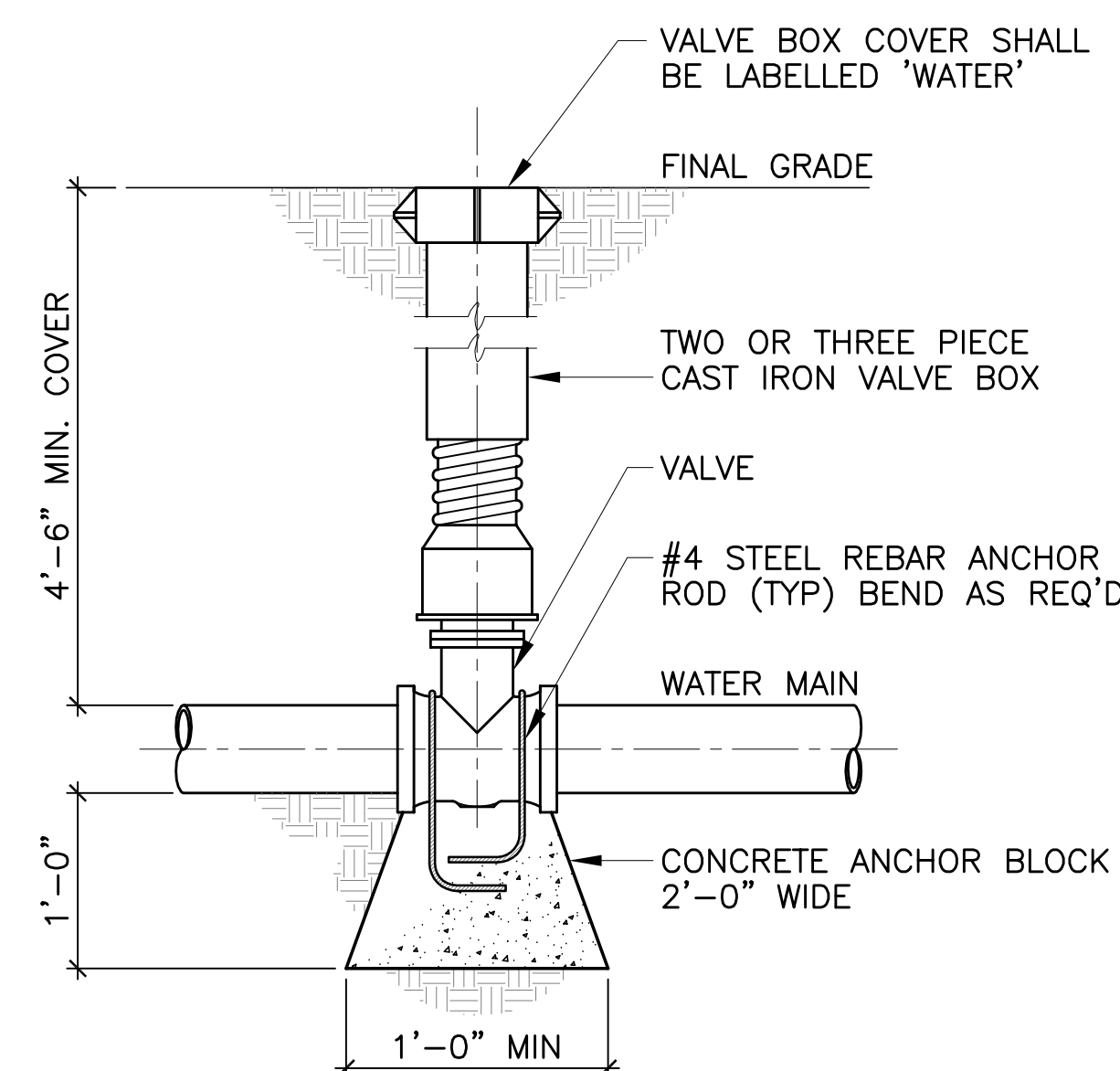
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PROJECT NO. 14.53
SCALE: NONE
DATE: 12.1.14
DRAWN BY: avm
CHECKED BY: avm
DRAWING NO. 1453_DETAILS

REVISIONS

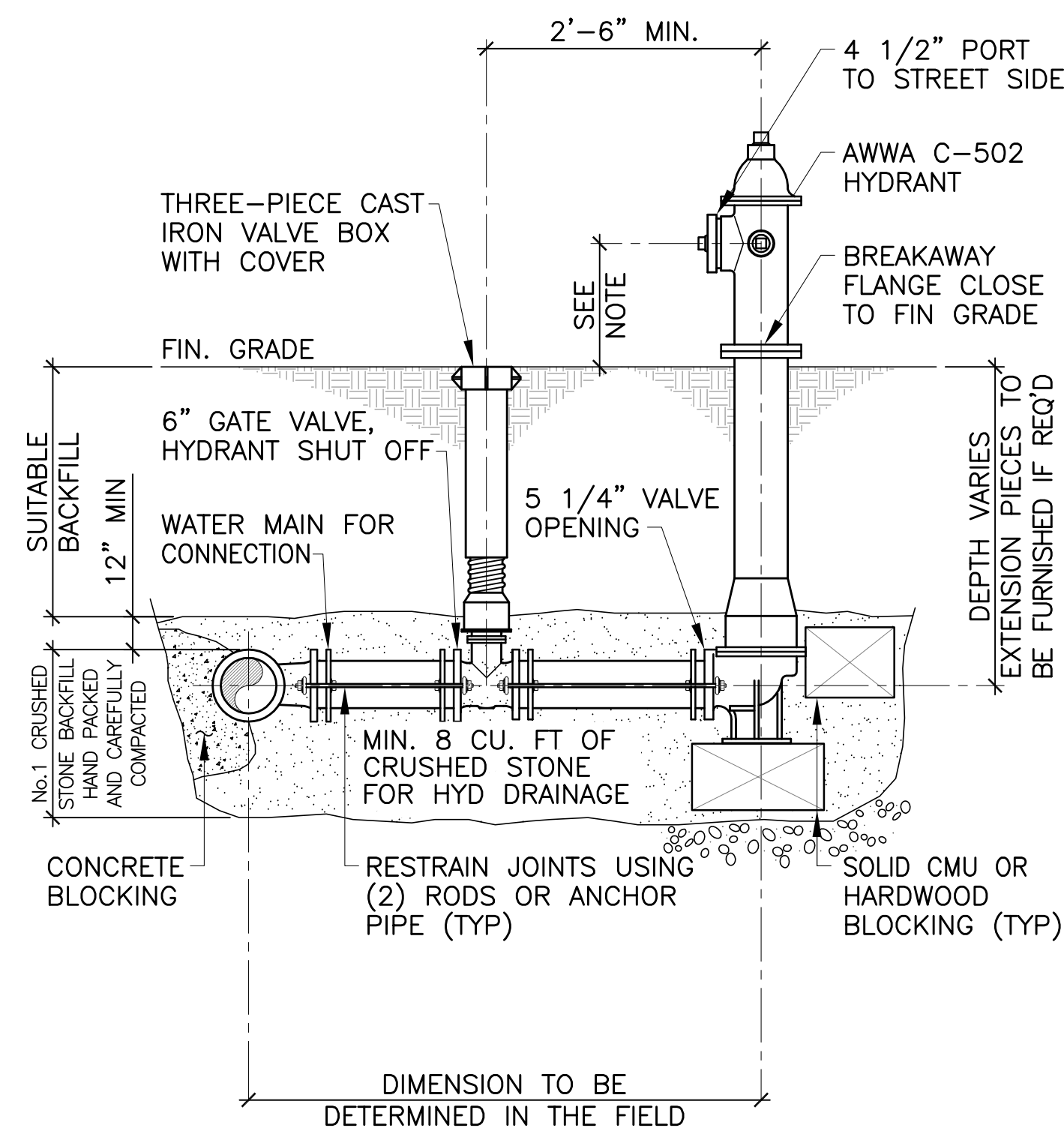
SHEET NO.

SP4



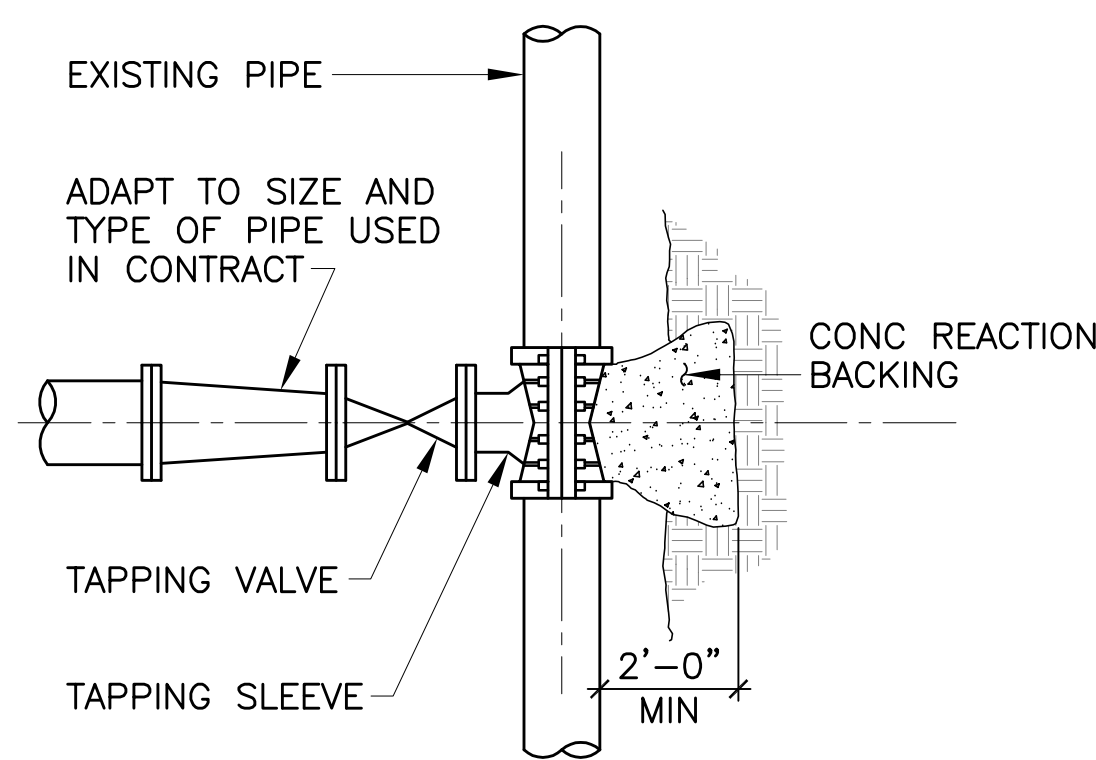
5 TYP. LINE VALVE SETTING WITH ANCHORED BLOCKING

NOTE: TO BE USED ON BOTH GATE AND BUTTERFLY VALVES

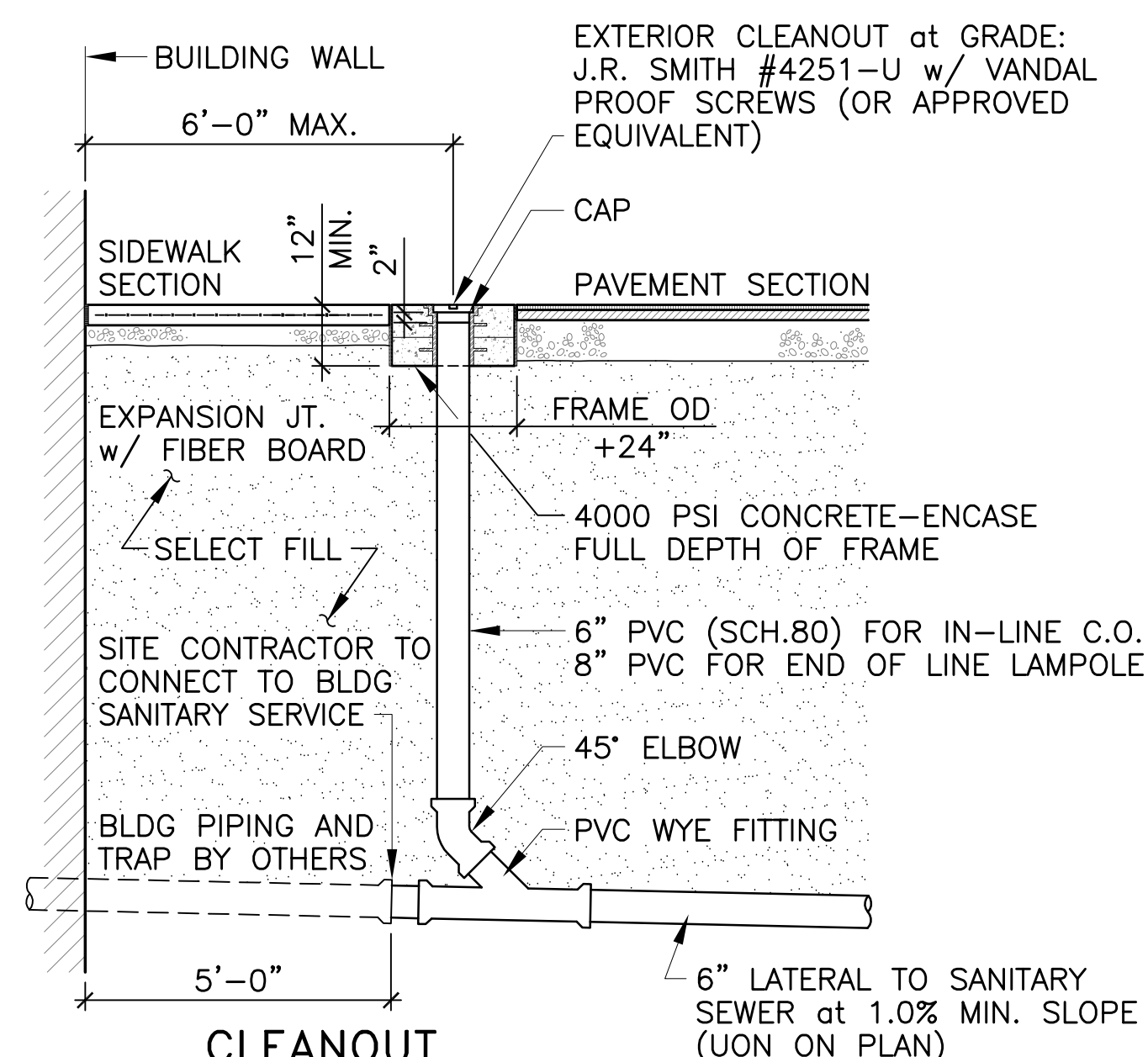


7 TYPICAL HYDRANT ASSEMBLY

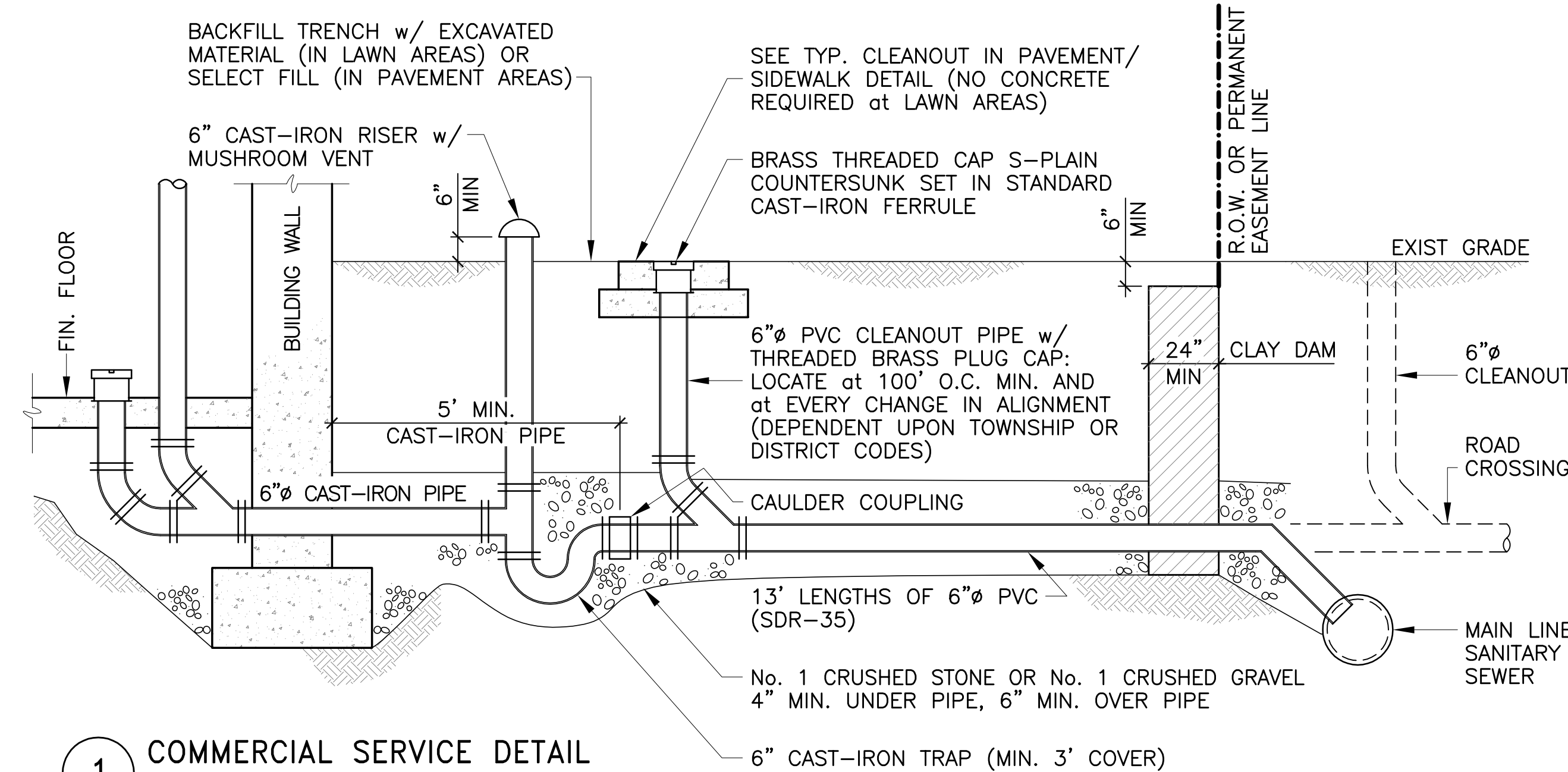
NOTE: CENTERLINE OF THE LOWEST NOZZLE TO FINISH GRADE SHALL BE 15" MIN. AND 18" MAX.



4 TYPICAL TAPPING SLEEVE AND VALVE DETAIL



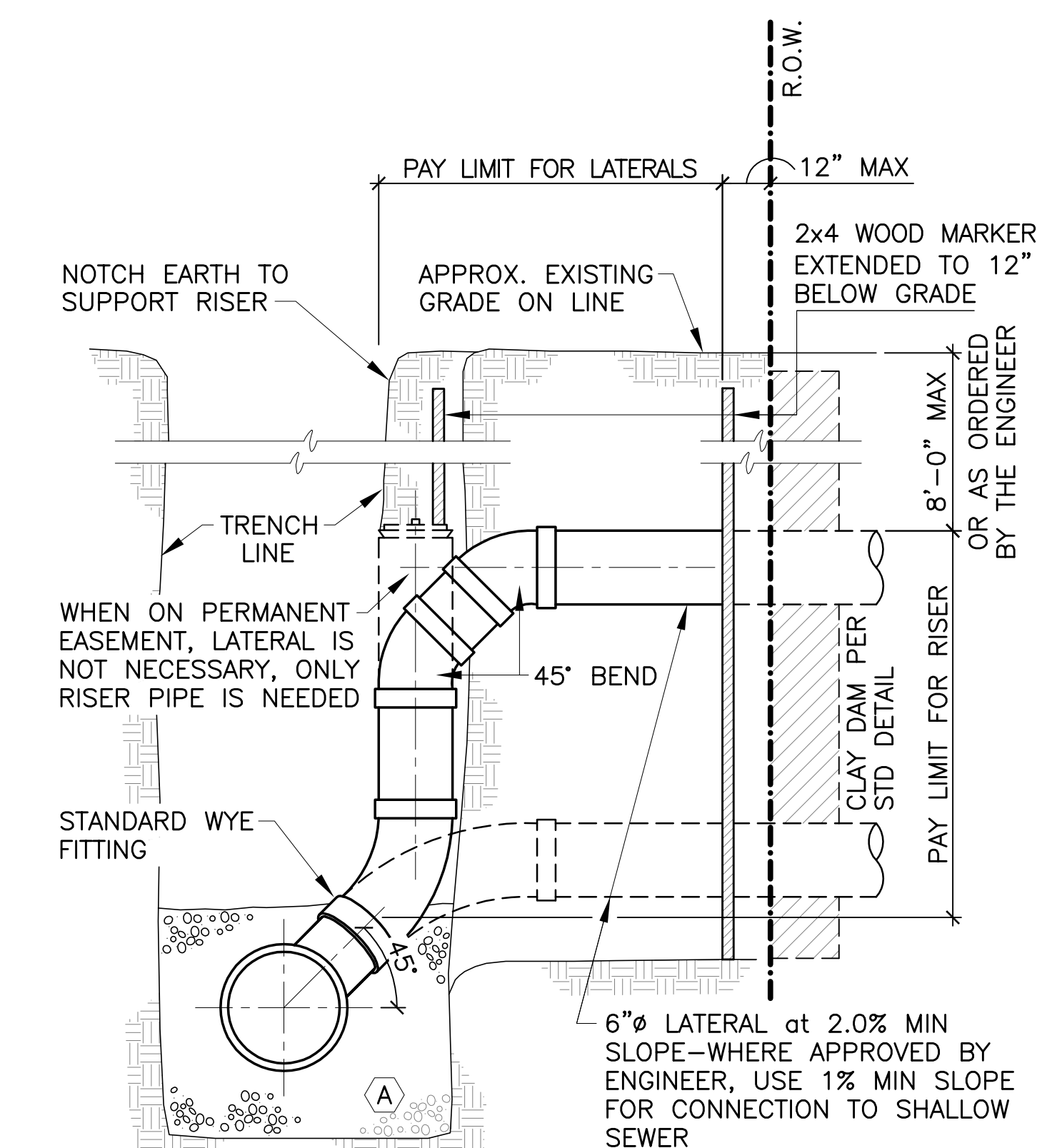
6 CLEANOUT IN PAVEMENT/SIDEWALK



1 COMMERCIAL SERVICE DETAIL

COMMERCIAL SERVICE NOTES:

- PVC PIPE MATERIAL SHALL BE MANUFACTURED IN ACCORDANCE WITH THE LATEST REQUIREMENTS OF ASTM D-3033 / D-3034. CAST-IRON PIPE MATERIAL SHALL BE EXTRA HEAVY ASTM A74-42.
- PURSUANT TO ERIE COUNTY RULES AND REGULATIONS, PIPE SHALL BE LAID AT 1/4" PER FOOT GRADE. ANY VARIANCE MUST BE APPROVED BY THE DISTRICT MANAGER. IN NO CASE SHALL PIPE SLOPE BE LESS THAN 1/8" PER FOOT.
- VENTS AND CLEANOUTS MUST BE INSTALLED IN LAWN AREAS, NOT IN SIDEWALK OR DRIVEWAY AREAS, PREFERABLY BETWEEN THE CURB OR EDGE OF PAVEMENT AND THE SIDEWALK.
- CONCRETE ENCASUREMENT IS REQUIRED IF COVER DEPTH IS LESS THAN 4'-0" UNDER PAVED AREAS.
- SELECT BACKFILL IS REQUIRED UNDER PAVED AREAS.
- MINIMUM DEPTH OF COVER SHALL BE 3'-0".
- A GREASE TRAP AND OIL SEPARATOR IS REQUIRED WHERE APPLICABLE.
- CLEANOUT MEASUREMENTS SHALL START FROM THE CENTERLINE OF THE MAIN SEWER FOR NEAR-SIDE LATERALS, AND FROM THE 0" CLEANOUT FOR FAR-SIDE CONNECTIONS. A CLEANOUT MAY BE REQUIRED FOR ANY ABRUPT CHANGES IN LATERAL DIRECTION FLOW.
- A 6" CLEANOUT IS REQUIRED AT THE R.O.W. WHENEVER THE MAIN SEWER IS UNDER THE PAVEMENT LIMITS OR AT THE FAR SIDE OF PAVEMENT.
- ANY SEWER LAID THROUGH OR OVER A SEPTIC TANK MUST BE CAST-IRON (SEPTIC TANK MUST BE FILLED WITH BANK-RUN GRAVEL).
- ANY SEPTIC TANK THAT IS REMOVED FROM SERVICE MUST BE PUMPED OUT AND CRUSHED, OR FILLED WITH BANK-RUN GRAVEL, WHEN SEPTIC SYSTEM IS BEING CONVERTED TO A SANITARY SEWER LINE.
- NO SEWER WORK SHALL BE BACKFILLED BEFORE THE WORK HAS BEEN INSPECTED BY A COUNTY INSPECTOR.
- ANY EXCAVATION TO BE LEFT OPEN OVERNIGHT SHALL BE COMPLETELY ENCLOSED IN FENCING, OR WHERE NECESSARY COVERED WITH STEEL PLATES.
- DOWNSPOUTS, SUMP PUMPS, AND FOOTING DRAINS ARE NOT PERMITTED TO BE CONNECTED TO THE SANITARY LATERAL.
- NO INSPECTION WILL BE PROVIDED WITHOUT A PERMIT. INSPECTIONS REQUIRE 24 HR. ADVANCE NOTICE FOR SCHEDULING.
- FOR NEW STRUCTURES, NO CONNECTION SHALL BE MADE UNTIL BUILDING BASEMENT FLOOR IS POURED.
- A COUNTY INSPECTOR MUST BE PRESENT WHEN A CAP OR PLUG IS PULLED FROM A WYE OR LATERAL.



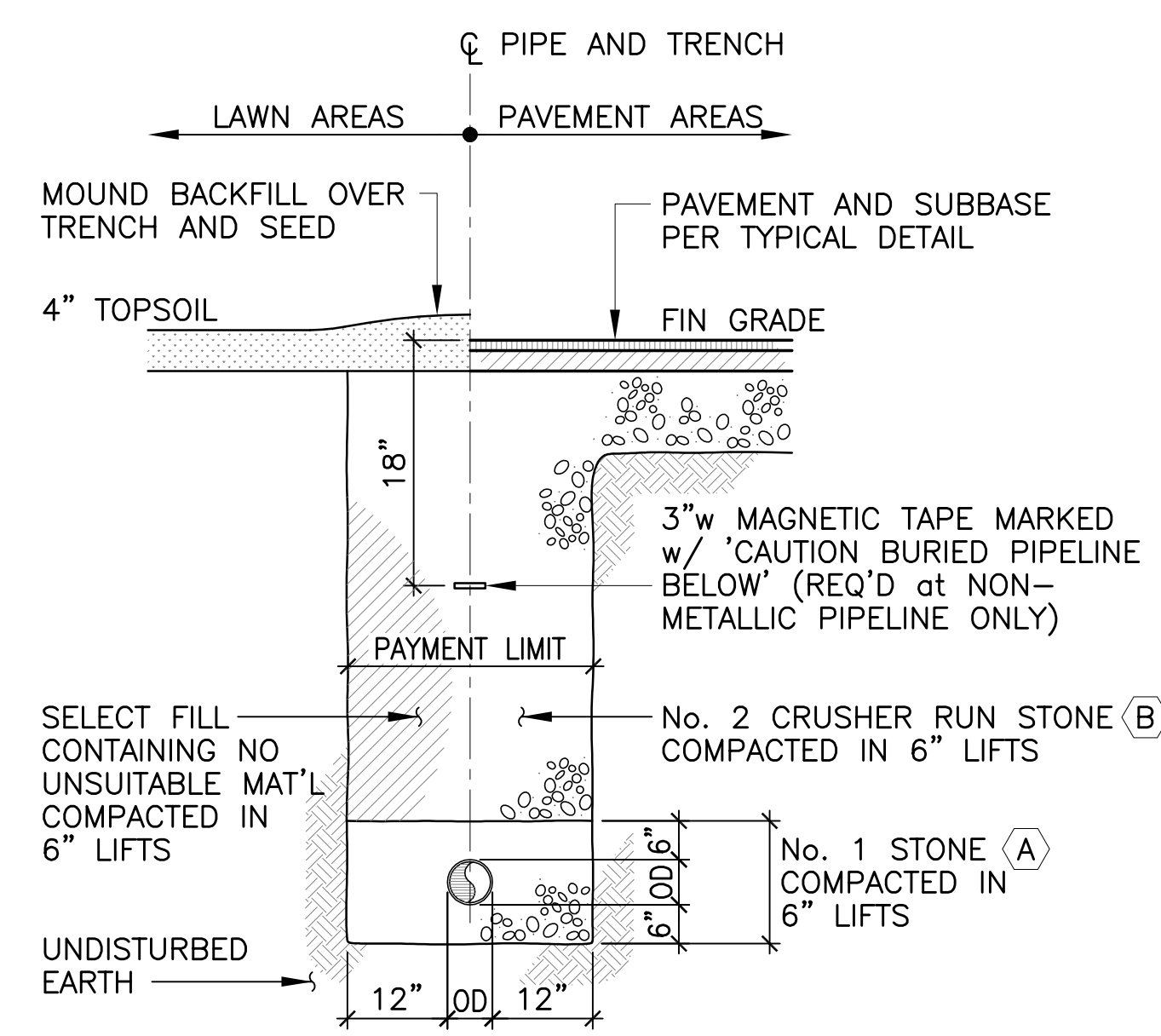
NOTE:
THE BID PRICE FOR WYE BRANCHES SHALL INCLUDE THE COST OF THE CAP AND ANY NECESSARY PIPE NEEDED TO SEAL THE CONNECTION.

MATERIALS

PIPE BEDDING MATERIAL (NYS DOT 1985 EDITION)

- (A) No. 1 CRUSHED STONE WITH A GRADATION CONFORMING WITH NYSDOT SECTION 703.02. THE CRUSHED STONE SHALL BE WELL GRADED WITH NO PARTICLES LARGER THAN ONE INCH AND HAVING A MAXIMUM GRADATION MEETING THE LIMITS DESCRIBED IN THE SPECIFICATIONS. THE BEDDING SHALL BE COMPACTED IN 6" LIFTS WITH EQUIPMENT ACCEPTABLE TO THE PIPE MANUFACTURER. NO SLAG WILL BE ALLOWED.

3 TYP. RISER AND CONNECTION FOR SEWERS UP TO 18"



NOTES:

- PIPE SHALL BE IN ACCORDANCE W/ MANUFACTURER'S RECOMMENDATIONS
- TRENCHING OPERATIONS SHALL INCLUDE ALL NECESSARY Dewatering
- TRENCH DETAILS ARE ONLY SHOWN FOR MATERIAL PLACEMENT PURPOSES
- AN OSHA APPROVED MOVEABLE PROTECTIVE TRENCH SHIELD MAY BE USED.

MATERIALS:

- (A) No. 1 STONE WITH A GRADATION CONFORMING TO NYSDOT SECTION 703-02, LATEST EDITION. THE CRUSHED STONE SHALL BE WELL GRADED WITH NO PARTICLES LARGER THAN 1" INCH AND HAVING A MAX. GRADATION MEETING THE LIMITS DESCRIBED IN THE SPECIFICATIONS. NO SLAG SHALL BE USED IN PLACE OF MATERIAL 'A'.
- (B) No. 2 CRUSHER RUN STONE OR No. 2 RUN OF CRUSHED GRAVEL WITH A GRADATION CONFORMING WITH NYSDOT SECTION 304-2.02 TYPE 4 AND NYSDOT SECTION 703-02 (COMPACTED IN 6" LIFTS TO 90% DENSITY). NO SLAG SHALL BE USED IN PLACE OF MATERIAL 'B'.

2 UTILITY TRENCH SECTION

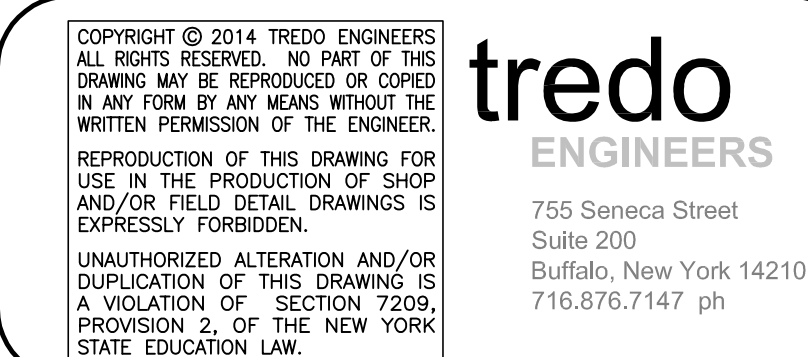
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OFFICE BUILDING
400 AIRBORNE PARKWAY
CHEEKTOWAGA, NEW YORK

UTILITY DETAILS



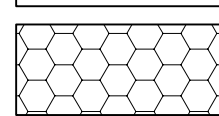
| PROJECT NO. | 14.53 | REVISIONS | SHEET NO. |
|-------------|--------------|-----------|-----------|
| SCALE: | NONE | | SP6 |
| DATE: | 12.1.14 | | |
| DRAWN BY: | avm | | |
| CHECKED BY: | avm | | |
| DRAWING NO. | 1453_DETAILS | | |

PLANTING SCHEDULE

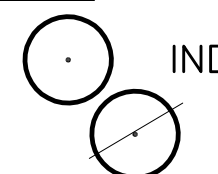
| MARK | QUANTITY | BOTANICAL NAME | COMMON NAME | SIZE | ROOT |
|------|----------|--------------------------------|----------------------------|---------------------------------|------|
| PP | 22 | PICEA PUNGENS | COLORADO BLUE SPRUCE | 5'h MIN | B&B |
| PA | 9 | PICEA ABIES | NORWAY SPRUCE | 6'h MIN | B&B |
| AR | 18 | ACER RUBRUM 'RED SUNSET' | RED SUNSET MAPLE | 2-1/2" CAL. | B&B |
| AO | 24 | ACER RUBRUM 'OCTOBER GLORY' | OCTOBER GLORY MAPLE | 2-1/2" CAL. | B&B |
| MS | 4 | MALUS 'SARGENT' | SARGENT CRABAPPLE | 2" CAL. | B&B |
| PC | 13 | PYRUS CALLERYANA | RED SPIRE PEAR | 2" CAL. | B&B |
| BN | 6 | BETULA NIGRA | HERITAGE RIVER BIRCH | 7'h CLUMP (2), 2" TRUNKS MIN | B&B |
| IG | ** | ILEX GLABRA 'SHAMROCK' | SHAMROCK INKBERRY HOLLY | 24" MIN | B&B |
| VT | ** | VIBURNUM TOMENTOSUM | DOUBLE FILE VIBURNUM | 3'-4' | B&B |
| IC | ** | ILEX CRENATA HETZI | JAPANESE HOLLY | 1/2 MALE 1/2 FEMALE | CONT |
| JC | ** | JUNIPERUS CHINENSIS | HETZII COLUMNAR JUNIPER | 4'h MIN | B&B |
| PF | ** | POTENTILLA FRUITICOSA | 'GOLDFINGER' POTENTILLA | 15"-18" | CONT |



INDICATES WETLAND PLANTING PER SPEC. BELOW



INDICATES 2"-3" RIVER-WASHED STONE ON FILTER FABRIC



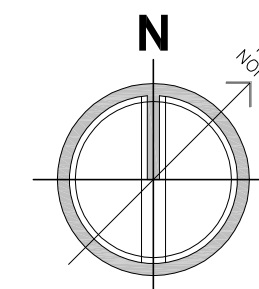
INDICATES NEW TREE PLANTING PER SCHEDULE

INDICATES EX TREE PLANTING & ROOT BALL TO BE REMOVED

| WETLAND (HERBACEOUS) PLANTINGS | | | | | |
|--------------------------------|-----|-----------------------|-----------------|-------------|-------|
| IV | 46 | ILEX VERTICILLATA | WINTERBERRY | 15"-18" | B&B |
| PV | 10% | PANICUM VIRGATUM | SWITCHGRASS | 8"x8" SPA | FLATS |
| ZA | 15% | ZIZANIA AQUATICA | WILD RICE | 8"x8" SPA | FLATS |
| AG | 15% | ANDROPOGON VIRGINICUS | BROOMSEDGE | 8"x8" SPA | FLATS |
| LC | 30% | LOBELIA CARDINALIS | CARDINAL FLOWER | 12"x12" SPA | FLATS |
| HM | 30% | HIBISCUS MOSCHEUTOS | MARSH HIBISCUS | 12"x12" SPA | FLATS |

LANDSCAPE PLAN

1" = 30'



NOTES:

- CONTRACTOR SHALL TAKE ALL REASONABLE MEASURES TO PROTECT EXISTING TREES AND PLANTINGS INDICATED TO REMAIN FROM ALL TYPES OF ROOT, TRUNK AND LIMB DAMAGE DURING DEMOLITION AND CONSTRUCTION.
- EXISTING PLANTED AREAS SHALL REMAIN UNLESS OTHERWISE NOTED.
- ALL DISTURBED AREAS SHALL RECEIVE 4" MIN. TOPSOIL AND GRASS SEED UNLESS OTHERWISE NOTED.
- TREE AND SHRUB BEDS SHALL BE COVERED WITH 3" OF HARDWOOD MULCH.
- ALL ROOTS AND STONES OVER 1 1/2" SHALL BE REMOVED PRIOR TO HYDROSEEDING.
- ALL STREET AND ISLAND TREES SHALL HAVE FIRST BRANCHING AT 6-FOOT MIN.
- IF A CONFLICT EXISTS BETWEEN THE PLAN AND PLANTING SCHEDULE, THE PLAN SHALL GOVERN.
- REFER TO GRADING AND UTILITY PLAN(S) FOR ADDITIONAL INFORMATION NOT SHOWN HEREIN.

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OFFICE BUILDING 400 AIRBORNE PARKWAY CHEEKTOWAGA, NEW YORK

SITE LANDSCAPE PLAN & PLANTING SCHEDULE

UNILAND
DEVELOPMENT COMPANY
University Corporate Centre
100 Corporate Plaza • Suite 500 • Amherst, NY 14226
716.834.5000 • Fax: 716.834.5034
www.uniland.com

tredo
ENGINEERS
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Buffalo, New York 14210
716.876.7147 ph

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PROJECT NO. 14.53
SCALE: AS NOTED
DATE: 12.1.14
DRAWN BY: gvm
APPROVED BY: -
DRAWING NO. 14253_PLANS

REVISIONS

SHEET NO.

L1



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, February 2, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on February 2, 2015 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Absent | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-58

Transfer of Funds-2014

Sponsored By: Supervisor Holtz, Councilmember Meyers

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

CDBG

| | | | |
|-------|---------------|-----------------------------------|------------|
| FROM: | 700.1013.0680 | Domestic Violence Invest. Program | \$2,973.45 |
| | 700.1011.0600 | Housing Rehab.-Single Family | 386.55 |
| TO: | 700.1014.0706 | Housing Counseling | \$3,360.00 |

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Timothy J. Meyers, Councilmember

AYES: Holtz, Rogowski, Benczkowski, Meyers, Adamczyk

ABSENT: Gerald Kaminski



2. RESOLUTION 2015-59

Transfer of Funds-2015

Sponsored By: Supervisor Holtz, Councilmember Meyers

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

CDBG

| | | | |
|-------|---------------|------------------------------|-------------|
| FROM: | 700.1011.0600 | Housing Rehab.-Single Family | \$11,614.85 |
|-------|---------------|------------------------------|-------------|

| | | | |
|-----|---------------|-------------|-------------|
| TO: | 700.1011.0606 | Disposition | \$11,614.85 |
|-----|---------------|-------------|-------------|

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Timothy J. Meyers, Councilmember

AYES: Holtz, Rogowski, Benczkowski, Meyers, Adamczyk

ABSENT: Gerald Kaminski



3. RESOLUTION 2015-60

Warrant

Sponsored By: Supervisor Holtz, Councilmember Meyers

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to February 2, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|--------------|
| GENERAL FUND | \$318,609.27 |
| RISK RETENTION FUND | 83,483.17 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 29,034.88 |
| HUD HOUSING REHABILITATION FUND | 1,118.56 |
| SPECIAL DISTRICTS FUND | 59,835.05 |
| HIGHWAY FUND | 93,091.21 |
| CAPITAL FUND | 217,504.20 |
| TRUST & AGENCY FUND | 2,738.97 |
| HUD CDBG FUND | 69,054.54 |
| PART TOWN FUND | 149.42 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$874,619.27 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



4. RESOLUTION 2015-61

Call for Public Hearing - 2605 Harlem Road Special Use Permit Request - Blue Wireless

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, Buffalo-Lake Erie Wireless Systems, with the permission of Sisters of Charity Hospital has made application and requested a special use permit to install building mounted cellular antennas on the roof of the existing hospital at 2605 Harlem Road, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on February 18, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on February 18, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Buffalo-Lake Erie Wireless Systems

For a special use permit to install building mounted cellular antennas on the roof of the existing hospital at 2605 Harlem Road.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being the southwest part of Lot No. 25, Township 11, Range 7 of the Holland Land Company's survey, bounded as follows: namely: - On the south by Lot No. 24. On the east by a line parallel with the east line of said Lot No. 25 and distant twenty-five chains (25) and fifty-two links (52) west therefrom. On the north by a line parallel with the south bounds of said Lot No. 25, and far enough north therefrom to include twenty-six (26) acres and eighty-four hundredths (84/100) of an acre south of said line. And on the west by a road one chair wide (now known as Harlem Avenue). Containing at least twenty-six (26) acres and eighty-four hundredths (84/100) of an acre of land.

EXCEPTING, however, Right of Way dated September 12, 1927, granted to The Depew and Lancaster Light, Power and Conduit Company, recorded in Liber 1968 of Deeds at page 5, in the Erie County Clerk's Office, State of New York, on September 30, 1927.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



5. RESOLUTION 2015-62

Notice of Hearing for Demolition of 169 Garland Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Supervising Code Enforcement Officer has received information that the structure(s) located at **169 Garland Avenue in the Town of Cheektowaga (S.B.L. No. 113.63-2-24)** has become dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; and

WHEREAS, said building has been inspected and a written report of the condition has been completed by Nussbaumer & Clarke, Inc., duly authorized agent of the Town of Cheektowaga, setting forth its findings and recommendations in regard to the repair or demolition and removal of the building, and said written report describes extensive deterioration and damage to the building and premises and recommends that the building be demolished and removed as soon as possible; and

WHEREAS, the Town Board has fully considered such written report and has determined that the building is dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; NOW THEREFORE BE IT

RESOLVED, that this Town Board accepts the findings and recommendations of Nussbaumer & Clarke, Inc., dated **August 18, 2014**; and BE IT FURTHER

RESOLVED, that a notice shall be served, pursuant to Section 75-7 of the Cheektowaga Town Code, upon the owner, executor, administrator, agent, lessee or any person having a vested or contingent interest in such unsafe building as shown by the records of the Receiver of Taxes or of the County Clerk, which notice shall have the contents prescribed by Section 75-6 of said Town Code, including, but not limited to a date, time and place for a hearing before the Town Board in relation to such dangerous and unsafe building, which hearing shall be scheduled not less than five business days from the date of service of the notice; and BE IT FURTHER

RESOLVED, that a hearing before this Board in relation to this dangerous and unsafe building shall be held on the **18th day of February, 2015 at 6:45 P.M.** at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED, that the Code Enforcement Office and/or the Town Attorney's Office be and hereby are directed to serve notice of said hearing on all interested parties.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



6. RESOLUTION 2015-63

Adopt Trap Neuter Vaccinate Return Policy for Feral and Community Cats

Sponsored By: Councilmember Benczkowski, Supervisor Holtz

WHEREAS, a policy addressing feral and community cats will reduce the population of free-roaming cats, reduce annoyance caused to some people by feral or community cats, positively affect the health and welfare of feral community cats, and reduce the problems sometimes associated with feral or community cats; and

WHEREAS, the trap-neuter-vaccinate-return (TNVR) method is a proven mechanism to stabilize and/or reduce existing feral and community cat populations and address potential disease concerns; and

WHEREAS, the Town of Cheektowaga endorses TNVR policies as the model to stabilize and/or reduce existing feral and community cat populations, which would address potential disease concerns and increase the quality of life for both the citizens of the Town of Cheektowaga as well as the feral and community cat populations; and

WHEREAS, recent research shows that when TNVR is not possible, leaving the feral and community cat population undisturbed provides the best alternative; and

WHEREAS, approval for an effective TNRV program with the alternative of leaving the feral and community cat population undisturbed when TNRV is not possible is desirable; and

WHEREAS, it is in the best interest of the Town of Cheektowaga to protect the health, safety and welfare of feral and community cats as well as Town of Cheektowaga residents by setting the following standards for management of feral and community cats, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board adopts the following policy in the Town of Cheektowaga with respect to feral and community cats, and encourages residents of the Town to follow this policy:

- A. TNVR of community cats shall be legal in the Town of Cheektowaga and interested citizens are encouraged to participate in and support TNVR activities on a voluntary basis.
- B. Cheektowaga should be familiar with the guidelines supported by regional and national feral and community cat organizations, as well as the American Veterinary Medical Association (AVMA) regarding appropriate methods of TNVR.
- C. Socialized cats and all kittens subject to TNVR shall be eligible to be, but not mandated to be, re-socialized and put up for adoption.
- D. An ear tipped cat received by local shelters shall be returned to the location where trapped unless veterinary care is required. A trapped ear tipped cat shall be released on site unless veterinary care is required.
- E. Dog control officers and Town employees shall use appropriate opportunities to inform stakeholders about TNVR.
- F. Proof of ownership shall not be required to claim a community cat from a local shelter.
- G. It shall not be a violation of this section to determine that the best course of action for a

particular cat, or cat colony, is to be left alone.

, and BE IT FURTHER

RESOLVED, that, for the purpose of this policy:

- A. "At Large" means not confined, outside an area of escape such as a pen, corral, yard, cage, house, vehicle, or other secure enclosure, unless otherwise under appropriate human control.
- B. "Colony" means a group of one or more community cats.
- C. "Community Cat" means any cat that is:
 - 1. Homeless, stray, or at large, where the cat:
 - a. Has been socialized to people, or is less than five weeks old;
 - b. Could become feral as connection with humans is farther removed; and
 - c. In the case of cats older than five weeks, has a good potential to quickly become domesticated once again; or
 - 2. Feral, where the cat:
 - a. Is not socialized towards humans;
 - b. Is born in the wild or is the offspring of an owned cat; or
 - c. Is a formerly owned cat that has been abandoned; or
 - 3. A cat that lives in the community but is now owned by a human, sometimes referred to as a "free-roaming" or "street" cat.
- D. "Domesticated Cat" means a cat:
 - 1. That is social towards humans;
 - 2. That currently lives within the residence or on the property of a person or persons accepted as the cat's owner; and
 - 3. That is considered appropriate as a companion for humans.
- E. "Ear Tipping" means a straight-line cutting of the tip of the left ear of a cat while the cat is anesthetized.
- F. "Neuter" means to permanently sterilize male cats to render them incapable of impregnating female cats by means of either surgery performed to remove the reproductive organs or chemical sterilization by which the cats are injected with a drug approved by the United States Food and Drug Administration for that purpose.
- G. "Spay" means to permanently sterilize female cats to prevent estrus (heat) cycles and eliminate their ability to become pregnant by means of either surgery performed to remove the ovaries and uterus or chemical sterilization by which the cats are injected with a drug approved by the United States Food and Drug Administration for that purpose.
- H. "Sterilize" means to spay or neuter a cat.
- I. "Trap, Neuter, Vaccinate, and Return Program" or "TNVR" means a program in which community cats are humanely trapped, which sometimes requires feeding, evaluated, vaccinated, sterilized, and ear tipped by a veterinarian and returned to the trap location with the intent of controlling or reducing feline population and reproduction.
- J. "Veterinarian" means a person licensed to practice veterinary medicine in the State of New York.

, and BE IT FURTHER

RESOLVED, that Dog control, police and other officers within the Town of Cheektowaga shall not interfere with residents of the Town of Cheektowaga following the above policy with

respect to feral and community cats.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



7. RESOLUTION 2015-64

Notice to Bidders - Topsoil (Bid #2015-4)

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, it is in order that bids be advertised for the purchase of Topsoil for the 2015 calendar year (Bid #2015-4) for use by the Cheektowaga Highway Department and various other departments in the Town, AND

WHEREAS, the Engineering Department has completed preparation of bid specifications, 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 the purchase of Topsoil, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of February, 2015 at 11:00 am at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 2015 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the purchase of Topsoil by the Town of Cheektowaga for the calendar year of 2015.

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

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

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski
Town Clerk
Bid #2015-4

DATED: February 2, 2015

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



8. RESOLUTION 2015-65

Notice to Bidders - Manhole/Catch Basin Frames & Covers (Bid #2015-5)

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, it is in order that bids be advertised for the purchase of Manhole/Catch Basin Frames and Covers for the year of 2015 (Bid 2015-5) for the Town of Cheektowaga, AND

WHEREAS, the Engineering Department has prepared specifications for same, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of Manhole/Catch Basin Frames and Covers for the 2015 calendar year, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of February, 2015 at 11:00 am, 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 February 18, 2015 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of Manhole/Catch Basin Frames and Covers for the Sewer Maintenance and Highway Departments for the 2015 calendar year.

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

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

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk
Bid #2015-5

DATED: February 2, 2015

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



9. RESOLUTION 2015-66

Notice to Bidders - Sanitary Sewer Pipe & Fittings (Bid #2015-6)

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, it is in order that bids be advertised for the furnishing of Sanitary Sewer Pipe and Fittings (Bid #2015-6) for the 2015 calendar year, AND

WHEREAS, the Engineering Department has completed preparation of bid specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of Sanitary Sewer Pipe and Fittings, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of February, 2015 at 11:00 am 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 February 18, 2015 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the purchase of sanitary sewer pipe and fittings for the 2015 calendar year.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Sanitary Sewer Pipe and Fittings" and submitted to the Town Clerk prior to bid opening.

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk
Bid #2015-6

DATED: February 2, 2015

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



10. RESOLUTION 2015-67

Notice to Bidders - Cold Milling of Various Town Highways (Bid #2015-7)

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, it is in order that bids be advertised for the Cold Milling of Various Town Highways in the Town of Cheektowaga for the calendar year 2015 (Bid #2015-7), AND

WHEREAS, the Cheektowaga Engineering Department was hereby requested to prepare specifications, 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 the Cold Milling of Various Town Highways, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of February, 2015 at 11:00 am at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 2015 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the Cold Milling of Various Town Highways in the Town of Cheektowaga for the calendar year 2015.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Cold Milling of Various Town Highways" and submitted to the Town Clerk prior to bid opening.

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski,
Town Clerk

Bid #2015-7

DATED: February 2, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



11. RESOLUTION 2015-68

Notice to Bidders - Work Uniforms (Bid #2015-8)

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, it is in order that bids be advertised for the purchase of Work Uniforms (Bid #2015-8) for the year of 2015 for the Town of Cheektowaga, AND

WHEREAS, the Engineering Department has prepared specifications for same, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of Work Uniforms to the Town of Cheektowaga for the year of 2015, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of February, 2015 at 11:00 am 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 February 18, 2015 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Work Uniforms for the 2015 calendar year.

Information for bidders and specifications may be obtained from the Town Clerk at her 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.

Alice Magierski, Town Clerk
Bid #2015-8

DATED: February 2, 2015

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



12. RESOLUTION 2015-69

Notice to Bidders For Asbestos Survey for Property Located At 274 Cherokee Drive (BID 2015-9 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Town's Unsafe Buildings Law, Nussbaumer & Clarke, Inc., a duly authorized agent of the Town of Cheektowaga, has issued a written report stating that the structure(s) located at **274 Cherokee Drive** is unsafe and recommended that such structure(s) be demolished; and

WHEREAS, the owners and/or lienholders of said property were notified to demolish said structure(s) on said property, and no action for demolition has been taken to date; and

WHEREAS, a hearing was held in front of this Board on December 15, 2014 concerning said unsafe structure(s) and the requested demolition; and

WHEREAS, the Town of Cheektowaga needs to take action to demolish the building located on said property in the event the owner of same does not do so; and

WHEREAS, prior to demolition of said property, the Town needs to have an asbestos survey done to determine whether there is asbestos in said structure(s); and

WHEREAS, a Notice to Bidders has been prepared for this matter; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the Notice to Bidders for the Asbestos Survey for property located at **274 Cherokee Drive** in the Town of Cheektowaga (Bid 2015-9 LAW); and BE IT FURTHER

RESOLVED, that the Town Clerk's Office be and hereby is directed to publish the attached Notice to Bidders in the CHEEKTOWAGA BEE; and BE IT FURTHER

RESOLVED, that bids for the Asbestos Survey, Specifications and Air Monitoring Services for **274 Cherokee Drive** shall be due no later than **Tuesday, February 17, 2015 at 11:00 A.M.** at the Town Clerk's Office, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is appointed as the officer to open said bids in the Council Chambers of Town Hall on **Tuesday, February 17, 2015 at 11:00 A.M.**



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on **Tuesday, February 17, 2015 at 11:00 A.M.** at the Town Hall, 3301 Broadway, Cheektowaga, New York, for asbestos surveys, asbestos specifications preparation, and air monitoring services for residential property located at **274 Cherokee Drive, Cheektowaga, New York** (BID 2015-9

LAW).

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

Alice Magierski, Town Clerk

Dated: 2 February 2015

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



13. RESOLUTION 2015-70

Accept Site Plan- 505 Aero Drive Surface America

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Brian Effinger of RSB Architects submitted a development review application on behalf of Surface America for an amendment to a previously approved site plan to construct a 630 s.f. office addition to an existing office/warehouse building at 505 Aero Drive, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of January 8, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The Town Engineer reviewing and approving the drainage /grading plan.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



14. RESOLUTION 2015-71

Authorize Town Clerk to Issue New/Renewal Ambulance Driver/Attendant

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

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

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

| Driver/Attendant | Expiration Date |
|-----------------------------|-----------------|
| Accurso, Mark Anthony | 7/31/2017 |
| Bates, Charles D | 7/31/2017 |
| Bednasz, Kayla N | 9/30/2017 |
| Bellavia, Frank P | 11/30/2017 |
| Bertino, Timothy | 11/30/2017 |
| Blake, Scott G | 12/31/2017 |
| Bourne, Noah C | 2/28/2017 |
| Brozic, Jessica | 6/30/2017 |
| Burt, Eric A | 11/30/2017 |
| Burton, Brittany A | 6/30/2017 |
| Conley, Eric J | 2/28/2018 |
| Conte, Patrick J | 7/31/2017 |
| Covert, Patrick M | 9/30/2017 |
| DePeters, Jacob A | 10/31/2017 |
| Dogan, Arthur | 1/31/2017 |
| Fending, Tyler | 6/30/2017 |
| Firkins, Ashley | 9/30/2017 |
| Gates, Joshua R | 10/31/2017 |
| Grant, William F | 12/31/2017 |
| Haessler-Aquino, Harrison C | 9/30/2017 |
| Janiga, Justin J | 10/31/2017 |
| Joseph, Michelle M | 8/31/2017 |
| Kasper, Benjamin R | 1/31/2018 |
| Kedron, Cody C | 6/30/2017 |
| Krisch, Kathryn J | 9/30/2017 |
| Lauzau, Corey J | 9/30/2017 |
| Mackeen, Amber R | 9/30/2017 |
| Magnano, Jonathan P | 6/30/2017 |
| Manning, Patrick S | 10/31/2017 |
| McCauley, Kevin M | 11/30/2017 |

| | |
|------------------------|------------|
| Militello, Alyssa E | 6/30/2017 |
| Mofardin, Nikolas | 1/31/2017 |
| Molik, Abigail L | 8/31/2016 |
| Monroe, David M | 9/30/2017 |
| Nelson, Richard R | 11/30/2017 |
| Nichter, Kyle J | 9/30/2017 |
| Paszek, Traci | 6/30/2017 |
| Perkins, Nicole L | 7/31/2017 |
| Pfeifer, Robert | 2/28/2017 |
| Rath, Gregory J | 11/30/2017 |
| Reiller, Joseph M | 6/30/2017 |
| Rutecki, Jason D | 11/30/2017 |
| Schafer, Adam | 3/31/2016 |
| Schrimmel, Matthew T | 10/31/2017 |
| Servis, Elizabeth R | 10/31/2017 |
| Smith, Bradford D | 10/31/2017 |
| Smith, Tristan H | 7/31/2017 |
| Stoutenburg, Felicia | 9/30/2017 |
| Tillard, Richard T | 12/31/2016 |
| Venkataraman, Ashwin C | 7/31/2017 |
| Waggoner, Candace B | 10/31/2017 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



15. RESOLUTION 2015-72

Authorize Supervisor to Execute Agreement with Erie County SPCA

Sponsored By: Councilmember Rogowski, Councilmember Meyers

WHEREAS, the Town of Cheektowaga Dog Control Office has worked with the Erie County Society for the Prevention of Cruelty to Animals ("SPCA") to relinquish seized dogs to the SPCA after the statutory redemption period in order that such dogs could be adopted, and

WHEREAS, the SPCA has prepared an agreement to accept these dogs from the Town, and

WHEREAS, the Town Dog Control Officer has recommended that we continue to work with SPCA so that the seized dogs can be adopted, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned agreement with the SPCA.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



16. RESOLUTION 2015-73

Authorization to Purchase Vehicles for Police Department

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga Police Department has requested authorization to purchase five (5) 2015 Ford Explorer 4-Door AWD in dark blue, one (1) 2015 Ford Explorer 4-Door AWD in black and one (1) 2015 Ford Taurus AWD in black, vehicles for use by the Department; AND

WHEREAS, Article 5-A of the General Municipal Law of the State of New York permits a municipality to utilize County bid pricing for purchases in lieu of advertising for bids on its own, AND

WHEREAS, the County of Erie has awarded a contract for the purchase of such vehicles, Bid Number 214049-004, to DeLacy Ford, Inc., 3061 Transit Road, Elma, New York 14059, and has, as part of said bid process, allowed various municipalities, including the Town of Cheektowaga, to utilize its bid prices for the purchase of such vehicles; AND

WHEREAS, DeLacy Ford, Inc. Has submitted a proposal to the Police Department for the vehicles it is requesting, and the Department has determined that the Town can save thousands of dollars by purchasing end-of-model year 2015 vehicles utilizing Erie County's contract; AND

WHEREAS, monies have been appropriated from the Police Vehicle budget line 100-3120-2303 and are available for the purchase of said vehicles; NOW, THEREFORE, BE IT

RESOLVED, that the the Police Department is hereby authorized to purchase five (5) 2015 Ford Explorer 4-Door AWD in dark blue, one (1) 2015 Ford Explorer 4-Door AWD in black and one (1) 2015 Ford Taurus AWD in black, from DeLacy Ford, Inc., under Erie County Bid Number 214049-004, for the total cost of \$207,129.00, as per their proposal dated January 22, 2015; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents required to effectuate the purchase of said vehicles.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



17. RESOLUTION 2015-74

Authorization to Purchase Police K-9 Vehicle

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga Police Department has requested authorization to purchase one (1) 2015 Chevrolet Tahoe vehicle for use by the Police K-9 Unit; AND

WHEREAS, Article 5-A of the General Municipal Law of the State of New York permits a municipality to utilize County bid pricing for purchases in lieu of advertising for bids on its own, AND

WHEREAS, Chautauqua County has awarded a contract for the purchase of said vehicle, Proposal #E-11-14 PFTH, dated November 25, 2014, to Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, New York 14043, AND

WHEREAS, Joe Basil Chevrolet has submitted a proposal to the Police Department for the vehicle it is requesting, and the Department has determined that the Town can save thousands of dollars by purchasing end-of-model year 2015 vehicles utilizing the Chautauqua County's contract; AND

WHEREAS, monies have been appropriated from Police Vehicle budget line 100-3120-2303; NOW, THEREFORE, BE IT

RESOLVED, that the Police Department is hereby authorized to purchase one (1) 2015 Chevrolet Tahoe vehicle from Joe Basil Chevrolet, under the Chautauqua County Proposal #E-11-14 PFTH, dated November 25, 2014, for the total cost of \$33,892.20, as per their proposal to the Town of Cheektowaga dated January 23, 2015; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents required to effectuate the purchase of said vehicle.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



18. RESOLUTION 2015-75

Designate a Consultant Selection Committee for the Cheektowaga Safe Crossings Transportation Alternative Project 2014

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, by letter dated October 27, 2014, the Town was advised that funding was approved for the Cheektowaga Safe Crossings Transportation Alternative Project 2014 (TAP 2014), PIN #5761.10, which provides for an eighty percent (80%) federally funded reimbursement for eligible expenses and requires a twenty percent (20%) local share match, AND

WHEREAS, the grant is required to be administered in accordance with New York State Department of Transportation guidelines and procedures for Locally Administered Federal Aid Projects, AND

WHEREAS, under the procedures for Locally Administered Federal Aid Projects the Town is required to retain a consultant to design the project and to designate individuals to serve on a Consultant Selection Committee, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are designated to serve as the Town's representatives on the Consultant Selection Committee based on their expression of interest.

Lt. Steven Berecz, Ad Hoc Member
Cheektowaga Traffic Safety Commission

Paul Gasiewicz, Vice Chairman
Cheektowaga Traffic Safety Commission

Mark E. Nacke, Executive Secretary
Cheektowaga Traffic Safety Commission

Daniel Ulatowski, A.I.C.P.
Planner, Town of Cheektowaga

Richard Zynda, P.E., Chairman
Cheektowaga Traffic Safety Commission

AND, BE IT FURTHER

RESOLVED, that the Consultant Selection Committee's recommendation, following evaluation of consultant qualifications, shall be submitted to the New York State Department of Transportation Project Coordinator for approval.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



19. RESOLUTION 2015-76

Support for Erie County-Wide Government Efficiency Plan

Sponsored By: Holtz, Meyers, Rogowski

WHEREAS, Governor Andrew Cuomo and the New York State Legislature enacted the Property Tax Freeze Credit to provide property tax refunds to homeowners as part of the 2014-2015 State Budget; and

WHEREAS, the new law encourages local governments to generate long-term tax -relief for taxpayers by sharing services, consolidating or merging, and demonstrating and implementing operational efficiencies; and

WHEREAS, in year one of the program, which is 2015 for local governments, homeowners will receive the Freeze Credit if their local government stays within the property tax cap; and

WHEREAS, in year two of the program, which is 2016 for local governments, homeowners will receive the Freeze Credit for property taxes from any taxing jurisdiction in which the homeowner resides that stays within the property tax cap and puts forward a State-approved Government Efficiency Plan demonstrating savings equivalent to one percent of their property tax levies in each of the following three years; and

WHEREAS, while local governments may take a variety of approaches to develop their Government Efficiency Plans, the State has strongly encouraged they convene and facilitate a process to develop and submit county-wide Government Efficiency Plans; and

WHEREAS, as exemplified in the recent establishment of the Buffalo Erie Niagara Land Improvement Corporation in 2012, this community has a history of receiving recognition by the State for demonstrating successful regional collaborations involving many municipalities; and

WHEREAS, Erie County has offered to coordinate the development of such Government Efficiency Plans as the 'lead agency' on behalf of all other interested municipalities; and

WHEREAS, the Town of Cheektowaga is interested in intergovernmental cooperation with Erie County and other municipalities in submitting a county-wide Government Efficiency Plan and desires to memorialize its intention to participate in a coordinated Plan to allow its homeowners to receive the Freeze Credit.

NOW, THEREFORE, BE IT RESOLVED that the Town of Cheektowaga seeks to ensure that Town homeowners will receive the Freeze Credit as part of this new State law; and

BE IT FURTHER RESOLVED that the Town of Cheektowaga did not exceed its designated property tax cap for fiscal year 2015 and memorializes that it has no intention of exceeding the cap for fiscal year 2016, which if exceeded would disqualify the Town from participation in the Property Tax Cap Freeze Credit Program; and

BE IT FURTHER RESOLVED that the Cheektowaga Town Board does hereby express its support for, and participation in an Erie County-wide Government Efficiency Plan; and

BE IT FURTHER RESOLVED that the Town Board urges the New York State Division of the Budget to approve Erie County's coordinated Government Efficiency Plan with local governments with the understanding that the Town has played an active role in the identification of preexisting and implementation of new shared services, consolidations or merges, and operational efficiencies within the Town of Cheektowaga for inclusion in the county-wide plan; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to the Erie County Executive; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; the Director of the Division of Budget and Management; and the Association of Erie County Governments.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



20. RESOLUTION 2015-77

Authorization of Student Interns (Police Department)

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, Brandon M. Hillyard, a student at Erie Community College; AND

WHEREAS, Samantha L. Gerstner, Tara A. Jones, Marquan C. Lowe and Michal P. Sokolowski, all students at Hilbert College, have requested to participate in the student internship program at the Police Department; AND

WHEREAS, these individuals have been interviewed by the Police Department and the Police Department is willing to afford them the opportunity to intern in the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Brandon M. Hillyard, of Lancaster, New York, Samantha L. Gerstner, of Utica, New York, Tara A. Jones of Interlaken, New York, Marquan C. Lowe of Buffalo, New York and Michal P. Sokolowski of Holland, New York, be and hereby are authorized to participate as unpaid interns in the Police Department, subject to their execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that Brandon M. Hillyard, Samantha L. Gerstner, Tara A. Jones, Marquan C. Lowe and Michal P. Sokolowski's internships be and hereby are effective January 1, 2015 through May 31, 2015; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement of Confidentiality, and all other documents necessary to effectuate these student internships in the Police Department.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



21. RESOLUTION 2015-78

Reappointments to Veterans Affairs Committee

Sponsored By: Councilmember Rogowski, Councilmember Meyers

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

WHEREAS, the members of the Veterans Affairs Committee serve for terms of one (1) year, and their terms expired on December 31, 2014, and

WHEREAS, this Board wishes to appoint the following members to a one (1) year term, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are appointed to the Veterans Affairs Committee, effective January 1, 2015 and expiring on December 31, 2015:

Joseph Porempski, Cheektowaga, New York
Karyn Porempski, Cheektowaga, New York
George Ross, Angola Lake, New York
Raymond Wolniewicz, Cheektowaga, New York
John D. Stiegler, Cheektowaga, New York
Wayne Sorrentino, Cheektowaga, New York
Thomas J. Mazur, Cheektowaga, New York
Denise Williams, Cheektowaga, New York
Richard Zydel, Cheektowaga, New York
Joseph Reger, Cheektowaga, New York
Owen Reger, Cheektowaga, New York
Russell Freund, Depew, New York
Gary Kruger, Depew
Director of Erie County Veterans Affairs (currently: William McFarland, Buffalo, New York)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



22. RESOLUTION 2015-79

Terminate Member of Board of Assessment Review

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, Thomas M. Ferrucci is a member of the Cheektowaga Board of Assessment Review, and

WHEREAS, in 2014, Mr. Ferrucci failed to attend any of the Board of Assessment Review hearings or deliberations, NOW, THEREFORE, BE IT

RESOLVED, that Thomas M. Ferrucci be and hereby is terminated as a member of the Cheektowaga Board of Assessment Review, effective immediately.

| | |
|------------------|--|
| RESULT: | ADOPTED [4 TO 1] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Timothy J. Meyers, Christine Adamczyk |
| NAYS: | Diane Benczkowski |
| ABSENT: | Gerald Kaminski |



23. RESOLUTION 2015-80

Termination of Part-Time/Seasonal Employees

Sponsored By: Supervisor Holtz, Councilmember Rogowski

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

POLICE DEPARTMENT

Andrew Enser effective 1/15/15

FACILITIES DEPARTMENT

William W. Lauber effective 1/2/15

John G. Matecki effective 10/4/14

Ryan E. Pocobello effective 12/10/14

Eric J. Tomczak effective 12/10/14

SANITATION DEPARTMENT

Michael E. Rara effective 1/4/15

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the reading of names for this resolution. Motion Carried

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



24. RESOLUTION 2015-81

Appointment to Board of Assessment Review

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, there are two (2) vacancies on the Board of Assessment Review caused by the resignation of Kenneth L. Young and the termination of Thomas M. Ferrucci, and

WHEREAS, Steven Specyal and Derrick C. Warburton applied for and are qualified for said positions, NOW, THEREFORE, BE IT

RESOLVED, that Steven Specyal of Cheektowaga, New York be and hereby is appointed to the position of member of the Cheektowaga Board of Assessment Review, effective immediately and terminating on September 30, 2016, and BE IT FURTHER

RESOLVED, that Derrick C. Warburton of Cheektowaga, New York be and hereby is appointed to the position of member of the Cheektowaga Board of Assessment Review, effective immediately and terminating on September 30, 2019.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



25. RESOLUTION 2015-82

Travel Authorization (Police Department)

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the New York State Child Passenger Safety Advisory Board Meeting is being held February 22 through February 23, 2015 in Albany, New York; AND

WHEREAS, Police Officer Paul Nazzarett, Jr. has been recommended to attend said meeting; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, there shall be no cost incurred to the Town; NOW, THEREFORE, BE IT

RESOLVED, that Police Officer Paul Nazzarett, Jr. be and hereby is authorized to attend the New York State Child Passenger Safety Advisory Board Meeting being held February 22 through February 23, 2015 in Albany, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



26. RESOLUTION 2015-83

Travel Authorization Police Department

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the Pepperball Instructor/Armorer Certification Course is being held February 26 through February 27, 2015 in Ravenna, Ohio; AND

WHEREAS, Sergeants Lawrence Bauer, Thomas Allen, Jeffrey Schmidt and Daniel Albrecht have been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,559.44; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Sergeants Lawrence Bauer, Thomas Allen, Jeffrey Schmidt and Daniel Albrecht be and hereby are authorized to attend the Pepperball Instructor/Armorer Certification Course being held February 26 through February 27, 2015 in Ravenna, Ohio.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |



27. RESOLUTION 2015-84

Travel Authorization Police Department

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the First Annual New York State Tactical Team Leadership Forum is being held March 5 through March 6, 2015 in Saratoga Springs, New York; AND

WHEREAS, Lieutenant Thomas Gerace has been recommended to attend said forum; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$195.02; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Thomas Gerace be and hereby is authorized to attend the First Annual New York State Tactical Team Leadership Forum being held March 5 through March 6, 2015 in Saratoga Springs, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Gerald Kaminski |

IV. Communications

A. Departmental Communications

1. **Minutes:** Cheektowaga Planning Board - January 8, 2015
2. **Minutes:** Cheektowaga Public Library vs. Town of Cheektowaga

B. General Communications

1. **Summons:** Citifinancial Company, Etal vs. Debbie Lou Delaney, The Town of Cheekowaga Etal Premises: 118 Cayuga Road

2. Notice of Claim: Michael Gorzynski vs. Town of Cheektowaga
3. Notice of Claim: Natalie Nowak vs. Town of Cheektowaga
4. Notice of Claim: Crystal Trautman vs. Town of Cheektowaga

V. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VI. Adjournment

Motion by Councilmember Rogowski; Seconded by Supervisor Holtz to adjourn the meeting at 7:43 PM.

Alice Magierski, Town Clerk



Town of Cheektowaga

Work Session

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, February 10, 2015

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on February 10, 2015 at Council Office, Conference Room, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
James Donathen, Esq,
Kenneth Manning, Esq.

3. Motion To: Enter Into Executive Session at 6:02 PM

COMMENTS - Current Meeting:

To Discuss a potential litigation matter, and personnel matters, including potential discipline of employees in various departments, and the termination and hiring of various employees in various departments.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Gerald Kaminski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

4. Motion To: Exit Executive Session at 6:20 PM

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

II. Resolution at 6:21 PM



1. RESOLUTION 2015-85

Refer Internal Investigation to NYS Attorney General

Sponsored By: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

BE IT RESOLVED, that this Town Board hereby requests the New York State Attorney General to conduct a follow up investigation to an internal investigation performed on behalf of the Town of Cheektowaga.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

2. **Motion To:** Enter Into Executive Session at 6:22 PM

COMMENTS - Current Meeting:

| |
|--|
| To discuss personnel matters relating to the hiring and termination of employees in various departments. |
|--|

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

3. **Motion To:** Exit Executive Session

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Wednesday, February 18, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on February 18, 2015 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Absent | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Mark Wegner, Highway Superintendent

II. Public Comment Period

III. Public Hearings

1. 2605 Harlem Road Special Use Permit Request - Blue Wireless

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Diane Benczkowski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk
ABSENT: Timothy J. Meyers

2. Demolition of 169 Garland Avenue

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Diane Benczkowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk
ABSENT: Timothy J. Meyers

IV. Resolutions



1. RESOLUTION 2015-86

Transfer of Funds-2014

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|---------------|--------------------------------|------------|
| FROM: | 100.7550.2040 | Crabapple Festival Revenues | \$5,228.00 |
| | 100.7550.2039 | Polish Festival Revenues | 11,416.00 |
| | 100.1910.4785 | Neighborhood Emergency Costs | 20,000.00 |
| | 100.7140.4500 | General Rink Supplies | 190.00 |
| | 100.7110.4211 | Utilities | 7,000.00 |
| | 100.7110.4022 | Park Supplies | 7,000.00 |
| | 100.7110.4451 | Bldg. & Grnds. Maint. Repair | 7,000.00 |
| | 100.7110.4141 | Chemicals | 1,000.00 |
| | 100.6510.4301 | Room Rentals | 1,600.00 |
| | 100.1910.4709 | Management Studies | 5,000.00 |
| | 100.1910.4711 | Contingency | 175,000.00 |
| | 100.3310.4471 | Signs | 1,552.00 |
| | 100.3120.3820 | State Aid Police | 69,485.00 |
| | 100.3120.4321 | Data Processing Services | 1,609.00 |
| | 100.3020.4029 | Supplies | 2,000.00 |
| | 100.3020.4022 | Maintenance Contract | 2,318.00 |
| | 100.9501.9211 | Bond Interest | 606,010.00 |
| | 100.1640.4447 | Collision Repairs | 2,813.00 |
| | 100.1625.2303 | Over the Road Vehicles | 4,000.00 |
| | 100.1625.4432 | Repairs & Maintenance | 1,000.00 |
| | 100.1910.2701 | Refund of Prior Years Expenses | 30,359.00 |
| | 100.1440.1901 | Regular Payroll | 9,150.00 |
| | 100.1430.4751 | Employee Assistance | 2,704.00 |
| | 100.1420.4012 | Printed Briefs | 250.00 |
| | 100.1420.4088 | Travel, Training & Conferences | 402.00 |
| | 100.1320.4145 | Professional Services | 4,495.00 |
| | 100.1415.4500 | Supplies & Equipment | 368.00 |
| | 100.1410.4111 | Publishing Notices | 1,745.00 |
| | 100.1410.4188 | Equipment Rental | 745.00 |
| | 100.1410.4001 | Office Supplies | 1,000.00 |
| | 100.1315.4088 | Travel, Training & Conferences | 1,537.00 |
| | 100.1315.4431 | Maintenance Agreement | 817.00 |
| | 100.1315.4011 | Printed Forms | 450.00 |
| | 100.1110.4082 | Business Travel | 14.00 |
| | 100.1010.4088 | Travel, Training & Conferences | 368.00 |
| TO: | 100.7550.4375 | Crabapple Festival | \$7,238.00 |
| | 100.7550.4374 | Polish Festival | 22,514.00 |
| | 100.7180.2055 | Pool | 12,000.00 |
| | 100.7140.4999 | Credit Card Expense | 190.00 |
| | 100.7110.2304 | Park Equipment | 21,684.00 |
| | 100.6410.4194 | Media Publicity | 11,512.00 |
| | 100.6410.4195 | Events | 1,232.00 |

| | | | |
|-------------------|---------------|---------------------------------|--------------|
| | 100.6510.4311 | Veterans Affairs Committee | 108.00 |
| | 100.3310.4217 | Utilities | 1,552.00 |
| | 100.3120.4510 | Urgent Outsourced Services | 947.00 |
| | 100.3120.4073 | Clothing Allowance | 171.00 |
| | 100.3120.4046 | Motorcycle Division | 328.00 |
| | 100.3120.4025 | Bike Patrol | 140.00 |
| | 100.3120.2303 | Police Vehicles | 23.00 |
| | 100.3120.2205 | Grant Expenditures | 69,485.00 |
| | 100.3020.4431 | Equipment Repairs & Maintenance | 1,911.00 |
| | 100.3020.4203 | Cellular Phones | 2,407.00 |
| | 100.1910.4911 | Emergency Costs | 51,742.00 |
| | 100.1910.4706 | Real Property Taxes | 5,776.00 |
| | 100.1910.4352 | Erie County Chargebacks | 162,067.00 |
| | 100.1910.4322 | Contracted Services | 16,534.00 |
| | 100.1910.4261 | Postage | 14,248.00 |
| | 100.1680.4434 | Software Maintenance | 18,174.00 |
| | 100.1680.4431 | Hardware Maintenance | 134.00 |
| | 100.1680.4321 | Software Licensing | 18,645.00 |
| | 100.1680.4207 | GPS Services | 1,714.00 |
| | 100.1680.4206 | Internet Services | 1,187.00 |
| | 100.1680.4146 | Outsourcing Services | 7,538.00 |
| | 100.1680.2204 | Computer Hardware | 118,234.00 |
| | 100.1680.2202 | Network Hardware | 105,194.00 |
| | 100.1640.4449 | Senior Citizens Repair | 78.00 |
| | 100.1640.4445 | Park Equipment | 2,409.00 |
| | 100.1640.4443 | Equipment Repair Sanitation | 326.00 |
| | 100.1625.4217 | Utilities | 38,480.00 |
| | 100.1625.4202 | Telephone | 9,596.00 |
| | 100.1625.4021 | Maintenance Supplies | 106.00 |
| | 100.1440.4594 | P.I.P. Consultants | 9,150.00 |
| | 100.1430.4502 | Legal Personnel | 235,956.00 |
| | 100.1430.2501 | Office Equipment | 2,704.00 |
| | 100.1420.4501 | Contracted Legal | 2,536.00 |
| | 100.1420.4013 | Law Books | 2,313.00 |
| | 100.1420.4001 | Office Supplies | 150.00 |
| | 100.1420.2201 | Office Equipment | 148.00 |
| | 100.1415.4001 | Contractual Services | 368.00 |
| | 100.1410.2201 | Office Equipment | 3,490.00 |
| | 100.1315.4001 | Office Supplies | 1,994.00 |
| | 100.1315.2201 | Equipment Acquisition | 810.00 |
| | 100.1110.2105 | Equipment | 14.00 |
| | 100.1010.4001 | Office Supplies | 368.00 |
| SPECIAL DISTRICTS | | | |
| FROM: | 150.8173.4444 | Recycling Contractor | \$298,440.00 |
| | 150.8160.4160 | Diesel Fuel | 15,285.00 |
| | 150.8160.4221 | Gas | 6,116.00 |
| | 150.8160.4469 | Landfill Costs | 96,000.00 |
| | 150.1910.2799 | Appropriated Fund Balance | 1,523,281.00 |
| TO: | 150.8160.2306 | Packers Sanitation | \$211,282.00 |
| | 150.8160.2501 | Miscellaneous | 3,600.00 |
| | 150.8160.4211 | Electric | 1,719.00 |
| | 150.8160.4352 | Erie County Chargeback | 23,798.00 |

| | | |
|---------------|-----------------------|--------------|
| 150.8173.2105 | Misc. Equipment | 388,989.00 |
| 150.8173.2501 | Other Equipment | 1,300,295.00 |
| 150.8173.4194 | Recycling Advertising | 9,439.00 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



2. RESOLUTION 2015-87

Transfer of Funds-2015

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

| | | | |
|-------|---------------|-------------------------------|-----------|
| CDBG | | | |
| FROM: | 700.1011.0600 | Housing Rehab.-Single Family | \$501.63 |
| | 700.1011.0600 | Housing Rehab.-Single Family | 32,272.84 |
| TO: | 700.1011.0606 | Disposition | \$501.63 |
| | 700.1014.0752 | Rehab Activity Delivery Costs | 32,272.84 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



3. RESOLUTION 2015-88

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to February 18, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$191,107.42 |
| RISK RETENTION FUND | 34,668.50 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 0.00 |
| SPECIAL DISTRICTS FUND | 342,227.04 |
| HIGHWAY FUND | 203,874.94 |
| CAPITAL FUND | 365,153.36 |
| TRUST & AGENCY FUND | 7,018,640.08 |
| HUD CDBG FUND | 153,908.59 |
| PART TOWN FUND | 56,027.91 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$8,365,607.84 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



4. RESOLUTION 2015-89

Award of Bid - Baseball & Softball Equipment (Bid 2015-1)

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, sealed bids were duly received by the Town Board at a bid opening (Bid # 2015-1) on February 4, 2015 for the furnishing of baseball and softball equipment as a result of advertising thereof, and such bids were referred to the Department of Youth & Recreational Services for analysis, tabulation and report, and

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

RESOLVED that bids be awarded to the lowest responsible bidder meeting specifications, and to be in the best interest of the Town of Cheektowaga for the calendar year February 2015 - February 2016:

Laux Sporting Goods Inc
25 Pineview Drive
Amherst, New York 14228

Anaconda Sports
85 Katrine Lane
Lake Katrine, NY 12449

Jim Ludtka Sporting Goods
2500 Walden Avenue
Cheektowaga, New York 14225

BSN Sports
P.O. Box 49
Jenkintown, PA 19046

BE IT FURTHER RESOLVED that the costs resulting from the awarding of this bid are funded through 7140; 7180 and 7310 accounts for cost centering purposes.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



5. RESOLUTION 2015-90

Award of Bid for Asbestos Survey and Air Monitoring Services for Property Located at 36 Peachrow Lane (Bid 2015-2 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Unsafe Buildings Law of the Town of Cheektowaga, this Town Board can require that unsafe buildings be either repaired or demolished; and

WHEREAS, the structures on property located at 36 Peachrow Lane have experienced extensive deterioration and damage, and Nussbaumer & Clarke, Inc. determined that said structures are unsafe and recommended that they be demolished and removed; and

WHEREAS, by resolution adopted October 6, 2014, this Town Board ordered that the structures on said property be either repaired or demolished, and directed that the respective owner(s) or others responsible for the building on said property commence said repair or demolition work within 30 days; and

WHEREAS, more than 30 days have expired and no work has been commenced with respect to said property; and

WHEREAS, pursuant to the Unsafe Buildings Law, this Town Board can provide for the demolition of an unsafe building and assess the cost of same against the property; and

WHEREAS, prior to the demolition of said property, the Town needs to retain a firm to perform an asbestos survey and asbestos abatement specifications for same; and

WHEREAS, on January 20, 2015, this Town Board issued a Notice to Bidders (Bid 2015-2 LAW) to various asbestos abatement firms and based on proposals submitted, the Town Attorney has recommended that this Town Board retain Buffalo Environmental Consultants, Inc., d/b/a AFI Environmental, to perform said asbestos survey, specifications and project monitoring work for the sum of \$3,100.00, and if required, a further sum of \$250.00 per day and \$7.00 per sample for additional air monitoring and sampling at the site, said proposal being the lowest responsible bid submitted; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains Buffalo Environmental Consultants, Inc., d/b/a AFI Environmental, Post Office Box 4049, Niagara Falls, New York 14304, to perform said asbestos survey and abatement work (if necessary) for 36 Peachrow Lane, for the sum of \$3,100.00 and if required, a further sum of \$250.00 per day and \$7.00 per sample for additional air monitoring and sampling at the site; and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and hereby is directed to execute an agreement with Buffalo Environmental Consultants, Inc., d/b/a AFI Environmental, for said services; and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from budget line item number 0800-800-0440.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



6. RESOLUTION 2015-91

Negative SEQR Declaration 2605 Harlem Road - Blue Wireless

Sponsored By: Supervisor Holtz, Councilmember Kaminski

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

WHEREAS, a special use permit application was submitted by Buffalo-Lake Erie Wireless Systems for the construction of roof mounted cellular antennas for a new cellular communications carrier at 2605 Harlem Road, AND

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency, 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, the Environmental Advisory Committee at its meetings held on February 10, 2015 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the special use permit at their meeting of February 12, 2015, AND

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

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

Attachments:

construction plans (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



7. RESOLUTION 2015-92

Negative SEQR Declaration 6480 Transit Road - Dent Wizard

Sponsored By: Supervisor Holtz, Councilmember Kaminski

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

WHEREAS, an application was submitted by Dent Wizard International for a special use permit to establish a collision repair business at an existing motor repair facility at 6480 Transit Road , AND

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency, 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, the Town of Cheektowaga Planning Board recommended approval of the special use permit at their meeting of December 11, 2014 AND

WHEREAS, the Environmental Advisory Committee at its meetings held on January 14, 2015 recommended a determination of non-significance, AND

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

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



8. RESOLUTION 2015-93

Approve Special Use Permit for 2605 Harlem Road

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, Buffalo-Lake Erie Wireless Systems has applied for a Special Use Permit to install building-mounted cellular antennas on the roof of an existing hospital owned by Sisters of Charity Hospital and located at 2605 Harlem Road, Cheektowaga, New York, pursuant to Sections 260-47 of the Code of the Town of Cheektowaga ("Zoning Law"), and Chapter 255 of the Town Code ("Wireless Telecommunications Facilities"); and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 18th day of February, 2015 at 6:45 P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the 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 recommended approval of this Special Permit; and

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

RESOLVED, that the aforesaid Special Use Permit for installing building-mounted antennas on an existing building at 2605 Harlem Road be and hereby is granted.

LEGAL DESCRIPTION FOR SPECIAL PERMIT

ALL THAT TRACT OR PARCEL OF LAND, situated in the Town of Cheektowaga, County of Erie and State of New York, being the southwest part of Lot No. 25, Township 11, Range 7 of the Holland Land Company's survey, bounded as follows: namely: - On the south by Lot No. 24. On the east by a line parallel with the east line of said Lot No. 25 and distant twenty-five chains (25) and fifty-two links (52) west therefrom. On the north by a line parallel with the south bounds of said Lot No. 25, and far enough north therefrom to include twenty-six (26) acres and eighty-four hundredths (84/100) of an acre south of said line. And on the west by a road one chair wide (now known as Harlem Avenue). Containing at least twenty-six (26) acres and eighty-four hundredths (84/100) of an acre of land.

EXCEPTING, however, Right of Way dated September 12, 1927, granted to The Depew and Lancaster Light, Power and Conduit Company, recorded in Liber 1968 of Deeds at page 5, in the Erie County Clerk's Office, State of New York, on September 30, 1927.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



9. RESOLUTION 2015-94

Approve Special Use Permit for a Change in Use at 6480 Transit Road

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, Dent Wizard International has applied for a Special Use Permit for a change in use from an existing motor service facility to a collision repair facility on property owned by 6480 Transit Road, LLC and located at 6480 Transit Road, Cheektowaga, New York, pursuant to Sections 260-47 and 260-33 of the Code of the Town of Cheektowaga ("Zoning Law"), and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 20th day of January, 2015 at 6:45 P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the 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 recommended approval of this Special Permit; and

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

RESOLVED, that the aforesaid Special Use Permit for the change in use from a motor service facility to a collision repair facility at 6480 Transit Road hereby is granted.

LEGAL DESCRIPTION FOR SPECIAL PERMIT

All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 75, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

COMMENCING at a point in the center line of Transit Road (100 feet wide) said center line also being the east line of Lot No. 75 distant 2,954.64 feet northerly from the southeast corner of Lot No. 75; running thence westerly at a deflection angle of 89° 09' 40" a distance of 50.01 feet to a point on the west line of Transit Road; running thence northerly at a deflection angle of 89° 09' 40" along the west line of Transit Road, a distance of 186.68 feet to a point on the west line of Transit Road, said point being the principal point or place of beginning, continuing thence northerly along the west line of Transit Road, a distance of 106.00 feet to a point on the south line of lands conveyed to Michael Marenovic by deed recorded in the Erie County Clerk's Office in Liber 9498 of Deeds at page 674; running thence westerly along the south line of lands conveyed to said Michael Marenovic, 218.65 feet to a point on the south line of lands conveyed to Michael Marenovic by deed aforesaid mentioned; running thence southerly at an interior angle of 90° 00' 00" and parallel to the west line of Transit Road, a distance of 106.00 feet to a point; running thence easterly at an interior angle of 90° 00' 00" along a line parallel to the south line of lands conveyed to Michael Marenovic by deed aforesaid mentioned, a distance of 218.65 feet to a point on the west line of Transit Road, said point being the principal point or place of beginning.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



10. RESOLUTION 2015-95

Call for Public Hearing - Rezoning Request - 4630 & 4652 Genesee Street

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, Bhavani Group, Inc. & Jay /Raj Patel has made application and requested the rezoning of 4630 & 4652 Genesee Street from M1- Light Manufacturing to CM-General Commercial to permit a change in zoning classification for a lawful non conforming hotel use and accessory parking area expansion at 4630 Genesee Street, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on March 2, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the March 2, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Bhavani Group, Inc. & Jay /Raj Patel

For the rezoning of 4630 & 4652 Genesee Street from M1- Light Manufacturing to CM-General Commercial to permit a change in zoning classification for a lawful non conforming hotel use and accessory parking area expansion at 4630 Genesee Street.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York and being a part of Lot 77, Township 11, Range 9 and more particularly bounded and described as follows:

COMMENCING at a point located in the centerline of Genesee Street (width varies) which point is 757.77 feet northeasterly from the west line of Lot 77, Township 11, Range 7 as measured along the centerline of Genesee Street, which point is also the southwest corner of lands conveyed by Liber 6933 of Deeds, page 555; thence in a northerly direction along the southerly projection of course 10 hereinafter described a distance of 34.07 feet to a point located on the

north line of Genesee Street, which is the point of beginning of the parcel being described herein; thence 1) proceeding a northeasterly direction, along the north line of Genesee Street, a distance of 97.20 feet to a point; thence 2) northerly and making an interior angle of 101°47'56" with course (1) above, a distance of 420.57 feet to a point

which is in the southwest line of lands now or formerly of the Lehigh Valley Rail Road; thence 3) proceeding in a northwesterly direction along the said southwesterly line of said railroad lands, a distance of 113.24 feet to a point; thence 4) continuing in a northwesterly direction along the said southwesterly line of the railroad lands, along a curve bearing to the left and having a radius of 2815.40 feet, a chord distance of 379.63 feet to a point; thence 5) southwesterly and along the west line of lands known as Parcel II conveyed by Liber 8707 of Deeds, page 525 a distance of 209.38 feet to a point; thence 6) continuing southeasterly and making an exterior angle of 176°14'33" with course (5) above, a distance of 179.32 feet to a point; thence 7) proceeding in a westerly direction and making an exterior angle of 56°11'00" with course (6) above a distance of 192.25 feet to a point; thence 8) southerly and making an interior angle of 89°44'50" with course (7) above, a distance of 258.40 feet to a point; thence 9) easterly and making an interior angle of 90° with course (8) above, a distance of 242.16 feet to a point; thence 10) southerly and forming an exterior angle of 90°00'00" with course (9) above, a distance of 216.13 feet to the point and place of beginning.

EXCEPTING therefrom premises taken by Appropriation recorded January 31, 1992 in Liber 10385 of Deeds at page 144.

4652 Genesee Street

ALL THAT PLOT OF LAND situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number 77, Township 11, Range 7 of the Holland Land Company's Survey and being more particularly bounded and described as follows:

BEGINNING at a point in the center line of Genesee Street 861.74 feet northeasterly measured along said center line from its point of intersection with the west line of Lot Number 77, Township 11, Range 7;

THENCE northerly, making a northeast angle of 78° 03', a distance of 454.28 feet to a point in the southwest line of lands of the Lehigh Valley Railroad Company at the northeast corner of lands now or formerly owned by Johnson;

THENCE southeasterly, along the southwest line of lands of the Lehigh Valley Railroad Company, 75.70 feet to a point;

THENCE southerly, parallel with the first described boundary line, 191.12 feet to an angle point;

THENCE southeasterly, 191.40 feet to a point in the center line of Genesee Street distant 62.49 feet northeasterly from the point of beginning;

THENCE southwesterly, along the center line of Genesee Street 62.49 feet to the point of beginning.

EXCEPTING THEREFROM that portion of the above described property as appropriated by the

People of the State of New York pursuant to Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10384 of Deeds at page 500.

TOGETHER WITH an easement recorded in the Erie County Clerk's Office in Liber 9966 of Deeds at page 99.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Mary Holtz, James P. Rogowski |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



11. RESOLUTION 2015-96

Call for Public Hearing - 1550 Walden Avenue Rezoning Request for Basil Ford

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, Basil Ford/1520-1540 Walden Avenue Realty, LLC has made application and requested the rezoning of 1550 Walden Avenue from CM- General Commercial to MS- Motor Services to permit the conversion of a former bowling alley facility into an automobile dealership for the sale/display of new and used motor vehicles and the servicing of same, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on March 2, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on March 2, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Basil Ford/1520-1540 Walden Avenue Realty, LLC

For the rezoning of 1550 Walden Avenue from CM- General Commercial to MS- Motor Services to permit the conversion of a former bowling alley facility into an automobile dealership for the sale/display of new and used motor vehicles and the servicing of same.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

Parcel "A"

BEGINNING at the point of intersection of the northerly line of Walden Avenue Extension (being also the northerly line of the parcel of land appropriated by The People of the State of

New York for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled "Ontario Thruway-Erie County-Town of Cheektowaga Dist. No. 5 Map No. 252 Parcel No. 252" dated April 20, 1950 and filed in the Erie County Clerk's Office on November 28, 1950) with the easterly line of lands conveyed to Scharell Corporation by deed recorded in the Erie County Clerk's Office in Liber 5484 of Deeds at page 408 (said easterly line being also the easterly line of lands conveyed to Elnathan Bennett by deed recorded in the Erie County Clerk's Office in Liber 58 of Deeds at page 549 and being also the easterly line of the parcel of land firstly described in deed made by Fair Land Realty Company dated September 19, 1916 recorded in the Erie County Clerk's Office in Liber 1360 of Deeds at page 246;) running thence northerly along the easterly line of the lands so conveyed to Scharell Corporation 814.73 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad (said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway); thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line 348.95 feet, more or less, to a point distant westerly 300 feet measured at right angles from the easterly line of the lands conveyed to Scharell Corporation by deed aforesaid; running thence southerly parallel with and distant westerly 300 feet measured at right angles from the easterly line of the lands so conveyed to Scharell Corporation 674.68 feet, more or less, to the said northerly line of Walden Avenue Extension; thence easterly along the northerly line of Walden Avenue Extension 302.68 feet, more or less, to the point or place of beginning.

Parcel "B"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey and according to a map filed in the Erie County Clerk's Office under Cover No. 372 is known as Subdivision Lots Nos. 88 to 116, inclusive.

Parcel "C"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey and according to a map filed in the Erie County Clerk's Office under Cover No. 372, is known as Subdivision Lot No. 117.

EXCEPTING therefrom that part taken by the State of New York by Notice of Appropriation recorded in Liber 4840 of Deeds at page 189 and designated as Map No. 250, Parcel No. 250.

Together with all right, title and interest of, in and to any streets and roads abutting the above described premises, further conveying all of the grantor's right claim and interest in a certain easement for ingress and egress over a portion of the westerly 24.8' of The Avenue, as described in agreement dated November 15, 1978 between Ellicott Drug Company and Consolidated Bowling Company recorded November 21, 1978 in Liber 8724 of Deeds at page 477.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



12. RESOLUTION 2015-97

Notice to Bidders - Mowing the Galleria Detention Basins and Pfohl Brothers Landfill (Bid #2015-10)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for Mowing the Galleria Detention Basins and the Pfohl Brothers Landfill in the Town of Cheektowaga (Bid #2015-10), NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of equipment and operators for Mowing the Galleria Detention Basins and the Pfohl Brothers Landfill for a three (3) year contract period covering 2015, 2016 and 2017, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 4th day of March, 2015 at 11:00 am, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 4, 2015 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, for the furnishing of equipment and operators for Mowing the Galleria Detention Basins and the Pfohl Brothers Landfill in the Town of Cheektowaga for a three (3) year contract period covering 2015, 2016 and 2017.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing Equipment and Operators for Mowing" and submitted to the Town Clerk prior to bid opening.

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

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

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk
Bid #2015-10

DATED: February 18, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



13. RESOLUTION 2015-98

Notice to Bidders - Street Light Standards (Bid #2015-11)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, it is in order that bids be advertised for the purchase of round tapered aluminum street light standards with tapered elliptical arms (Bid #2015-11), AND

WHEREAS, the Engineering Department has prepared specifications for same, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of round tapered aluminum street light standards with tapered elliptical arms, said notice to be published in THE CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 4th day of March, 2015 at 11:00 am, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 4, 2015 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of round tapered aluminum street light standards and tapered elliptical arms for the Town Sign Maintenance Division of the Highway Department.

Information for bidders and specifications may be obtained from the Office of the Town Clerk in Town Hall.

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magiersk, Town Clerk
Bid #2015-11

DATED: February 18, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



14. RESOLUTION 2015-99

Notice to Bidders - Equipment & Operators for the Installation of Cured-in-Place Sanitary Sewer Point Repairs (Bid #2015-12)

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, it is in order that bids be advertised for the furnishing of Equipment & Operators for the Installation of Cured-in-Place Sanitary Sewer Point Repairs in the Town of Cheektowaga for the balance of the 2015 calendar year, AND

WHEREAS, the Engineering Department has completed preparation of bid specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of Equipment & Operators for the Installation of Cured-in-Place Sanitary Sewer Point Repairs in the Town of Cheektowaga (Bid #2015-12), said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 4th day of March, 2015 at 11:00 am at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 4, 2015 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Equipment and Operators for the Installation of Cured-in-Place Sanitary Sewer Point Repairs in the Town of Cheektowaga for the balance of the 2015 calendar year.

Information for bidders and specifications may be obtained from the Town Clerk in said Town Hall.

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for furnishing of Equipment and Operators for the Installation of Cured-in-Place Sanitary Sewer Point Repairs" and be submitted to the Town Clerk prior to bid opening.

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

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

Each proposal must be accompanied by a certified check for a sum equal to five percent

(5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magiersk, Town Clerk
Bid #2015-12

DATED: February 18, 2015

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



15. RESOLUTION 2015-100

Prohibited Use of Town Property

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that this Town Board hereby adopts the following policy with respect to the use of Town property:

Town officers and employees shall not use Town supplies, equipment, personnel, vehicles or any other Town resources for a non-governmental purpose (including but not limited to personal use), nor engage in personal or private activities during times when he or she is required to work for the Town of Cheektowaga.

, and BE IT FURTHER

RESOLVED, that this policy shall replace and supersede any inconsistent Town policy or practice heretofore approved or adopted (including any statement in the 2012 Town of Cheektowaga Employee Handbook).

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|------------------|--|
| RESULT: | ADOPTED [4 TO 1] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Christine Adamczyk |
| NAYS: | Diane Benczkowski |
| ABSENT: | Timothy J. Meyers |



16. RESOLUTION 2015-101

Authorize Supervisor to Execute Amended Agreement with DXO Communications of Buffalo

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, by resolution dated September 3, 2013 (Resolution 2013-449), this Town Board authorized the Supervisor to execute a Service Agreement with DXO Communications of Buffalo, Inc. for mailing, sorting and distribution services for mail sent out by Town departments, and

WHEREAS, DXO is now proposing additional services and revised fees for these services, and

WHEREAS, the Town Clerk has recommended that the Town of Cheektowaga execute an amended Service Agreement with DXO Communications of Buffalo for these services, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the amended Service Agreement with DXO for the aforementioned mail services.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



17. RESOLUTION 2015-102

Authorize Supervisor to Execute Agreement for Waste Recycling of Town-Owned Electronics

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga must dispose of obsolete and non-operational electronics including, but not limited to, computers, monitors, printers, copiers, storage devices, and other electronic items, all of which contain hazardous materials, in an environmentally sound manner; and

WHEREAS, Sunnking, Inc., an electronics recycling company, has submitted a quotation whereby they will properly dispose of the above mentioned obsolete and non-operational Town-owned electronic items delivered by the Town to Sunnking's Buffalo facility, in full compliance with all government regulations applicable to the disposal of hazardous waste, for the following costs:

| | |
|----------------------------|---|
| Customer Drop-Off | \$.00 (no charge) |
| CRT-Televisions/Monitors | \$.10 per pound environmental fee based on weight |
| Broken CRT Glass | \$.35 per pound |
| Chlorinated Fluoro Carbons | \$.40 per pound |
| All other electronics | \$.00 (no charge) |

as more fully set forth in said quotation, and in exchange, the Town will not collect payment for any recovered materials; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves an agreement with Sunnking, Inc., for the disposal of obsolete and non-operational electronics including, but not limited to, computers, monitors, printers, copiers, storage devices, and other electronic items for the costs and terms set forth in Sunnking's proposal for a twelve (12) month term; and BE IT FURTHER

RESOLVED, that, subject to review and approval by the Town Attorney, the Supervisor be and hereby is authorized to execute an agreement and any other documents necessary effect the proper disposal of said equipment.

| | |
|------------------|--|
| RESULT: | ADOPTED AS AMENDED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



18. RESOLUTION 2015-103

Authorize Agreement with Bluenail Management Solutions

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga Police Department ("Police Department") is interested in retaining an individual or company to provide Microsoft SharePoint and Access Database Programming and Microsoft SharePoint and Access Database Training (hereinafter referred to as "Programming and Training"); and

WHEREAS, Bluenail Management Solutions, LLC ("Bluenail") has the expertise and qualifications to program and train personnel to efficiently utilize its custom built Microsoft SharePoint and Access Database; and

WHEREAS, the Police Department interviewed Joseph Sabol of Bluenail and is confident that Bluenail can program and train personnel of the Police Department and,

WHEREAS, an agreement between the Town and Bluenail has been reviewed by the Town Attorney; NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute said agreement with Bluenail; and BE IT FURTHER

RESOLVED, that funding for the services to be provided shall be appropriated from budget line item number 0100-3120-4321.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



19. RESOLUTION 2015-104

Retain Wendel Engineering to Assist Town with Urban Forest Management Plan

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Town has been awarded a Urban and Community Forestry State Assistance grant ("DEC Urban Forestry Grant") through the NYS Department of Environmental Conservation to develop a Large Community Tree Management Plan, and

WHEREAS, the Town needs to retain a consultant to assist us with performing the tree management plan, and

WHEREAS, proposals were solicited by the Town Planner, and

WHEREAS, Wendel/Audubon Architecture, Engineering, Surveying & Landscape Architecture ("Wendel") has submitted a proposal to perform this work, and

WHEREAS, Wendel is qualified and meets the State's criteria under the aforementioned grant, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains Wendel to assist the Town with preparing a tree management plan under the aforementioned DEC Urban Forestry Grant at a cost not to exceed \$50,000.00, and BE IT FURTHER

RESOLVED, that, subject to review and approval by the Town Attorney, the Supervisor be and hereby is authorized and directed to execute an agreement with Wendel, and BE IT FURTHER

RESOLVED, that funding for said services shall be appropriated from budget line item to be identified by the Director of Administration and Finance, with funds to be partially reimbursed from the aforementioned DEC Urban Forestry Grant.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



20. RESOLUTION 2015-105

Request New York State to Permit Veterans to Have Free Access to State Parks

Sponsored By: Rogowski, Holtz, Kaminski, Benczkowski, Adamczyk

WHEREAS, presently disabled veterans are permitted access to New York State parks without charge, and

WHEREAS, a bill (S.1508) has been introduced in the New York State Senate by Senator Timothy Kennedy to permit all veterans to have access to New York State Parks without charge, and

WHEREAS, a companion bill has been introduced in the New York State Assembly (A.4860), and

WHEREAS, many veterans are on fixed incomes and may not be able to afford to visit State parks, and

WHEREAS, veterans have fought for our country and our freedom and deserve to have free access to parks in New York State, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the New York State Senate, Assembly and Governor Cuomo to approve this legislation, and BE IT FURTHER

RESOLVED, that this Town Board hereby directs the Town Clerk to forward certified copies of this resolution to Senator Timothy Kennedy, Assemblywoman Angela Wozniak and Governor Andrew Cuomo.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



21. RESOLUTION 2015-106

Agreement with Catholic Charities (YES)

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Cheektowaga Department of Youth and Recreational Services is desirous of continuing the operation of the Youth Engaged in Service (Y.E.S.) program with Catholic Charities of Buffalo Metropolitan Services Department, 525 Washington Street, Buffalo, New York, AND

WHEREAS, said program, which prepares and provides teenagers with opportunities to assist their community in various projects that have a need for volunteers and 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 of Buffalo Metropolitan Services Department to continue said program for a twelve month period, January 1, 2015 through December 31, 2015 with a total payment to Catholic Charities not to exceed the sum of \$56,040.00 and the New York State Office of Children and Family services will reimburse the Town \$36,000.00 leaving the actual cost to the Town at \$20,040.00.

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



22. RESOLUTION 2015-107

Agreement with Catholic Charities (SIS)

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Cheektowaga Department of Youth and Recreational Services is desirous of continuing the operation of a joint program with Catholic Charities of Buffalo Metropolitan Services Department, 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, 2015 through December 31, 2015 with a total cost not to exceed the sum of \$176,845.00 and BE IT FURTHER

RESOLVED that Catholic Charities Metropolitan Services will reimburse the Town \$35,900.00 of the total budget for said program leaving the actual cost to the Town at \$140,945.00

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



23. RESOLUTION 2015-108

Agreement with Public Library

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

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

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

RESOLVED that the Supervisor be and hereby is authorized to execute an agreement between the Town of Cheektowaga and the Cheektowaga Public Library System to continue said program for a twelve (12) month period, January 1, 2015 through December 31, 2015 with a total cost not to exceed \$2,200.00.

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

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



24. RESOLUTION 2015-109

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

Carolyn Reczek

8/14/14

14227

Motion by Councilmember Rogowski; Seconded by Supervisor Holtz to waive the reading of names for the following two (2) resolutions: 2015-109 and 2015-110. Motion Carried.

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



25. RESOLUTION 2015-110

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

FACILITIES DEPARTMENT (Building & Grounds Division) Laborer \$9.00 effective 2/19/15
Ryan E. Pocobello, Cheektowaga, New York

SANITATION DEPARTMENT Laborer \$9.25/hour effective 2/9/15
Michael A. Aiken, Cheektowaga, New York

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

JUSTICE COURT Clerk \$15.00/hour effective 2/19/15
Gloria J. Grant-Dalfonso, Cheektowaga, New York

JUSTICE COURT Clerk \$15.25/hour effective 1/9/15
William V. Matalonis, Cheektowaga, New York

FACILITIES DEPARTMENT (Parks Division) Laborer \$9.00/hour effective 2/19/15
Brandon M. Kindzierski, Cheektowaga, New York

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

JUSTICE COURT
Mary Ann Szczepanowski effective 1/9/15

RECORDS MANAGEMENT
Michael F. Krause effective 8/30/14

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



26. RESOLUTION 2015-111

Reappointments to Veterans Affairs Committee

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, by resolution dated February 2, 2015 (Resolution 2015-78), this Town Board reappointed and appointed members to the Veterans Affairs Committee, and

WHEREAS, inadvertently, some names were omitted from this committee, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are reappointed to the Veterans Affairs Committee, effective January 1, 2015 to December 31, 2015:

- Kenneth Speaker, Cheektowaga, New York

- Nelson Oldfield, Cheektowaga, New York

, and BE IT FURTHER

RESOLVED, that Councilmember James P. Rogowski (Chairperson of the Veterans Committee) and Councilmember Timothy J. Meyers be and hereby shall serve as the Town Board liaisons to the Veterans Affairs Committee for calendar year 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



27. RESOLUTION 2015-112

Travel Authorization/Town Attorney Kevin Schenk

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Attorney's Guide to Local Government Law Seminar is being held March 24, 2015 in Rochester, New York; AND

WHEREAS, Town Attorney Kevin Schenk has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$453.55; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Town Attorney Kevin Schenk be and hereby is authorized to attend the Attorney's Guide to Local Government Law Seminar being held March 24, 2015 in Rochester, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



28. RESOLUTION 2015-113

Travel Authorization Police Department/Captain Michael Isbrandt and Detectives Michael Hockwater and Terence Griffin

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the 2015 Child Abuse Conference is being held March 4 through March 6, 2015 in Niagara Falls, Ontario, Canada; AND

WHEREAS, Captain Michael Isbrandt and Detectives Michael Hockwater and Terence Griffin have been recommended to attend said conference; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,028; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Captain Michael Isbrandt and Detectives Michael Hockwater and Terence Griffin be and hereby are authorized to attend the 2015 Child Abuse Conference being held March 4 through March 6, 2015 in Niagara Falls, Ontario, Canada.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



29. RESOLUTION 2015-114

Travel Authorization Police Department/Police Officers Michael McDonough and Scott Scharlau

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the New York State Truck Safety and Education Symposium and Safety Exhibition is being held March 24 through March 25, 2015 in Albany, New York; AND

WHEREAS, Police Officers Michael McDonough and Scott Scharlau have been recommended to attend said symposium and exhibition; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$838; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officers Michael McDonough and Scott Scharlau be and hereby are authorized to attend the New York State Truck Safety and Education Symposium and Safety Exhibition being held March 24 through March 25, 2015 in Albany, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



30. RESOLUTION 2015-115

Travel Authorization Police Department/Police Officers Michael Striejewski, Mark Zimmerman, Brian Wesoloski and Michael McDonough

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the New York Tactical Officers Association Expo and Conference is being held April 28 through April 30, 2015 in Verona, New York; AND

WHEREAS, Police Officers Michael Striejewski, Mark Zimmerman, Brian Wesoloski and Michael McDonough have been recommended to attend said exposition and conference; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,907.22; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officers Michael Striejewski, Mark Zimmerman, Brian Wesoloski and Michael McDonough be and hereby are authorized to attend the New York Tactical Officers Association Expo and Conference being held April 28 through April 30, 2015 in Verona, New York.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |

V. Suspension of Rules

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| Motion by Councilmember Rogowski; Seconded by Supervisor Holtz to waive the Rules to Include the following three (3) resolutions: 2015-116, 2015-117 and 2015-118. Motion Carried. |
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1. RESOLUTION 2015-116

Award of Bid for Asbestos Survey and Air Monitoring Services for Property Located at 274 Cherokee Drive (Bid 2015-9 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Unsafe Buildings Law of the Town of Cheektowaga, this Town Board can require that unsafe buildings be either repaired or demolished; and

WHEREAS, the structures on property located at 274 Cherokee Drive have experienced extensive deterioration and damage, and Nussbaumer & Clarke, Inc. determined that said structures are unsafe and recommended that they be demolished and removed; and

WHEREAS, by resolution adopted December 1, 2014, this Town Board ordered that the structures on said property be either repaired or demolished, and directed that the respective owner(s) or others responsible for the building on said property commence said repair or demolition work within 30 days; and

WHEREAS, more than 30 days have expired and no work has been commenced with respect to said property; and

WHEREAS, pursuant to the Unsafe Buildings Law, this Town Board can provide for the demolition of an unsafe building and assess the cost of same against the property; and

WHEREAS, prior to the demolition of said property, the Town needs to retain a firm to perform an asbestos survey and asbestos abatement specifications for same; and

WHEREAS, on February 2, 2015, this Town Board issued a Notice to Bidders (Bid 2015-9 LAW) to various asbestos abatement firms and based on proposals submitted, the Town Attorney has recommended that this Town Board retain Stohl Environmental LLC to perform said asbestos survey, specifications and project monitoring work for the sum of \$3,155.00, and if required, a further sum of \$256.00 per day and \$7.00 per sample for additional air monitoring and sampling at the site, said proposal being the lowest responsible bid submitted; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains Stohl Environmental LLC, 4169 Allendale Pkwy., Suite 100, Buffalo, New York 14219, to perform said asbestos survey and abatement work (if necessary) for 274 Cherokee Drive, for the sum of \$3,155.00, and if required, a further sum of \$256.00 per day and \$7.00 per sample for additional air monitoring and sampling at the site; and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and hereby is directed to execute an agreement with Stohl Environmental, LLC for said services; and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from budget line item number 0800-800-0440.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



2. RESOLUTION 2015-117

Authorize Supervisor to Execute Agreement with Trautman Associates

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, by resolution dated September 7, 2010, the firm of Trautman Associates, Project Architect, was retained to provide Professional Services during construction for the Addition and Renovations to the Police and Court Building Project, AND

WHEREAS, the Town is involved in an arbitration proceeding with two of the contractors on this project, (Burgio & Campofelice, Inc.; and Industrial Power and Lighting Corporation), and

WHEREAS, the expertise of Trautman Associates is necessary to assist the Town with the arbitration, and

WHEREAS, Trautman Associates has submitted a proposal to the Town for professional services for arbitration support, trial preparation and expert witness services at the hourly rates listed on the attached sheet, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to retain Trautman Associates to provide professional services for arbitration support, trial preparation and expert witness services for the above referenced arbitration relating to the Addition and Renovations to the Police and Court Building Project, as per the attached fee schedule, in an amount not to exceed \$10,650.00 without further Town Board approval, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a letter of agreement with Trautman Associates for the above services, and BE IT FURTHER

RESOLVED, that funding for said professional services shall be chargeable to Account #500-1440-2528-5025.

Attachments:

Trautman fee proposal-02172015021218 (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [4 TO 1] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Christine Adamczyk |
| NAYS: | Diane Benczkowski |
| ABSENT: | Timothy J. Meyers |



3. RESOLUTION 2015-118

Authorize Supervisor to Execute Agreement with Baer & Associates, LLC

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, by resolution dated September 7, 2010, the firm of Trautman Associates, Project Architect, was retained to provide Professional Services during construction for the Addition and Renovations to the Police and Court Building Project, and

WHEREAS, Trautman Associates retained the services of Baer & Associates, LLC to provide day to day monitoring and supervision of this project, and

WHEREAS, the Town is involved in an arbitration proceeding with two of the contractors on this project, (Burgio & Campofelice, Inc.; and Industrial Power and Lighting Corporation), and

WHEREAS, the expertise of Baer & Associates, LLC is necessary to assist the Town with the arbitration, and

WHEREAS, Baer & Associates, LLC has submitted a proposal to the Town for professional services for arbitration support, trial preparation and expert witness services at the hourly rates listed on the attached sheet, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to retain Baer & Associates, LLC to provide professional services for arbitration support, trial preparation and expert witness services for the above referenced arbitration relating to the Addition and Renovations to the Police and Court Building Project, as per the attached fee schedule, in an amount not to exceed \$10,000.00 without further Town Board approval, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a letter of agreement with Baer & Associates for the above services, and BE IT FURTHER

RESOLVED, that funding for said professional services shall be chargeable to Account #500-1440-2528-5025.

Attachments:

Baer fee proposal-02172015021241 (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [4 TO 1] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Christine Adamczyk |
| NAYS: | Diane Benczkowski |
| ABSENT: | Timothy J. Meyers |

VI. Communications

A. Departmental Communications

1. **Building Permit List - January 2015**

B. General Communications

1. **Summons: Citimortgage, Inc. vs. Shannon M. Spencer, The Town of Cheektowaga & Etal
Premises: 130 Ridge Park Avenue**
2. **Summons & Complaint: Nancy Albanesi vs. Town of Cheektowaga**
3. **Summons & Complaint: Geico a/s/o Brian Kushman vs. Town of Cheektowaga**
4. **Notice of Claim: Kimberly Kelly-Kolaczynski vs. Town of Cheektowaga**
5. **Notice of Claim: Jeff & Mary Marks vs. Town of Cheektowaga**

VII. Comments

A. Supervisor's Comments

B. Councilmember's Comments

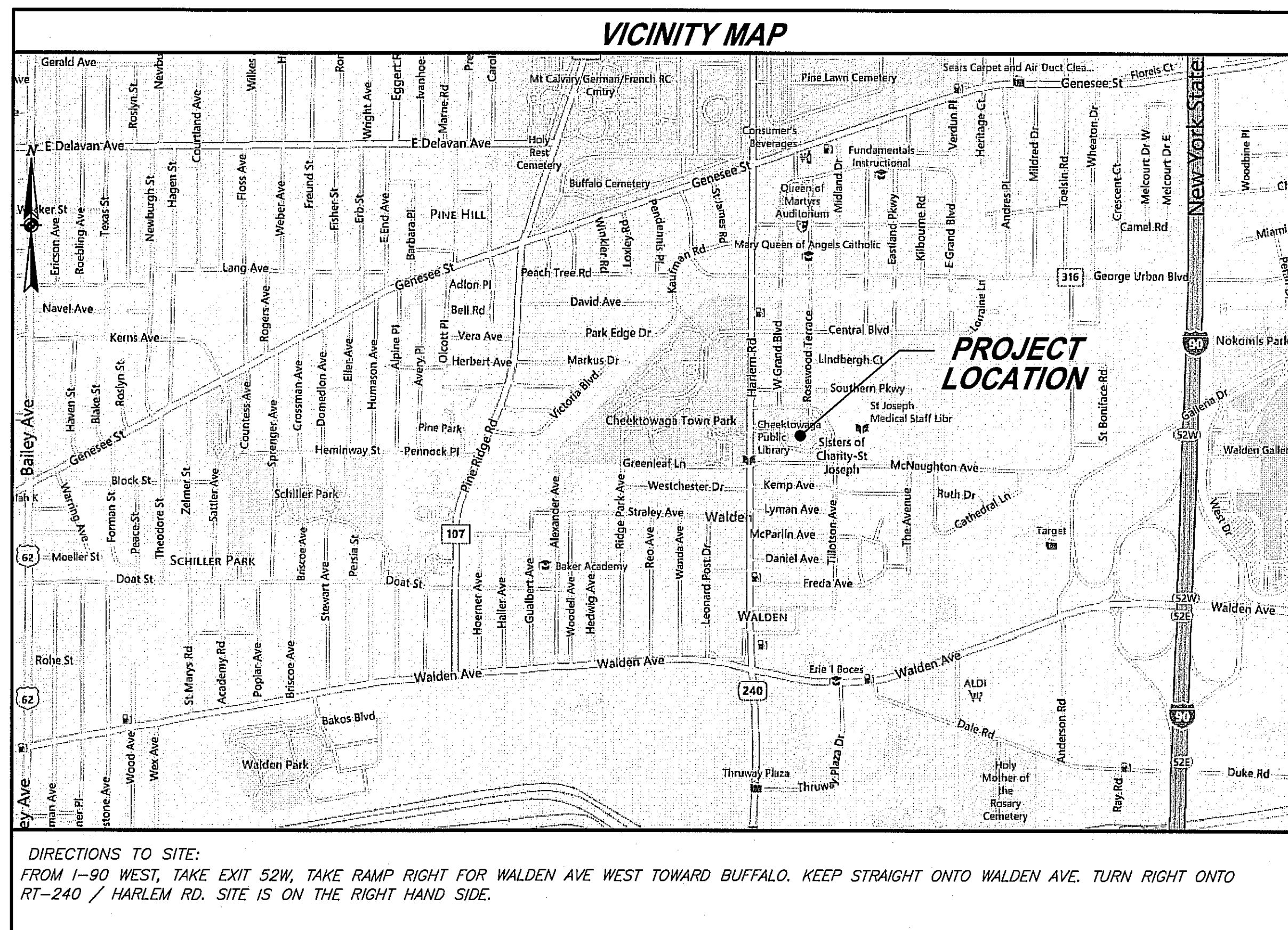
C. Public Comments

VIII. Adjournment

Motion by Councilmember Kaminski; Seconded by Councilmember Rogowski to adjourn the meeting at 8:00 PM

Alice Magierski, Town Clerk

SITE NAME
ST. JOSEPHS
SITE NUMBER
BUF-555
ROOFTOP



PROJECT INFORMATION

1. PROJECT ADDRESS: 2605 HARLEM ROAD, CHEEKTOWAGA, NY 14225
2. PROJECT TAX ACCOUNT NO.: 102.380-0001-001.000

FACILITY INFORMATION

FACILITY TYPE: ROOFTOP
PROPOSED USE: UNATTENDED TELECOMMUNICATIONS
FACILITY: (1-2) VISITS PER MONTH BY TECHNICIAN

BLUE WIRELESS ANTENNA @ HEIGHT
ALL AZIMUTHS: 75°-0°±

EXISTING BUILDING LOCATION:
LAT: 42° 54' 52.14"
LONG: -78° 46' 55.62"
GROUND ELEV: 650'+

REFERENCES

1. NO BOUNDARY SURVEY OR SEARCH OF DEEDS WAS PERFORMED. EXISTING FEATURES SHOWN HEREON FROM TAX MAPS AND AERIAL MAPPING.

PROJECT DIRECTORY

| | | |
|-----------------|-----------------------|----------|
| PROPERTY OWNER: | ST. JOSEPHS HOSPITAL | CONTACT: |
| ADDRESS: | 2605 HARLEM ROAD | |
| | CHEEKTOWAGA, NY 14225 | TELE.: |

| | | |
|------------------|-------------------------|------------------------|
| PROJECT MANAGER: | BLUE WIRELESS | CONTACT: BRIAN GELFAND |
| ADDRESS: | 2318 WEHRLE DR. | |
| | WILLIAMSVILLE, NY 14221 | TELE.: (716) 605-9500 |

CIVIL ENGINEER: CARPENTER CONSULTING GROUP CONTACT: DON CARPENTER
ADDRESS: 17 INDUSTRIAL STREET
ROCHESTER, NEW YORK 14614 TELE.: (585)-370-9516

SHEET INDEX

| SHEET NO. | DESCRIPTION | REV. NO. | REV. DATE |
|-----------|--------------------|----------|-----------|
| T1 | TITLE SHEET | 2 | 4/10/1 |
| C1 | OVERALL SITE PLAN | 2 | 4/10/1 |
| C2 | SITE PLAN | 2 | 4/10/1 |
| C3 | BUILDING ELEVATION | 2 | 4/10/1 |
| C4 | DETAILS | 2 | 4/10/1 |
| C5 | DETAILS | 2 | 4/10/1 |
| C6 | DETAILS | 2 | 4/10/1 |
| C7 | DETAILS | 2 | 4/10/1 |
| E1 | UTILITY PLAN | 2 | 4/10/1 |
| E2 | DETAILS | 2 | 4/10/1 |
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Blue Wireless
PO Box 186
Williamsville, NY 14231

C | CG CARPENTER
CONSULTING
GROUP

DEVELOPMENT DESIGN

RESIDENTIAL | COMMERCIAL | WIRELESS | ENERGY

17 Industrial Street | Rochester, NY 14614
Office: 585-360-2733 | Fax: 585-360-2735
www.carpentercg.com

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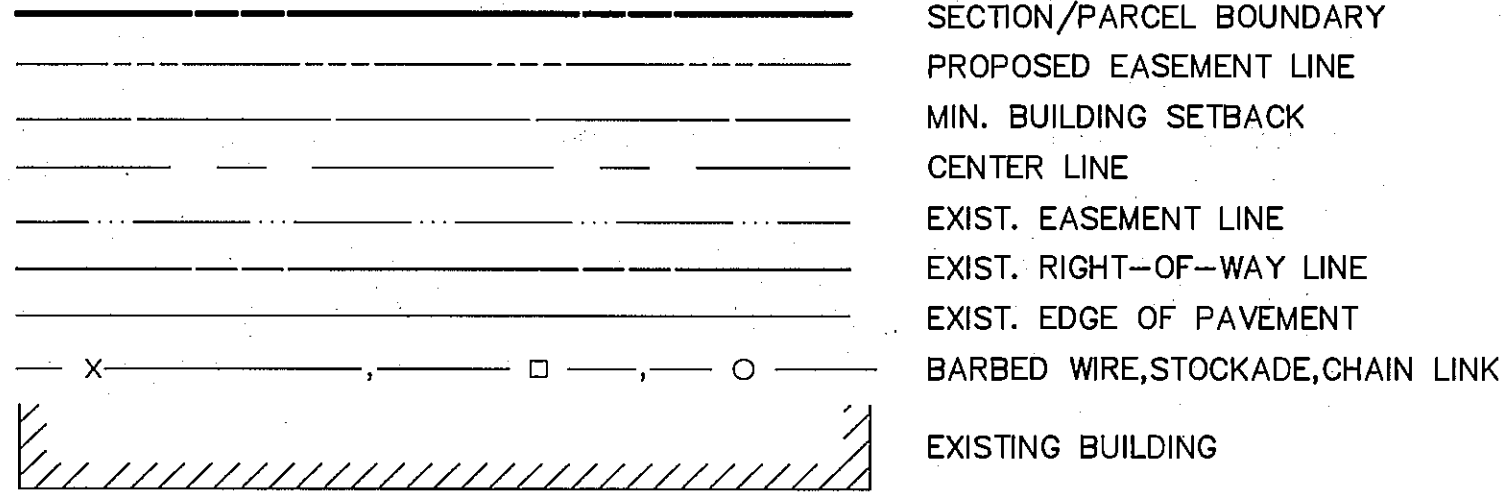
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| DESIGNED BY: DRB | DATE: 10/30/13 |
| APPROVED BY: DWC | A&E PROJECT #: 13-B-126 |

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| | |
|---------------|---|
| SITE NUMBER: | <i>BUF-555</i> |
| SITE NAME: | <i>ST. JOSEPHS</i> |
| SITE ADDRESS: | 2605 HARLEM ROAD CREEKTOWAGA, NY 14225 |
| SITE TYPE: | ROOFTOP |

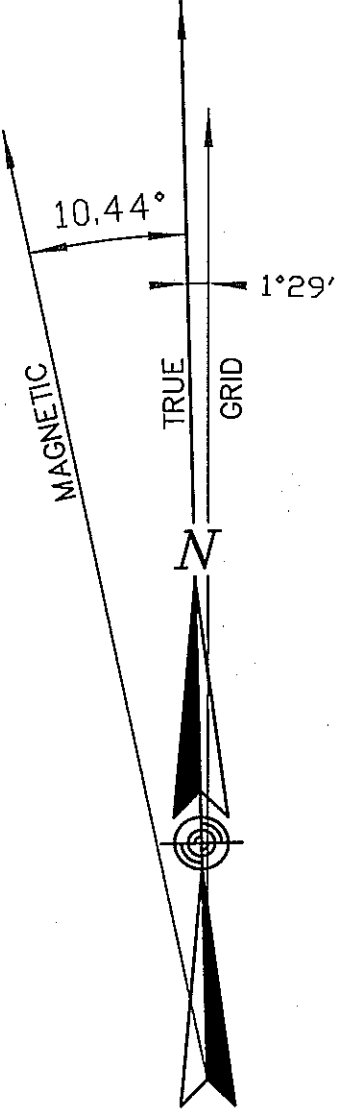
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|---------------------------|-----------|
| SHEET TITLE: | |
| <i>TITLE SHEET</i> | |
| DRAWING #: | REVISION: |
| <i>T-1</i> | 2 |

LEGEND



NOTES

- 1. CONTRACTOR TO FIELD VERIFY ALL DIMENSIONS.
- 2. NO INFORMATION WAS PROVIDED THAT CLEARLY IDENTIFIES EXISTING EASEMENTS.
- 3. NO GEOTECHNICAL REPORT WAS ISSUED FOR THIS SITE. ALL DESIGN WORK IS BASED ON ASSUMED SITE CONDITIONS.



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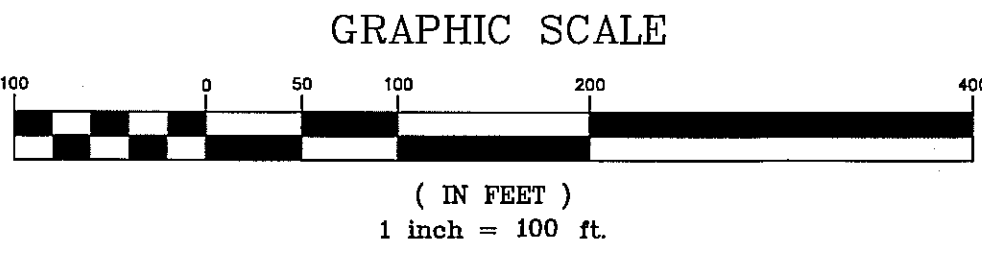
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| APPROVED BY: | DWC | A&E PROJECT #: | 13-B-126 |

| PLAN REVISIONS | NO. | DATE | DESCRIPTION | BY | DRB | DRB | DRB | BY |
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| | | | | | | | | |
| | 2. | 4/10/13 | REVISED EQUIPMENT | | | | | |
| | 1. | 3/7/13 | REVISED EQUIPMENT | | | | | |
| | 0. | 12/20/13 | ISSUED FOR REVIEW | | | | | |

OVERALL SITE PLAN

SCALE: 1"=100' (22X34)
1"=200' (11X17)



| NO. | PARCEL NUMBER | ADDRESS | OWNER |
|-----|---------------|--------------------|---|
| 1 | 102.30-5-1 | 2627 HARLEM RD. | ST. JOSEPHS HOSPITAL |
| 2 | 102.30-5-2 | 17 SOUTHERN PKWY. | RICHARD CHUDZIK JR. |
| 3 | 102.30-5-3 | 23 SOUTHERN PKWY. | SISTERS OF CHARITY HOSPITAL |
| 4 | 102.30-4-1 | 33 SOUTHERN PKWY. | MAXINE D. MCCREE |
| 5 | 102.30-4-2 | 45 SOUTHERN PKWY. | NORMAN WIDOMSKI |
| 6 | 102.30-4-3 | 51 SOUTHERN PKWY. | MARK D. WASIEWICZ |
| 7 | 102.30-4-4 | 55 SOUTHERN PKWY. | BRAD A. BRECHLER |
| 8 | 102.31-3-1 | 15 ROSEWOOD TER. | THAM T. NGUYEN |
| 9 | 102.31-3-2 | 69 SOUTHERN PKWY. | DEBORAH A. SLAWATYCKI |
| 10 | 102.31-3-3 | 73 SOUTHERN PKWY. | PETER L. & BRENDA M. PIKE |
| 11 | 102.31-3-4 | 77 SOUTHERN PKWY. | BERNARD & JUDITH JONES |
| 12 | 102.31-3-5 | 81 SOUTHERN PKWY. | JOSEPH J. MACHNICA |
| 13 | 102.31-3-6 | 87 SOUTHERN PKWY. | TODD WASIELEWSKI & VICKI L. STROH |
| 14 | 102.31-3-7 | 91 SOUTHERN PKWY. | DONALD R. & DEBRA FRAZIER |
| 15 | 102.31-3-8 | 97 SOUTHERN PKWY. | EDWINA L. BRUDZ |
| 16 | 102.31-3-9 | 103 SOUTHERN PKWY. | GARY D. STERLACE |
| 17 | 102.31-3-10 | 107 SOUTHERN PKWY. | DENISE DENISCO |
| 18 | 102.31-3-11 | 111 SOUTHERN PKWY. | RONALD E. & CAROL A. KLEPFER |
| 19 | 102.31-3-12 | 115 SOUTHERN PKWY. | KELLY A. PETRILLO |
| 20 | 102.31-3-13 | 121 SOUTHERN PKWY. | EUGENE J. WROTECKI |
| 21 | 102.31-3-14 | 127 SOUTHERN PKWY. | JESSICA L. NABACH |
| 22 | 102.31-3-15 | 131 SOUTHERN PKWY. | JAMES P. GALLAGHER |
| 23 | 102.31-3-16 | 135 SOUTHERN PKWY. | SCOTT T. CHOROZAK & DEBORAH L. GRANDITS |

| NO. | PARCEL NUMBER | ADDRESS | OWNER |
|-----|---------------|---------------------|------------------------------------|
| 24 | 102.31-3-17 | 139 SOUTHERN PKWY. | DENISE D. MONGIELO |
| 25 | 102.31-3-18 | 147 SOUTHERN PKWY. | JOEL R. SHERIDAN |
| 26 | 102.31-2-14 | 3 EASTLAND PKWY. | IRENE M. & JOHN FRUEHAUF |
| 27 | 102.06-1-9.1 | 171 CENTRAL BLVD. | TOWN OF CHEEKTOWAGA |
| 28 | 102.10-1-1 | 174 MCNAUGHTON AVE. | BRANDI N. MILLER |
| 29 | 102.39-2-11 | 170 MCNAUGHTON AVE. | MARIE B. WASIEWICZ |
| 30 | 102.39-2-10 | 166 MCNAUGHTON AVE. | STACEY D. GOERSS |
| 31 | 102.39-2-9 | 162 MCNAUGHTON AVE. | KIM M. NABACH |
| 32 | 102.39-2-8 | 158 MCNAUGHTON AVE. | CHRISTINE K. CIESLA |
| 33 | 102.39-2-7 | 154 MCNAUGHTON AVE. | EUGENE JR. & MARY ALICE NALEZYNSKI |
| 34 | 102.39-2-6 | 150 MCNAUGHTON AVE. | DEBRA ANN VANE |
| 35 | 102.39-2-5 | 146 MCNAUGHTON AVE. | LINDA M. JURUS |
| 36 | 102.39-2-4 | 142 MCNAUGHTON AVE. | REGINA A. STRANC |
| 37 | 102.39-2-3 | 138 MCNAUGHTON AVE. | JAMES J. TRZASKA |
| 38 | 102.39-2-2 | 134 MCNAUGHTON AVE. | RICHARD M. & IRENE WISNIEWSKI |
| 39 | 102.39-2-1 | 130 MCNAUGHTON AVE. | CHRIST HAAS |
| 40 | 102.39-1-14 | 124 MCNAUGHTON AVE. | MARY ANNA SZRAMA |
| 41 | 102.39-1-13 | 120 MCNAUGHTON AVE. | MARK D. & KAREN P. SUPERCZYNSKI |
| 42 | 102.39-1-12 | 116 MCNAUGHTON AVE. | JOHN CHMURA |
| 43 | 102.39-1-11 | 112 MCNAUGHTON AVE. | ELIZABETH R. KOKOSZKA |
| 44 | 102.39-1-10 | 108 MCNAUGHTON AVE. | NORMA J. BIELAWSKI |
| 45 | 102.39-1-9 | 104 MCNAUGHTON AVE. | WAYNE R. LUDSCHER |
| 46 | 102.39-1-8 | 100 MCNAUGHTON AVE. | JANET EHRENSBERGER |

| NO. | PARCEL NUMBER | ADDRESS | OWNER |
|-----|---------------|--------------------|--|
| 47 | 102.39-1-7 | 96 MCNAUGHTON AVE. | RICHARD P. NARCHUS |
| 48 | 102.39-1-6 | 92 MCNAUGHTON AVE. | RICHARD B. & ROBERTA C. JONES |
| 49 | 102.39-1-5 | 88 MCNAUGHTON AVE. | ADAM WILKOWSKI & STEPHANIE POKORSKI |
| 50 | 102.39-1-4 | 84 MCNAUGHTON AVE. | FLORENCE GERYAK & PATRICIA WEGRZYNSKI |
| 51 | 102.39-1-3 | 80 MCNAUGHTON AVE. | DEBORAH A. DIETL & TERESA L. BERKEL |
| 52 | 102.39-1-2 | 76 MCNAUGHTON AVE. | MARY F. BARRY |
| 53 | 102.39-1-1 | 72 MCNAUGHTON AVE. | DANIEL A. & MARGARET A. DELANO |
| 54 | 102.38-1-16 | 64 MCNAUGHTON AVE. | DOROTHY B. BAUMGARDNER |
| 55 | 102.38-1-15 | 60 MCNAUGHTON AVE. | STANLEY J. LENGIEZA & FLORA L. DAVIS |
| 56 | 102.38-1-14 | 56 MCNAUGHTON AVE. | TIMOTHY D. BECKER |
| 57 | 102.38-1-13 | 52 MCNAUGHTON AVE. | SARAH SEBURN |
| 58 | 102.38-1-12 | 48 MCNAUGHTON AVE. | JAMES W. & JANET DEUSER |
| 59 | 102.38-1-11 | 44 MCNAUGHTON AVE. | ALICE SOLDACZEWSKI & DIANE A. ROMANOWSKI |
| 60 | 102.38-1-10 | 40 MCNAUGHTON AVE. | NICHOLAS M. & JOANNA L. LIMPET |
| 61 | 102.38-1-9 | 36 MCNAUGHTON AVE. | SHERRY L. SOJKA |
| 62 | 102.38-1-8 | 32 MCNAUGHTON AVE. | MATTHEW J. PIEJDA |
| 63 | 102.38-1-7 | 28 MCNAUGHTON AVE. | RICHARD P. BAUMGARDNER |
| 64 | 102.38-1-6 | 24 MCNAUGHTON AVE. | DAVID B. KENT |
| 65 | 102.38-1-5 | 20 MCNAUGHTON AVE. | SANDRA A. MICHALSKI |
| 66 | 102.38-1-4 | 16 MCNAUGHTON AVE. | DONNA L. DONAHUE |
| 67 | 102.38-1-3 | 12 MCNAUGHTON AVE. | ALEXANDER ROSINSKI |
| 68 | 102.38-1-2 | 0 HARLEM RD. | FRANCISCAN SISTERS OF ST. JOSEPHS |



SITE NUMBER: **BUF-555**

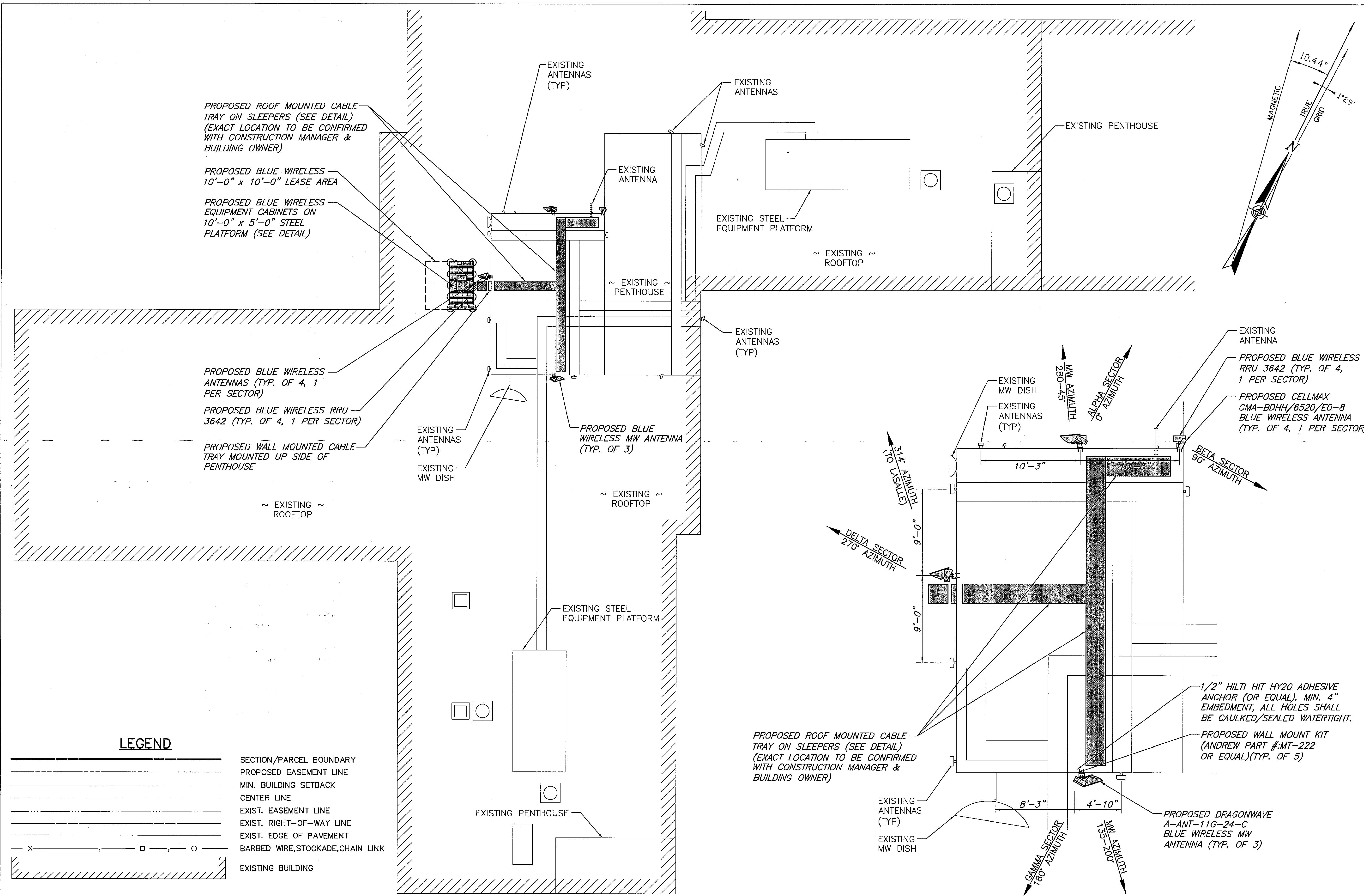
SITE NAME: **ST. JOSEPHS**

SITE ADDRESS: 2605 HARLEM ROAD
CHEEKTOWAGA, NY 14225

SITE TYPE: ROOFTOP

SHEET TITLE: **OVERALL SITE PLAN**

DRAWING #: **C-1** REVISION: **2**



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| DESIGNED BY: | DRB | DATE: | 10/30/13 |
| APPROVED BY: | DWC | A&E PROJECT #: | 13-B-126 |

| PLAN REVISIONS | | | | NO. | DATE | DESCRIPTION |
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| | | | | 2. | 4/10/13 | REVISED EQUIPMENT |
| | | | | 1. | 3/7/13 | REVISED EQUIPMENT |
| | | | | 0. | 12/20/13 | ISSUED FOR REVIEW |



SITE NUMBER: **BUF-555**

SITE NAME: **ST. JOSEPHS**

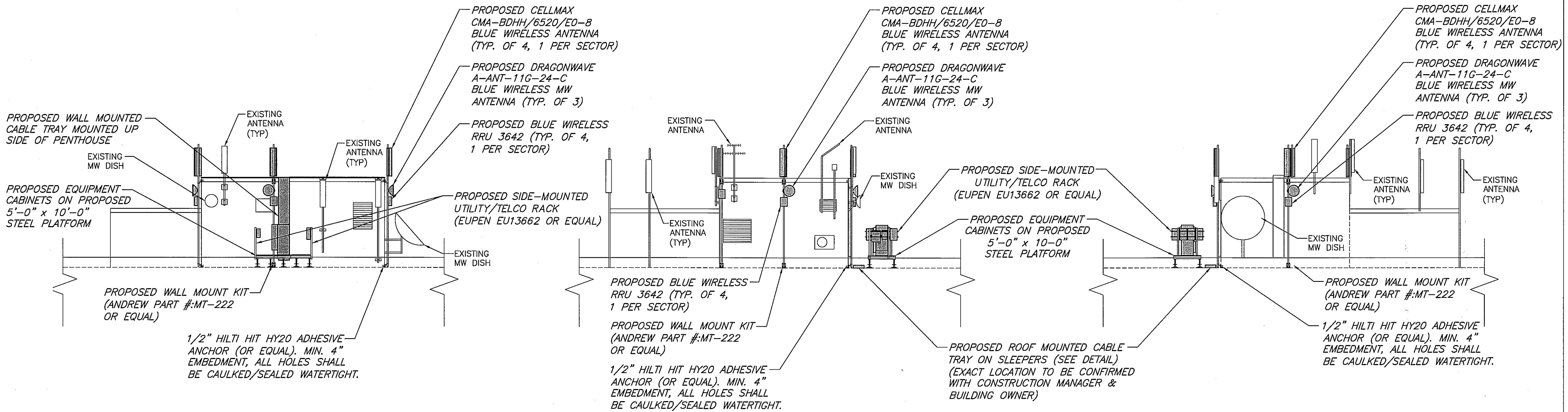
SITE ADDRESS: 2605 HARLEM ROAD
CHEEKTOWAGA, NY 14225

SITE TYPE: ROOFTOP

SHEET TITLE: **SITE PLAN**

DRAWING #: **C-2**

REVISION: **2**

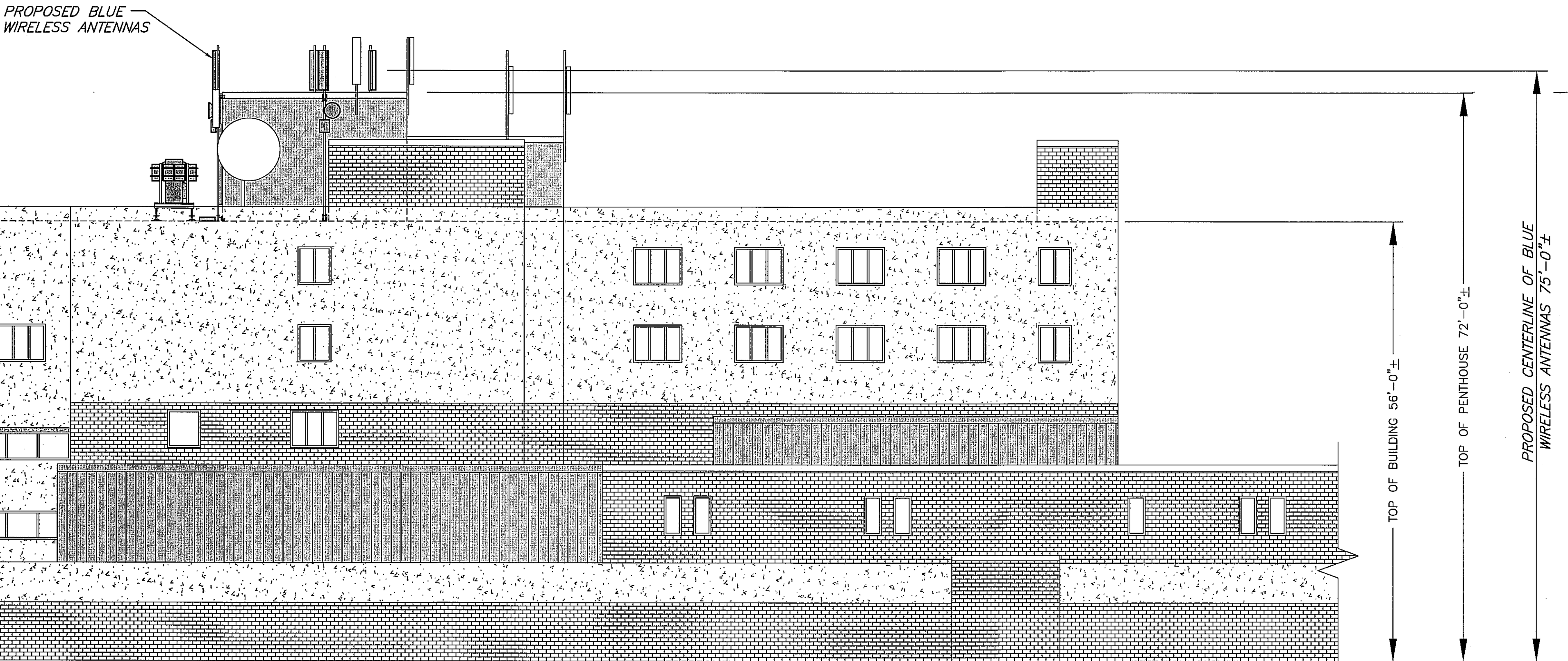


SOUTHWEST PENTHOUSE ELEVATION
SCALE: 1"=10' (22X34)
1"=20' (11X17)

NORTHWEST PENTHOUSE ELEVATION
SCALE: 1"=10' (22X34)
1"=20' (11X17)

SOUTHEAST PENTHOUSE ELEVATION
SCALE: 1"=10' (22X34)
1"=20' (11X17)

NOTE:
A STRUCTURAL ANALYSIS OF THE ROOFTOP WAS NOT PERFORMED BY CCG OR JOHN F. SHIELDS III, P.E. CONTRACTOR SHALL REFER TO STRUCTURAL LETTER BY JENSEN BRV ON APRIL 11, 2014.



SOUTHEAST BUILDING ELEVATION
SCALE: 1"=10' (22X34)
1"=20' (11X17)

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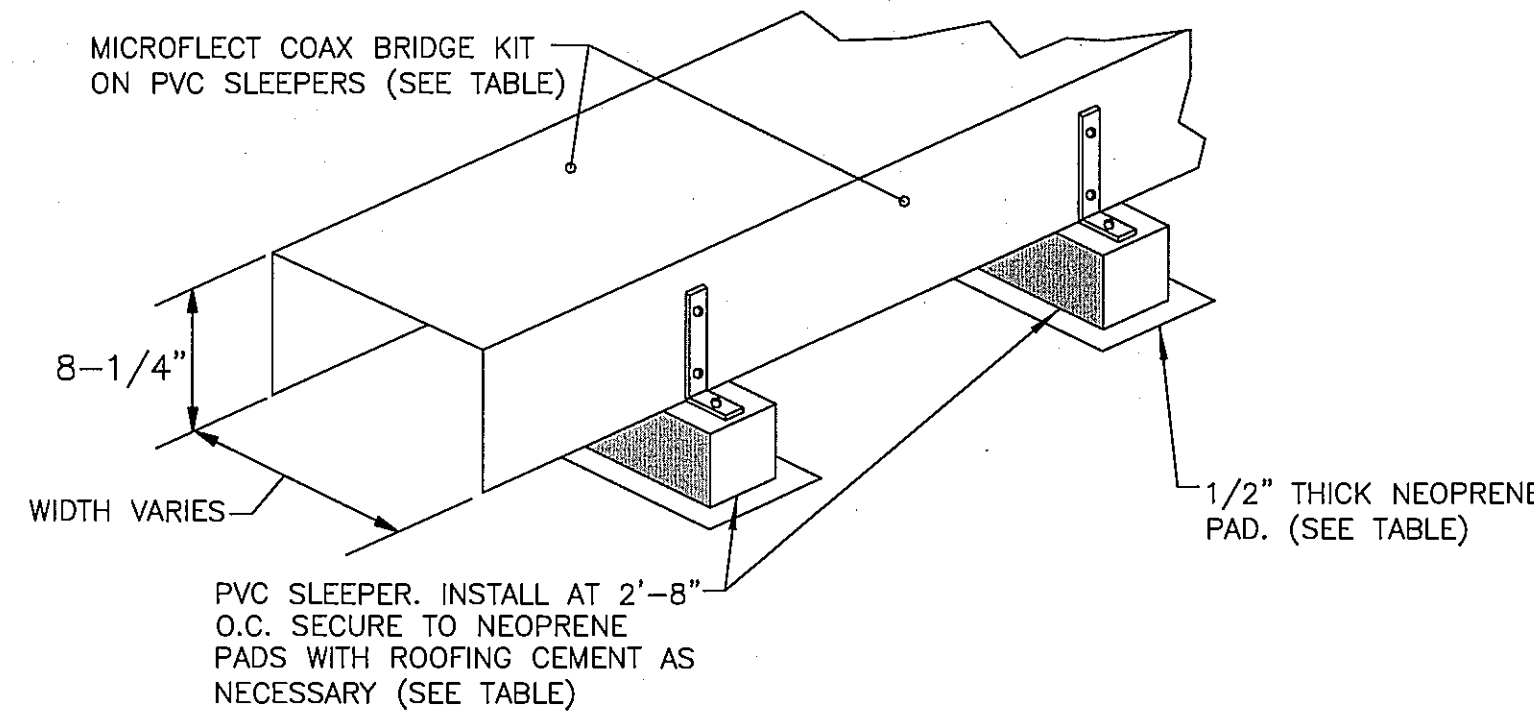
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| DESIGNED BY: | DRB | DATE: | 10/30/13 |
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PLAN REVISIONS

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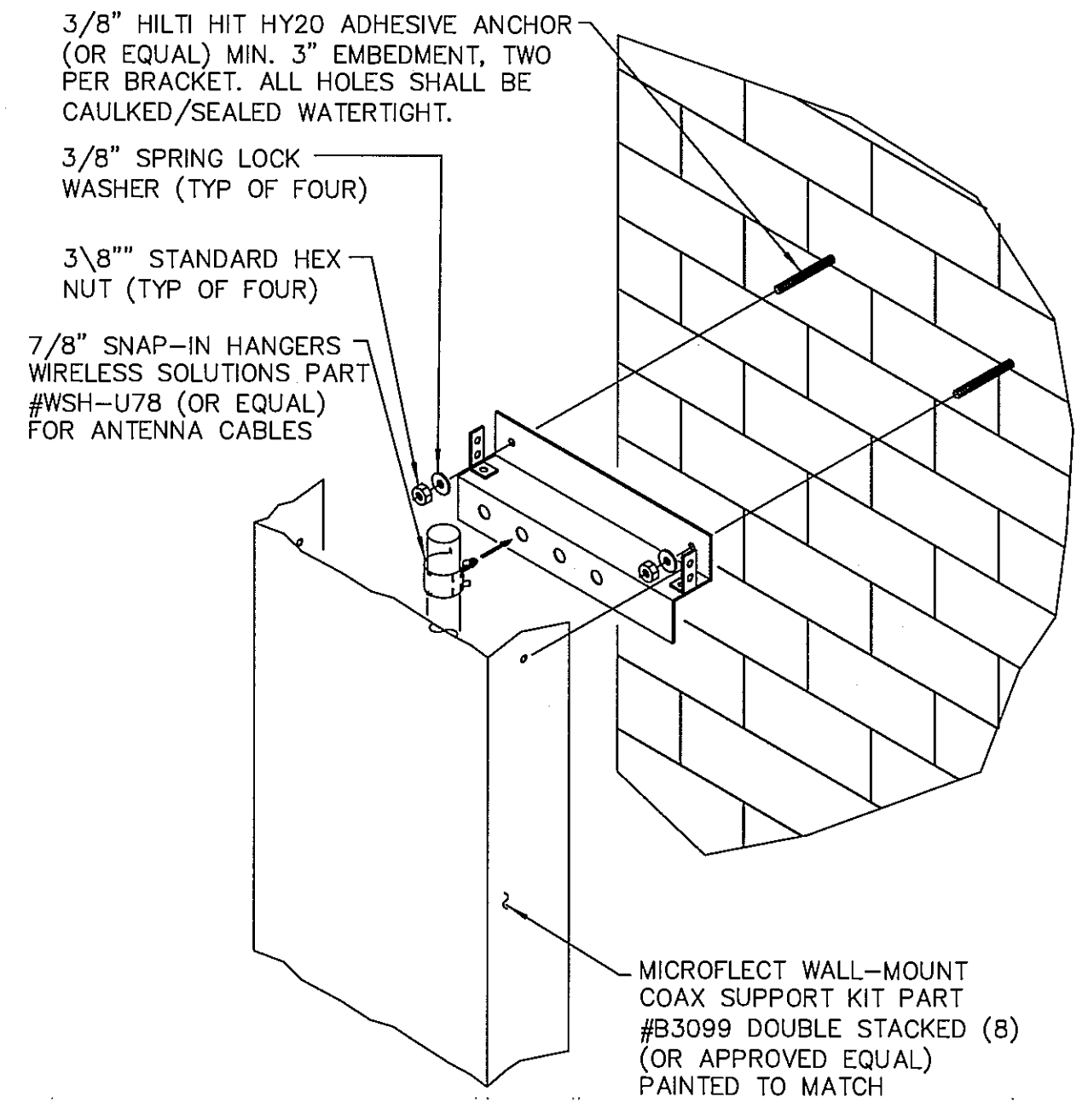
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|---------------|---|
| SITE NUMBER: | BUF-555 |
| SITE NAME: | ST. JOSEPHS |
| SITE ADDRESS: | 2605 HARLEM ROAD CHEEKTOWAGA, NY 14225 |
| SITE TYPE: | ROOFTOP |

| | |
|--------------|--------------------|
| SHEET TITLE: | BUILDING ELEVATION |
| DRAWING #: | C-3 |
| REVISION: | 2 |

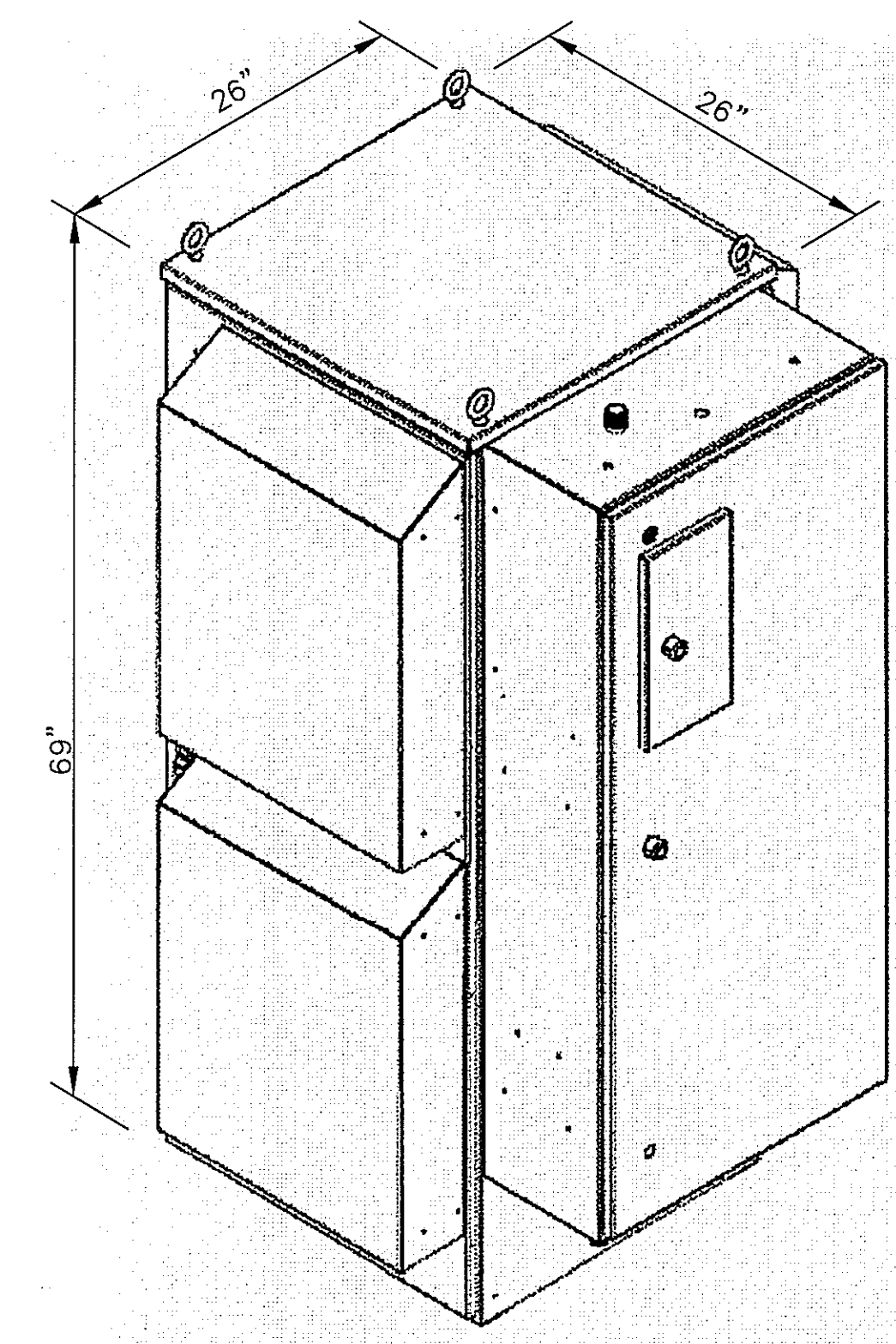


| PVC SLEEPERS | PRODUCT NUMBER | # OF RUNS | SIZE |
|-----------------|----------------|--|--------------|
| | B1598 | 4 | 22" |
| | B1599 | 8 | 31-7/8" |
| | B1600 | 12 | 43-3/8" |
| | B1585 | BLANK | 8' |
| COAX BRIDGE KIT | PRODUCT NUMBER | # OF HOLES FOR SNAP-INS | COVER SIZE |
| | SP1542D | 4 STACK UP TO (6) 1-5/8" CABLES, OR (12) 7/8" CABLES | 11 1/2" X 8" |
| | SP1543D | 8 STACK UP TO (16) 1-5/8" CABLES, OR (24) 7/8" CABLES | 21-1/2" X 8" |
| | SP1595D | 12 STACK UP TO (24) 1-5/8" CABLES, OR (36) 7/8" CABLES | 33" X 8" |
| SLEEPER PADS | PRODUCT NUMBER | SIZE | |
| | RP4 | 4" x 10" | |
| | RP8 | 8" x 10" | |

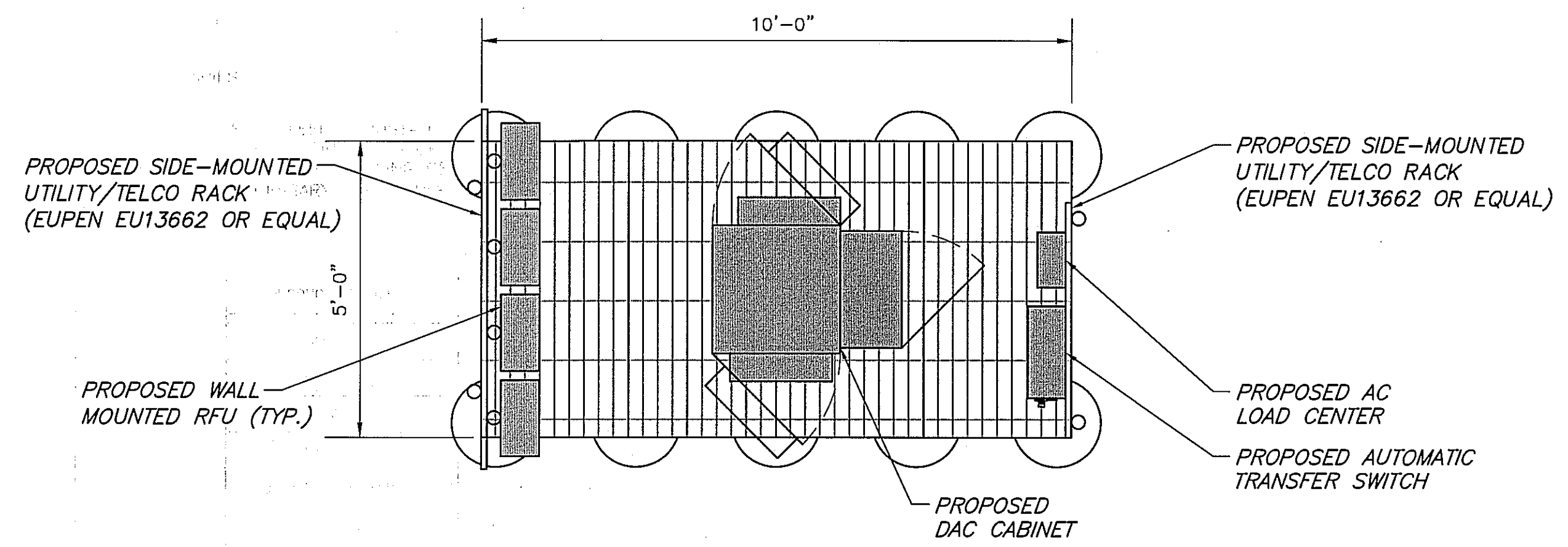
ROOF MOUNTED CABLE TRAY
N.T.S.



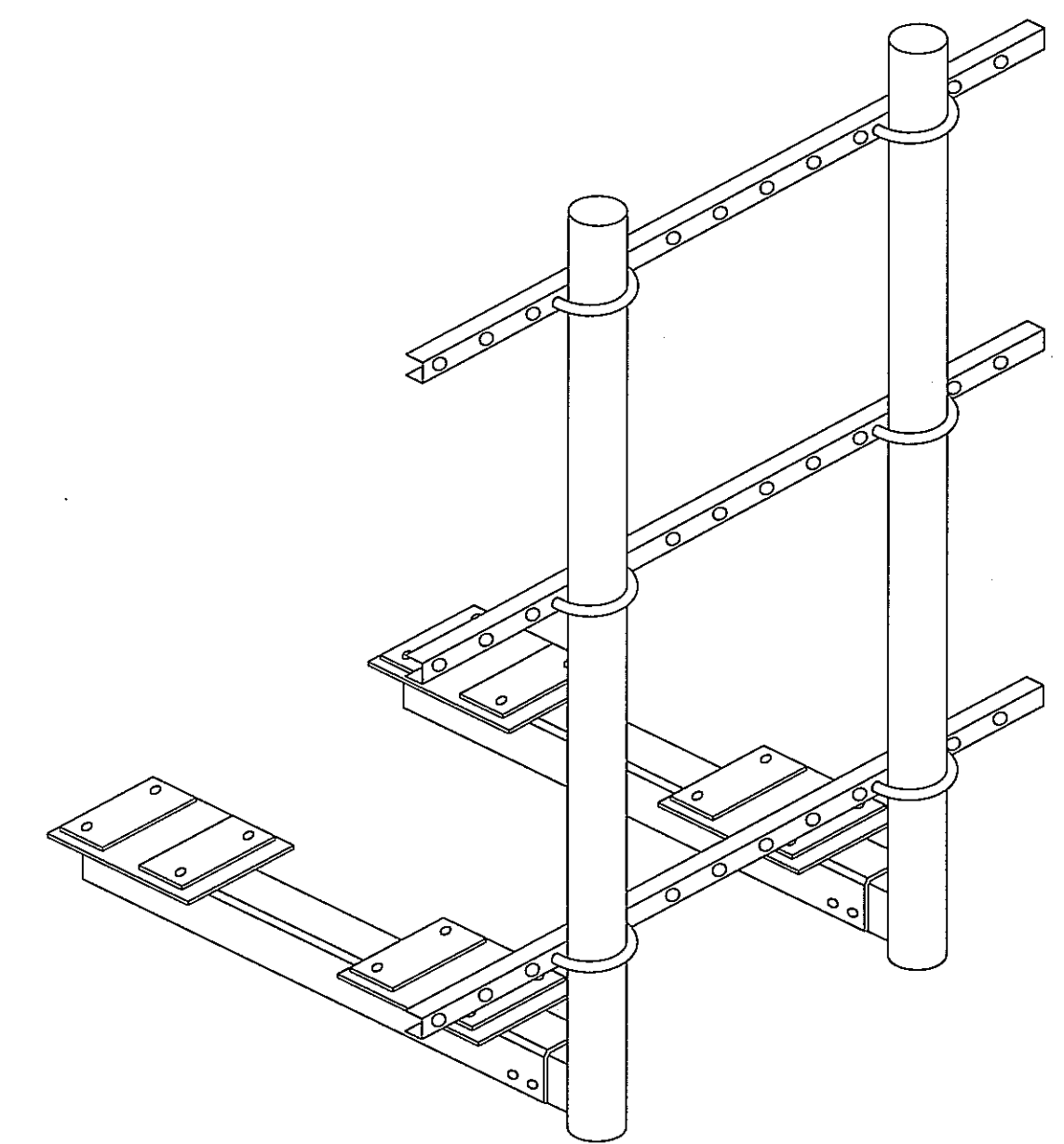
WALL MOUNTED CABLE TRAY
N.T.S.



DAC CABINET
N.T.S.



5'-0" X 10'-0" MODULAR PLATFORM DETAIL
N.T.S.



EUPEN EU13662 SIDE-MOUNTED UTILITY/TELCO RACK (OR EQUAL)
N.T.S.



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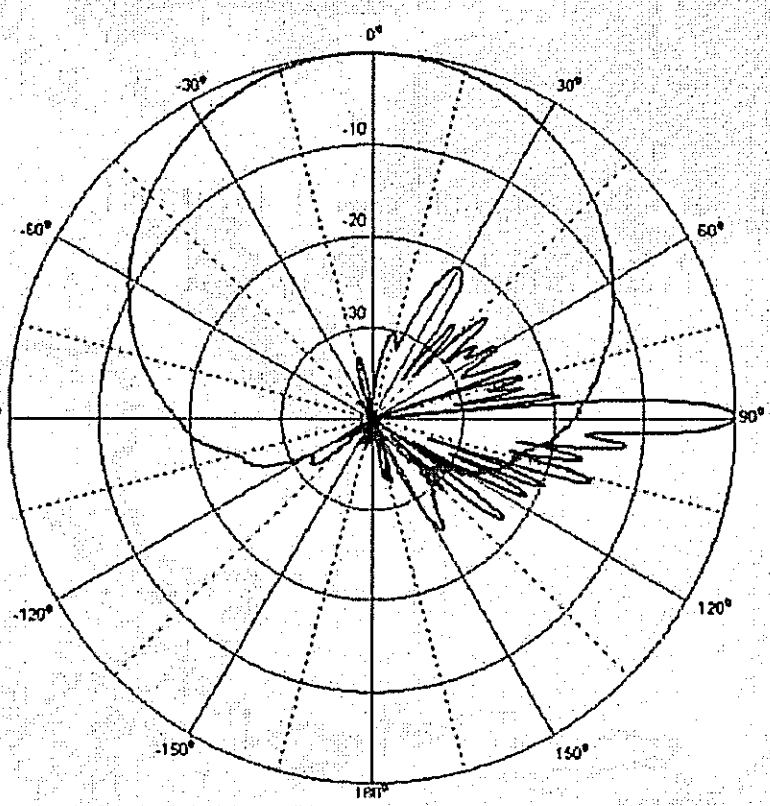
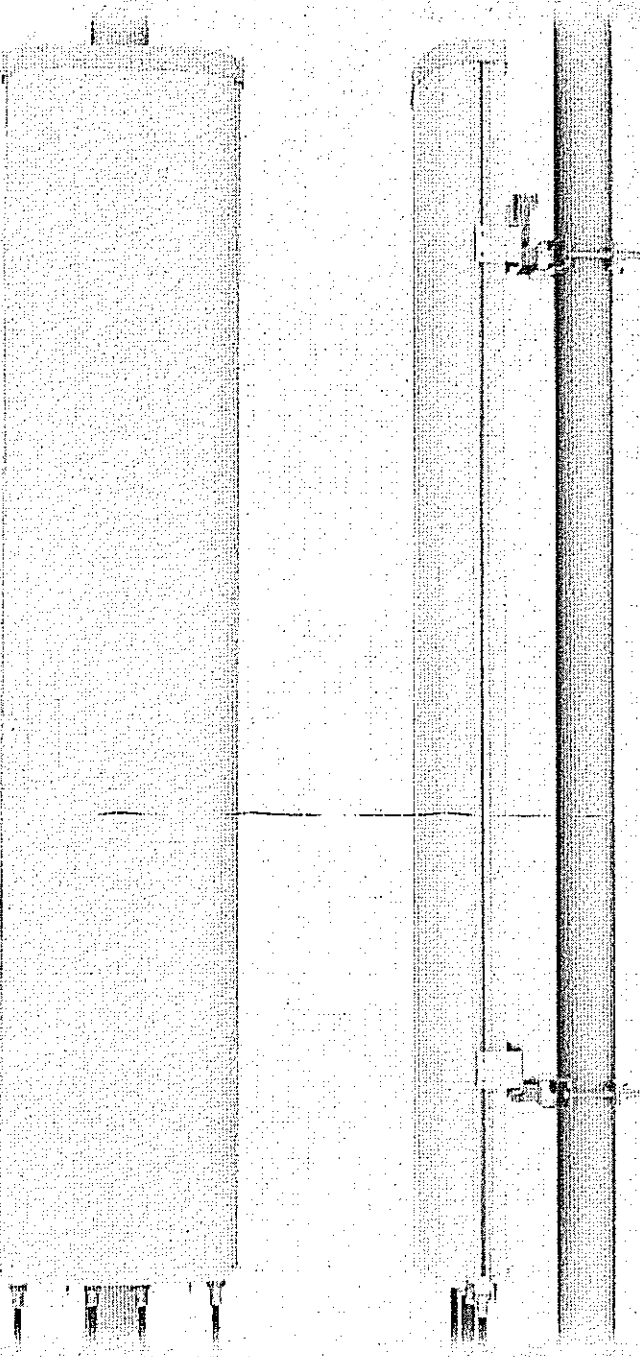
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| | 1. | 3/7/13 | REVISED EQUIPMENT | DRB |
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| | |
|---------------|---|
| SITE NUMBER: | BUF-555 |
| SITE NAME: | ST. JOSEPHS |
| SITE ADDRESS: | 2605 HARLEM ROAD CHEEKTOWAGA, NY 14225 |
| SITE TYPE: | ROOFTOP |

| | |
|--------------|----------------|
| SHEET TITLE: | DETAILS |
| DRAWING #: | C-4 |
| REVISION: | 2 |

Ordering information
MET version: 110075 B
RET version: 110080 B



CMA-BDHH_6520_E0-8_B2

CMA-BDHH/6520/E0-8

GSM / CDMA / LTE: 1800, 1900 & 2100

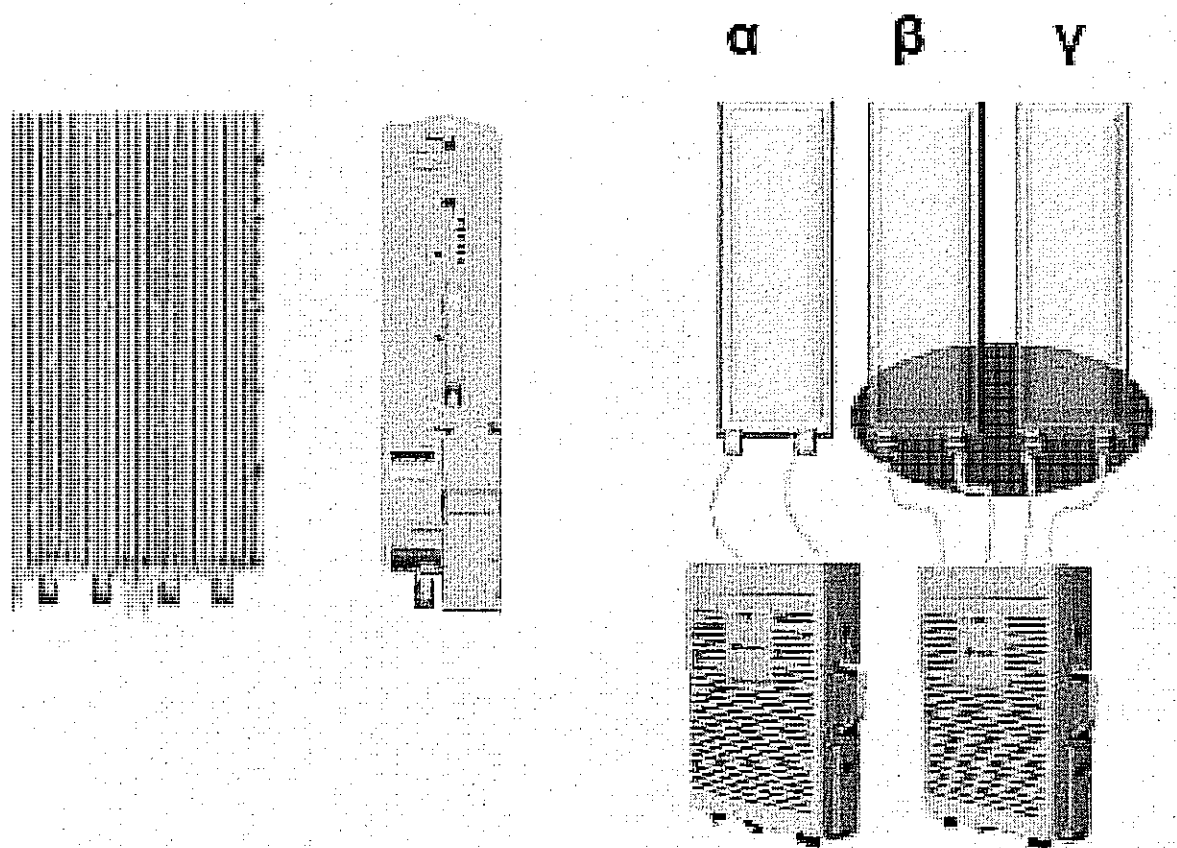
| | | |
|----------------------------------|-------------------------------|---|
| Electrical specification: | | |
| Frequency range | 1800: 1900: 2100: | 1710-1880 MHz 1850-1990 MHz 1920-2170 MHz |
| Polarization | | 2 x Dual linear ±45° |
| Gain | 1800: 1900: 2100: | 4 x 19.0 dBi 4 x 19.4 dBi 4 x 19.8 dBi |
| Horizontal = 3 dB beamwidth | | 63° ±5° |
| Vertical = 3 dB beamwidth | 1800: 1900: 2100: | 6.0° ±0.4° 5.6° ±0.4° 5.3° ±0.4° |
| Adjustable electrical downtilt | | 0° - 8° |
| VSWR | | <1.5:1 |
| Horizontal beam peak | | 0° ±3° |
| Horizontal tracking within ±60° | | <2 dB |
| Isolation between inputs | | >30 dB |
| Front to back ratio | | >25 dB |
| First upper sidelobe suppression | | >15 dB |
| First nullfill below horizon | | <20 dB |
| Cross-polar discrimination | | >20 dB |
| Inter modulation, IM3 | | >153 dBc@2x43 dBm |
| Inter modulation, IM7 | | >163 dBc@2x43 dBm |
| Antenna Efficiency* | | 94 % |
| Nominal impedance | | 50 Ω |
| Max power per input | | 500 W |
| Mechanical specification: | | |
| Connectors | | 4 x 7/16 female |
| Connector position | | Bottom |
| Lightning protection | | DC grounded |
| Height/Width/Depth mm (in) | | 1542 (60.7) / 374 (14.7) / 132 (5.2) |
| Antenna weight | | 22 kg (49 lb) |
| Wind load at 42 m/s (94 mph) : | Frontal: Lateral: Rear: | 529 N (119 lbf) 92 N (21 lbf) 668 N (151 lbf) |
| Survival wind speed | | 60 m/s (134 mph) |
| Colour radome | | Light Grey, RAL 7035 |
| Radome material | | ASA |
| Mounting hardware: | | |
| Mounting bracket | | 2 |
| Bracket weight (complete) | | 5 kg (11 lb) |
| Pole diameter | | 45-120 mm (1.8-4.7 in) |
| Tilt bracket | | 0° - 5° mechanical |

© 2013 CellMax Technologies AB reserves the right to modify or change the above specifications without notice.
* Based on true measurements and calculated according to P_{max}/P_{1m}

CellMax
Technologies AB

PANEL ANTENNA
N.T.S.

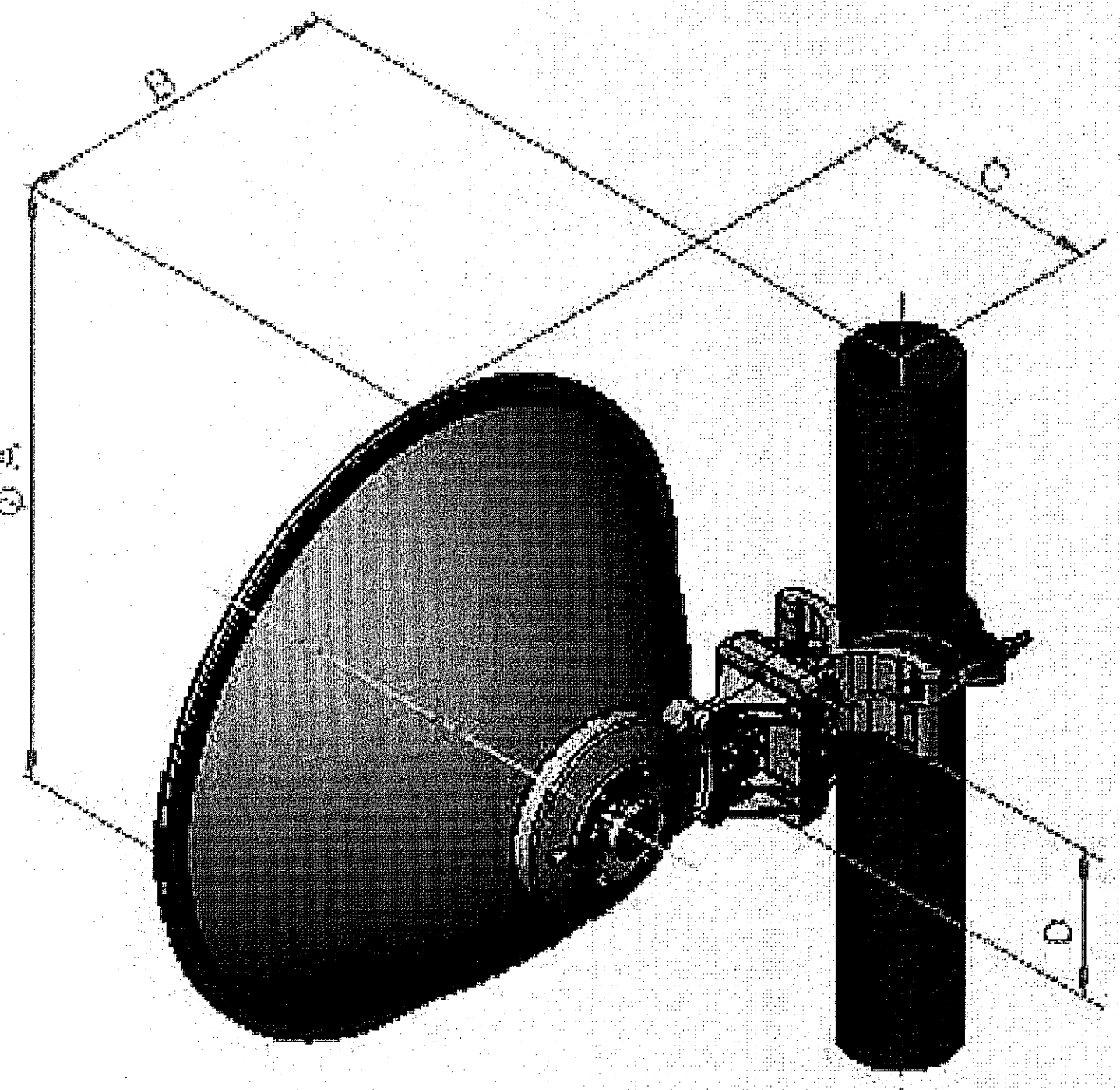
NOTE: ANTENNA MODELS SUBJECT TO CHANGE. CONTRACTOR TO VERIFY FINAL CONFIGURATION WITH RF ENGINEER PRIOR TO CONSTRUCTION.



Two RRU support three sectors

| Specification | |
|----------------------|--|
| Frequency | •PCS (band 2) CDMA/LTE Dual Mode •850M CDMA/LTE Dual Mode |
| Carrier Bandwidth | 1.4/3/5/10/15/20Mhz |
| IBW | PCS : 40MHz TX(60MHz RX) 850M : 25MHz |
| Output Power | 2*60W |
| Size | 24L 480×356×140mm w/o cover 31L 485×380×170mm with cover |
| Weight | 23.5kg w/o cover; 24Kg with cover |
| Receiver Sensitivity | -106dBm (AWGN, 1RX, 25 RBs, QPSK 1/3 code rate) |
| Configuration | 1 sector of 1T2R/2T2R/2T4R or 2 sector of 1T2R |

RRU 3642 DETAIL
N.T.S.



| | | | | |
|------------------|----------|----------|----------|---------|
| ANTENNA DIAMETER | A | B | C | D |
| 2 FEET | 25.9 IN. | 14.6 IN. | 10.2 IN. | 6.4 IN. |

2' MICROWAVE ANTENNA
DRAGONWAVE PART #: A-ANT-11G-24-C
N.T.S.



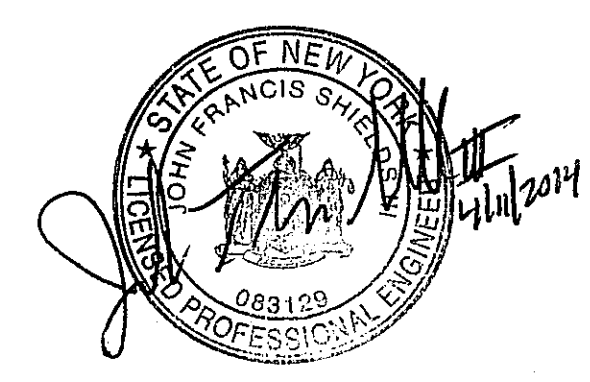
Blue Wireless
PO Box 186
Williamsville, NY 14231

CICG CARPENTER CONSULTING GROUP
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RESIDENTIAL | COMMERCIAL | WIRELESS | ENERGY
17 Industrial Street | Rochester, NY 14614
Office: 585-360-2733 | Fax: 585-360-2735
www.carpentercg.com

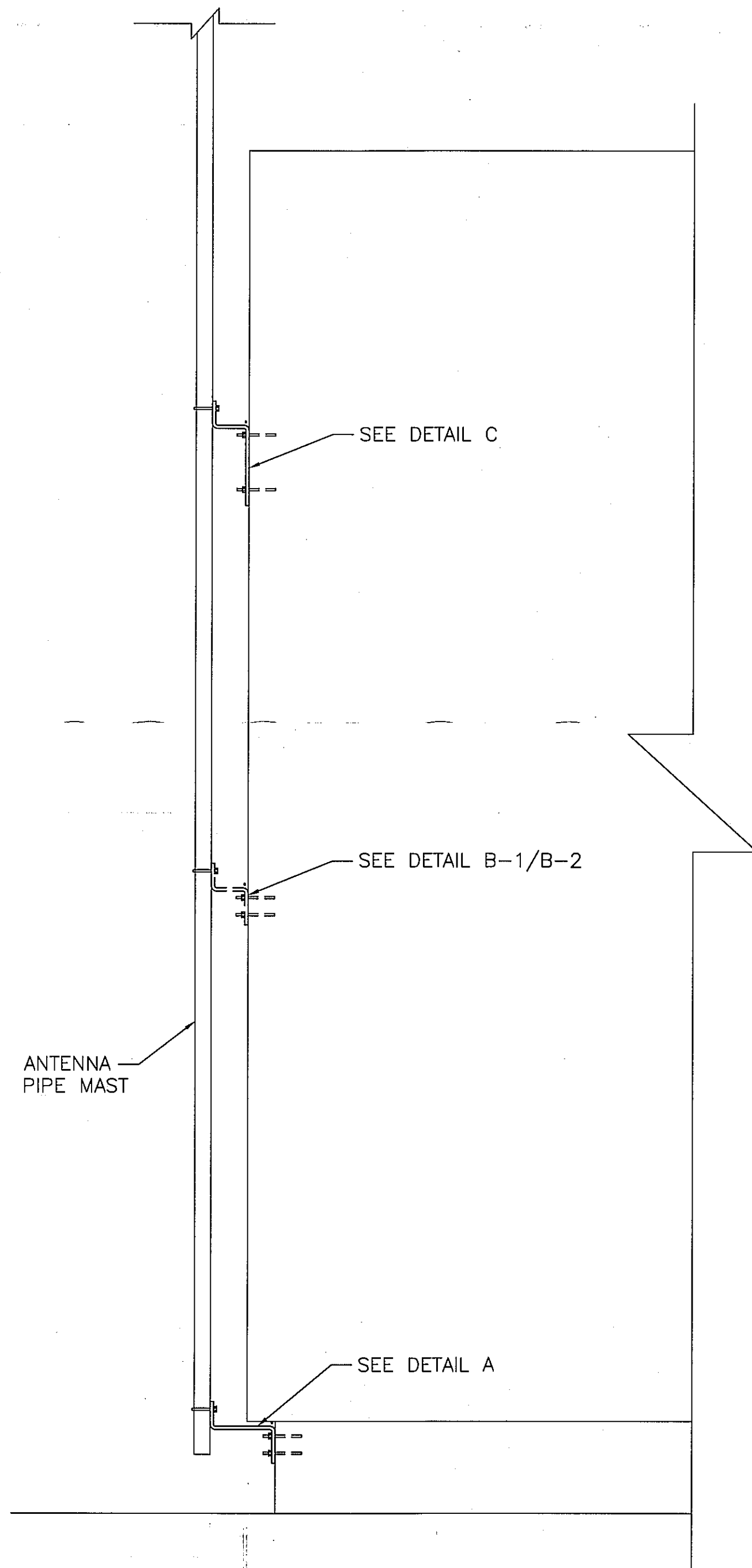
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| | |
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| DESIGNED BY: | DATE: |
| DRB | 10/30/13 |
| APPROVED BY: | A&E PROJECT # |
| DWC | 13-B-126 |

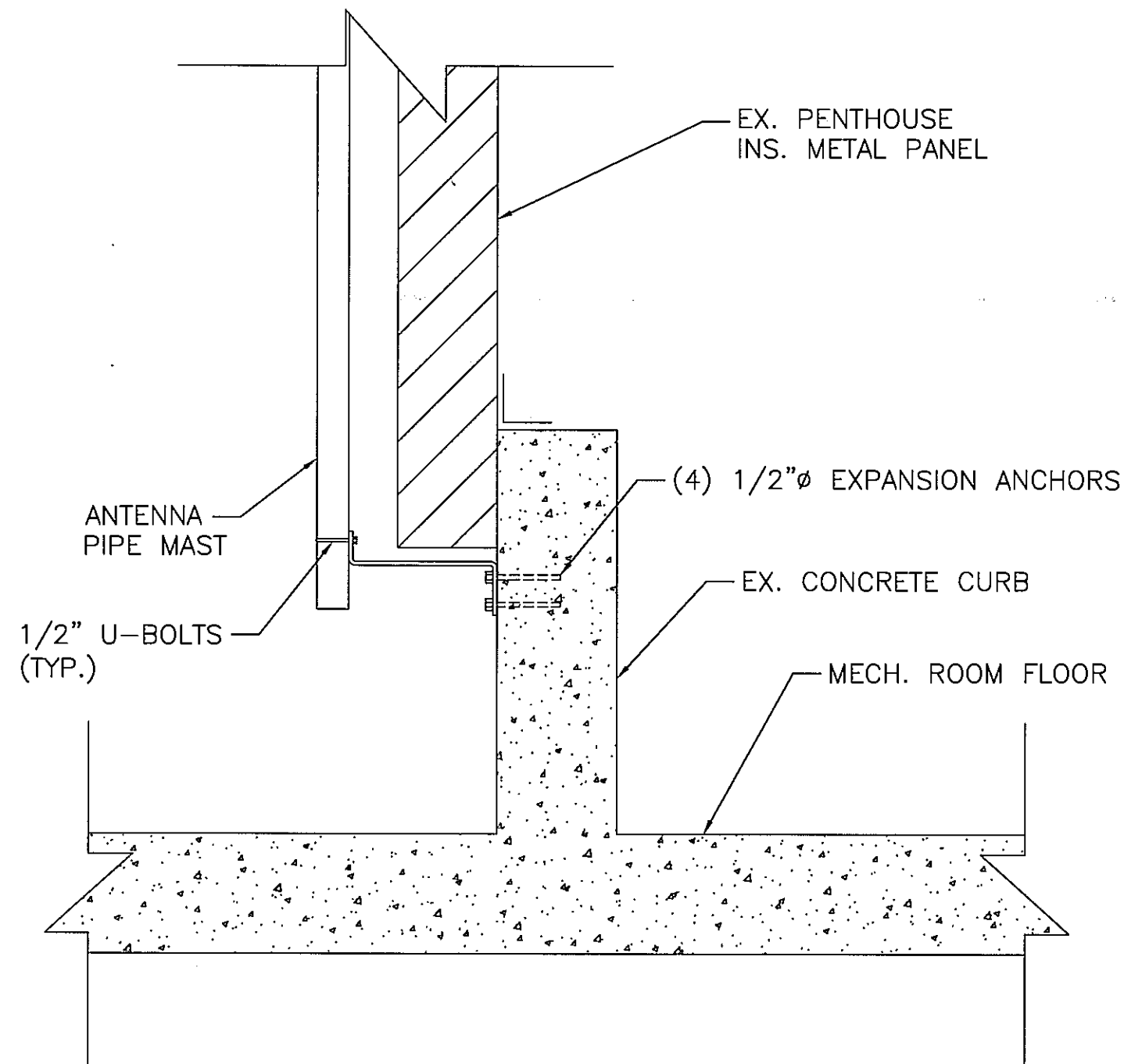
| PLAN REVISIONS | | | | DRB | DRB | DRB | BY |
|----------------|----------|--|--|-------------------|-------------------|-------------------|-------------|
| | | | | REVISED EQUIPMENT | REVISED EQUIPMENT | ISSUED FOR REVIEW | DESCRIPTION |
| 2. | 4/10/13 | | | | | | |
| 1. | 3/7/13 | | | | | | |
| 0. | 12/20/13 | | | | | | |
| NO. | DATE | | | | | | |



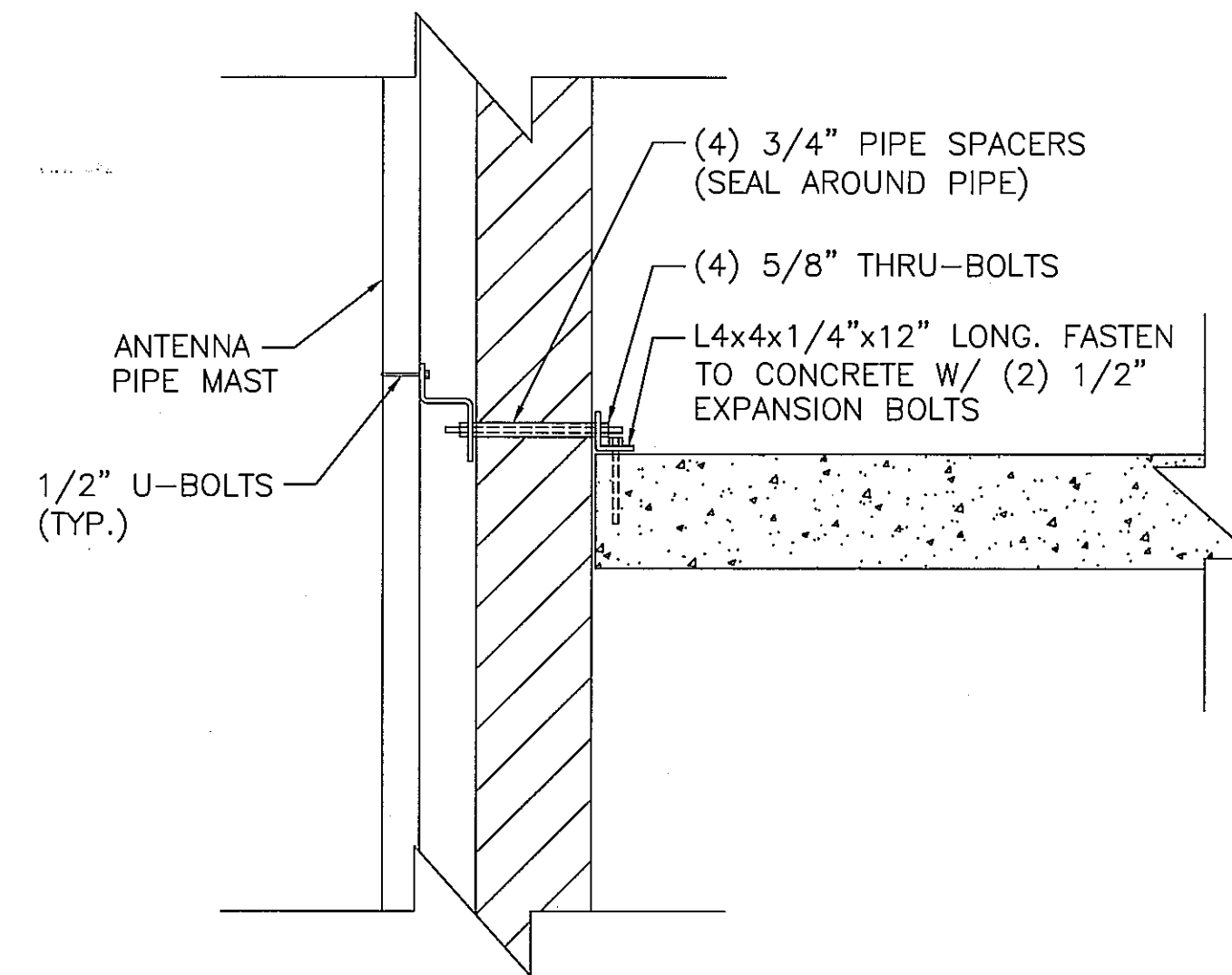
| | |
|---------------|---|
| SITE NUMBER: | BUF-555 |
| SITE NAME: | ST. JOSEPHS |
| SITE ADDRESS: | 2605 HARLEM ROAD CHEEKTOWAGA, NY 14225 |
| SITE TYPE: | ROOFTOP |
| SHEET TITLE: | DETAILS |
| DRAWING #: | C-5 |
| REVISION: | 2 |



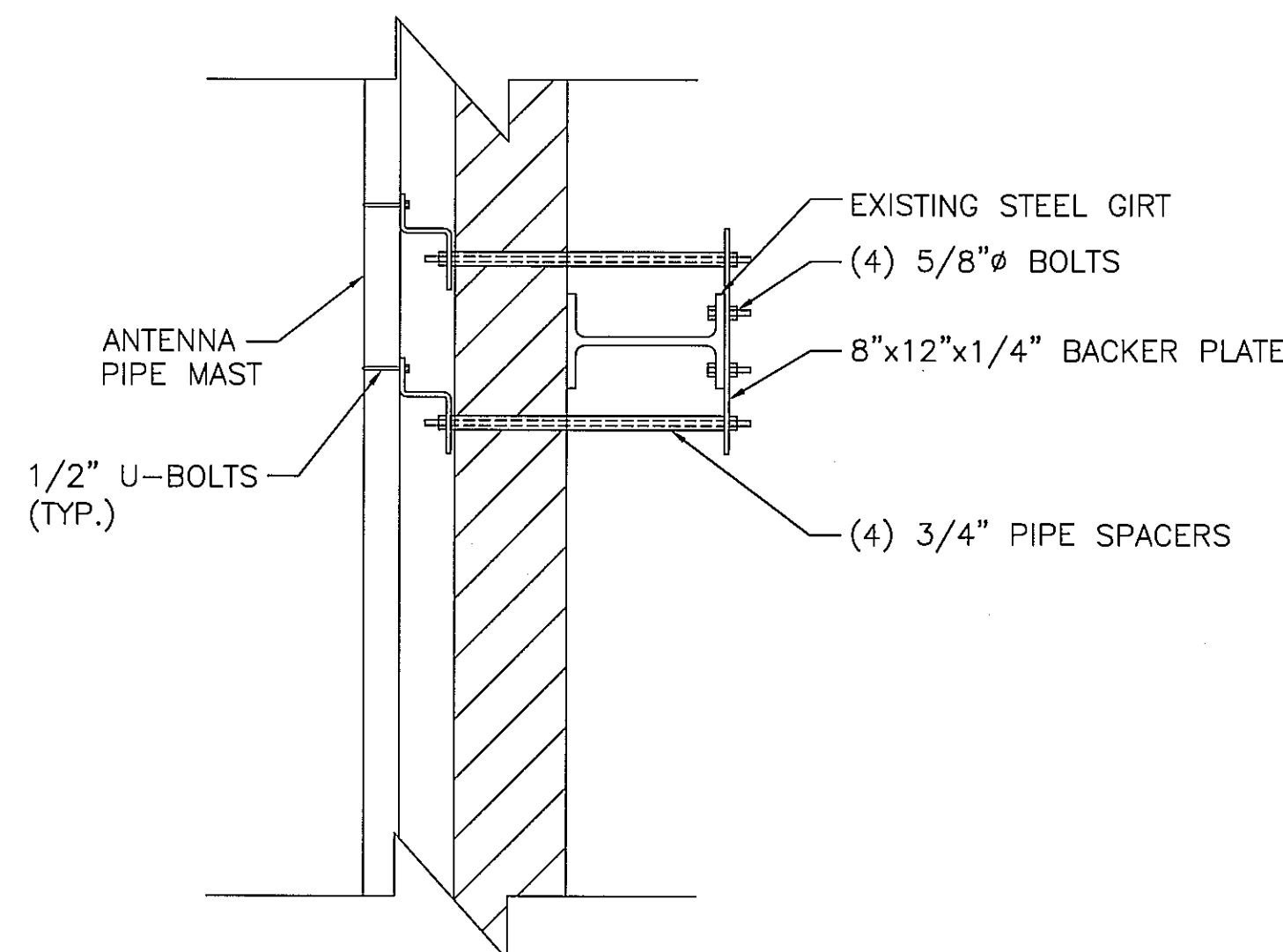
ANTENNA MOUNTING DETAIL KEY
N.T.S.



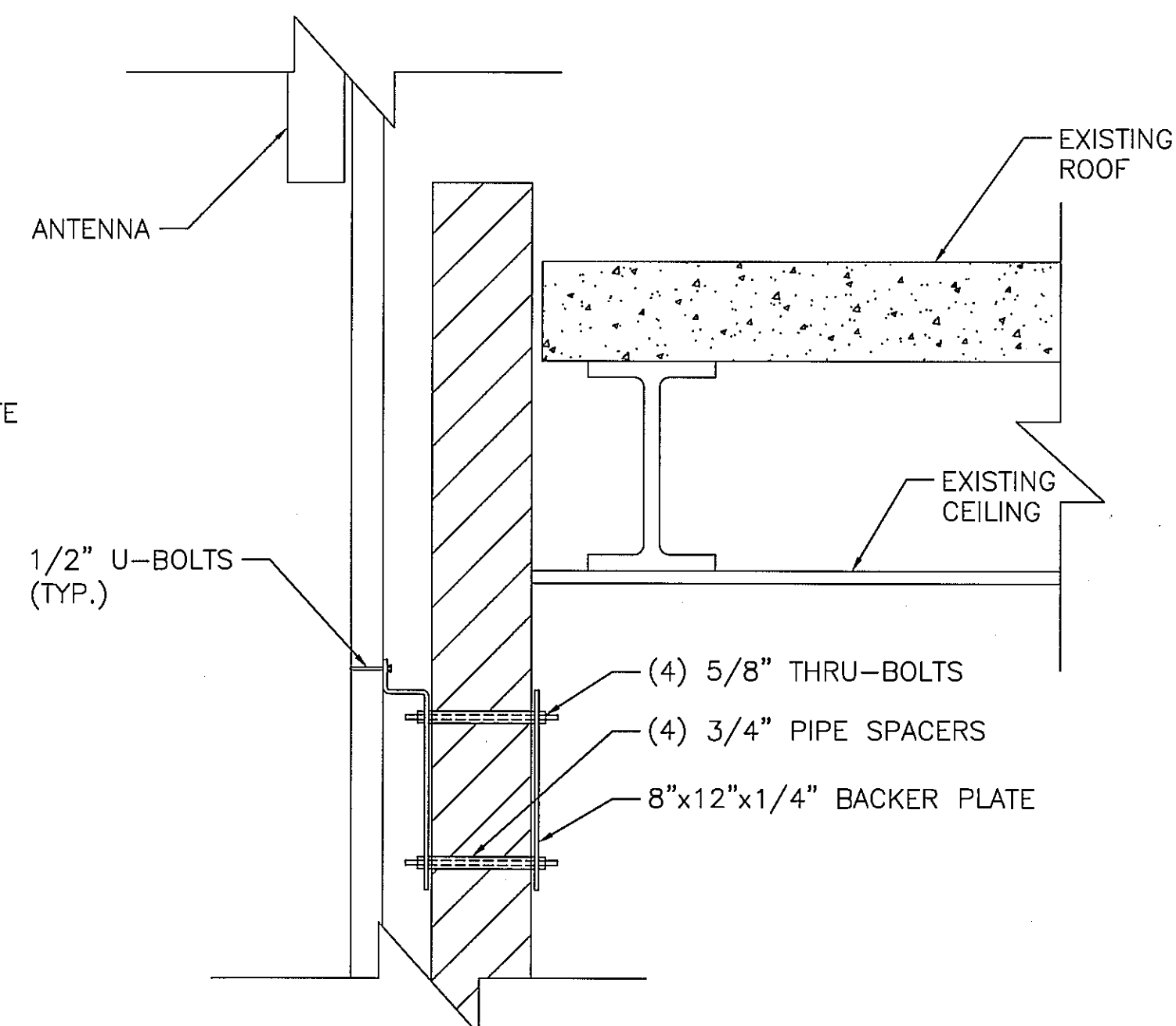
DETAIL A
TYPICAL BASE OF ANTENNA MAST DETAIL
N.T.S.



DETAIL B-1
(ALPHA & DELTA SECTORS)
ANTENNA MAST ATTACHMENT
AT MACH. ROOM FLOOR
N.T.S.



DETAIL B-2
(BETA & GAMMA SECTORS)
ANTENNA MAST ATTACHMENT
AT EX. GIRTS LOCATIONS
N.T.S.



DETAIL C
TYPICAL ROOF ATTACHMENT DETAIL
N.T.S.



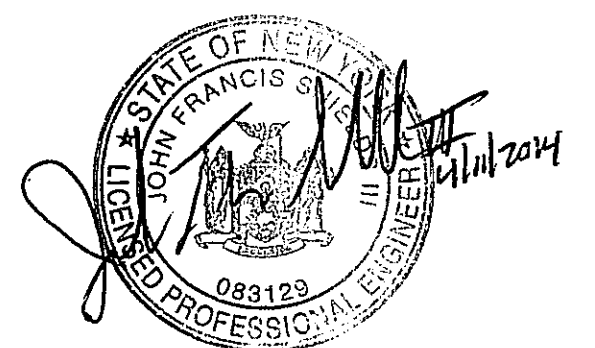
Blue Wireless
PO Box 186
Williamsville, NY 14231

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17 Industrial Street | Rochester, NY 14614
Office: 585-360-2733 | Fax: 585-360-2735
www.carpentercg.com

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|--------------|-----|----------------|----------|
| DESIGNED BY: | DRB | DATE: | 10/30/13 |
| APPROVED BY: | DWC | A&E PROJECT #: | 13-B-126 |

| PLAN REVISIONS | NO. | DATE | DESCRIPTION | BY |
|----------------|-----|----------|-------------------|-----|
| | | | | |
| | 2. | 4/10/13 | REVISED EQUIPMENT | DRB |
| | 1. | 3/7/13 | REVISED EQUIPMENT | DRB |
| | 0. | 12/20/13 | ISSUED FOR REVIEW | DRB |

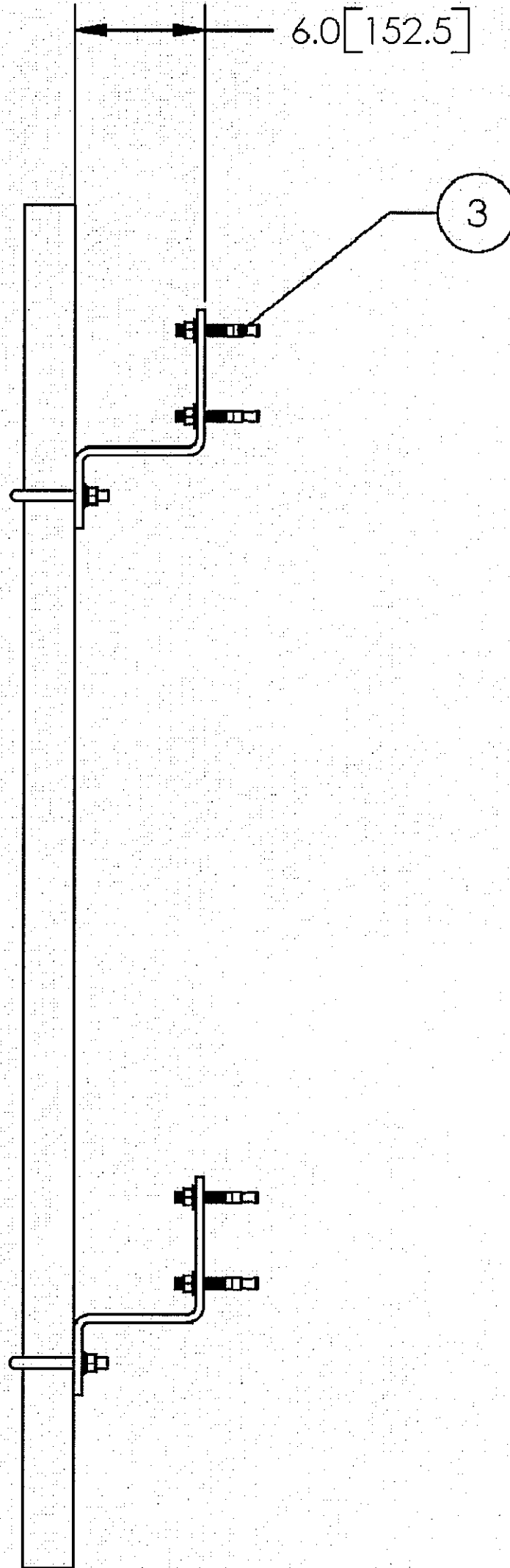
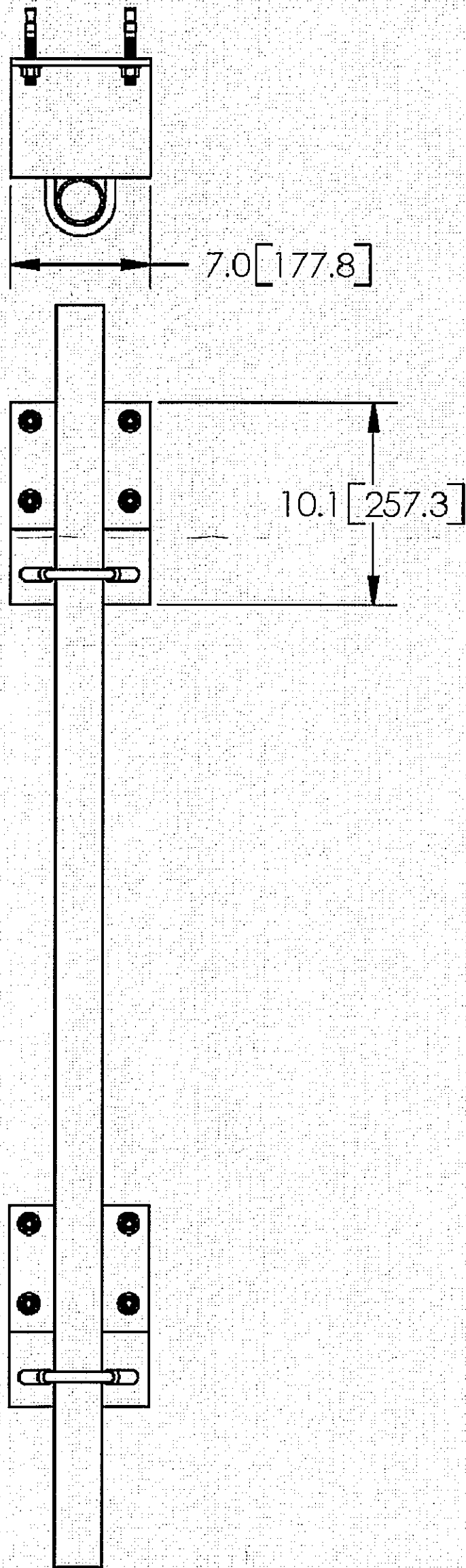


| | |
|---------------|---|
| SITE NUMBER: | BUF-555 |
| SITE NAME: | ST. JOSEPHS |
| SITE ADDRESS: | 2605 HARLEM ROAD CHEEKTOWAGA, NY 14225 |
| SITE TYPE: | ROOFTOP |

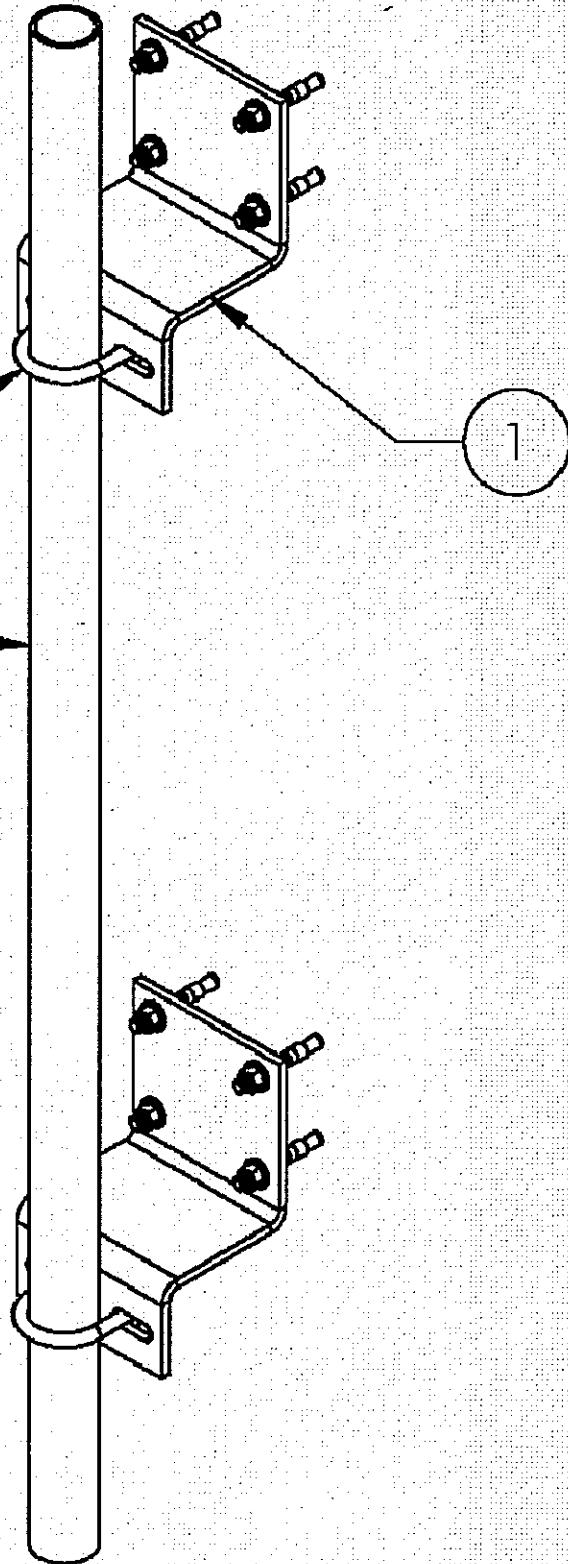
| | |
|--------------|---------|
| SHEET TITLE: | DETAILS |
| DRAWING #: | C-6 |
| REVISION: | 2 |


| ITEM | PART NO. | DESCRIPTION | QTY. | WEIGHT |
|------|----------|--------------------------------|------|-----------|
| 1 | MT222.05 | 6" WALL MOUNT BRACKET | 2 | 10.81 LBS |
| 2 | MT222H | HARDWARE KIT (ITEM 3) | 2 | |
| 3 | MT-271 | 1/2" X 3-3/4" WEDGE ANCHOR KIT | 8 | 0.18 LBS |

| REVISIONS | | | | |
|-----------|------|-----------------------|-----|----------|
| REV. | ZONE | DESCRIPTION | BY | DATE |
| B | | REVISED & REDRAWN | JTS | 04/12/01 |
| C | | UPDATE PART LIST | JTS | 05/21/01 |
| D | | REDRAWN IN SOLIDWORKS | ACG | 09/06/06 |
| E | | REDESIGN ITEM #1 | MSM | 02/27/08 |

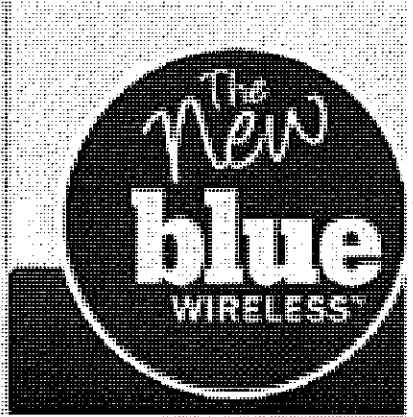


NOTE: GALV PIPE AND U-BOLTS ORDERED SEPERATELY



| | | | |
|---|----------|---|--------------------------------|
| These drawings and specifications are the proprietary property of ANDREW CORPORATION and may be used only for the specific purpose authorized in writing by Andrew Corporation. | | | |
| DRAWN BY: | ACG | SHEET: | 1 of 1 |
| CHECKED BY: | TP | SCALE: | NTS |
| DATE: | 09/06/06 | WATERMARK: | A36 |
| REVISION: | E | PAPER: | GALV A123 |
| DO NOT SCALE THIS PRINT | | WEIGHT: | 44.10 LBS. |
| | | PART NUMBER: | MT-222 |
| | | DESCRIPTION: | 6" ADJUSTABLE SOLID WALL MOUNT |
| | | DRAWING TYPE: | ASSEMBLY DRAWING |
| | |  ORLAND PARK, IL. 60462 U.S.A. | |

WALL MOUNT KIT
N.T.S.



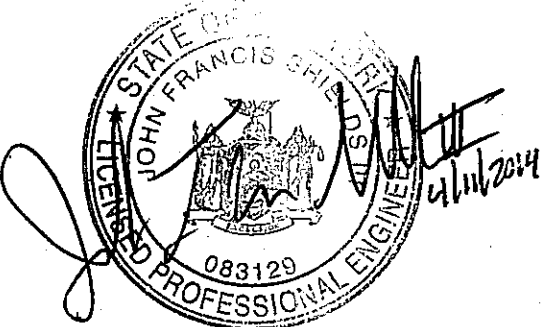
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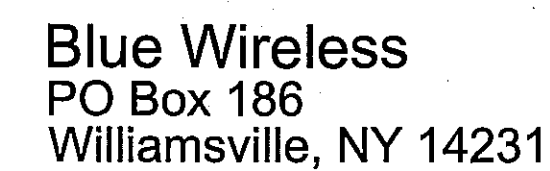
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| DESIGNED BY: | DRB | DATE: | 10/30/13 |
| APPROVED BY: | DWC | A&E PROJECT #: | 13-B-126 |

| PLAN REVISIONS | | NO. | DATE | DESCRIPTION | BY |
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| | | 2. | 4/10/13 | REVISED EQUIPMENT | DRB |
| | | 1. | 3/7/13 | REVISED EQUIPMENT | DRB |
| | | 0. | 12/20/13 | ISSUED FOR REVIEW | DRB |

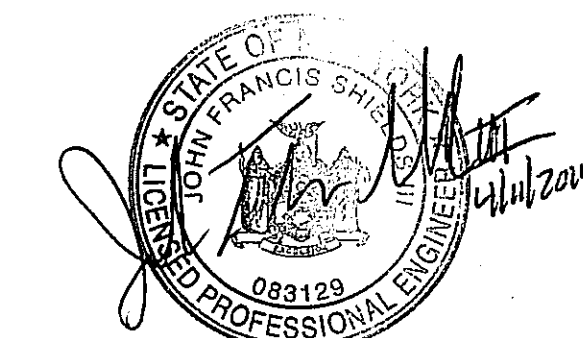


| | |
|---------------|--|
| SITE NUMBER: | BUF-555 |
| SITE NAME: | ST. JOSEPHS |
| SITE ADDRESS: | 2605 HARLEM ROAD CHEETOWAGA, NY 14225 |
| SITE TYPE: | ROOFTOP |

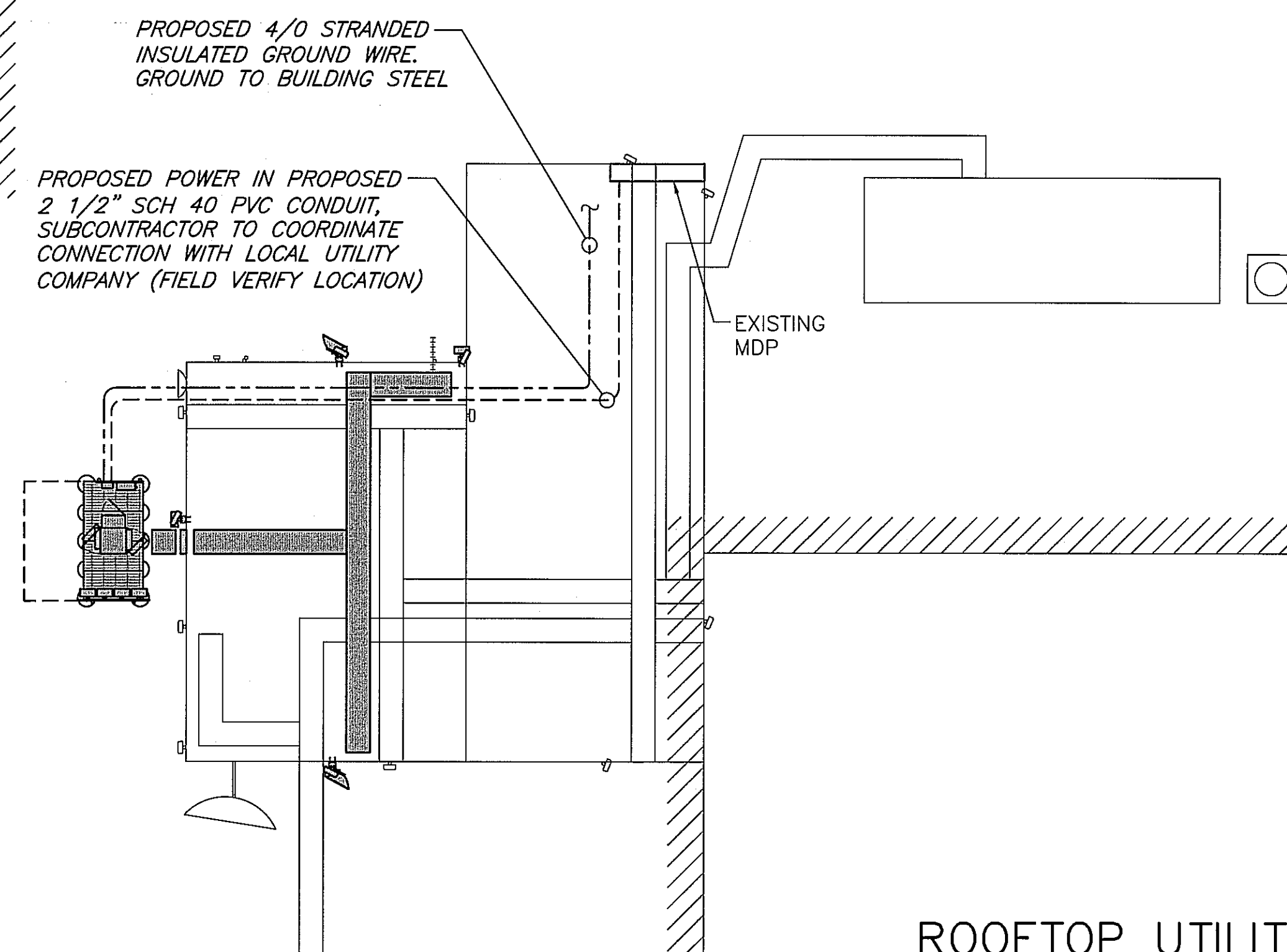
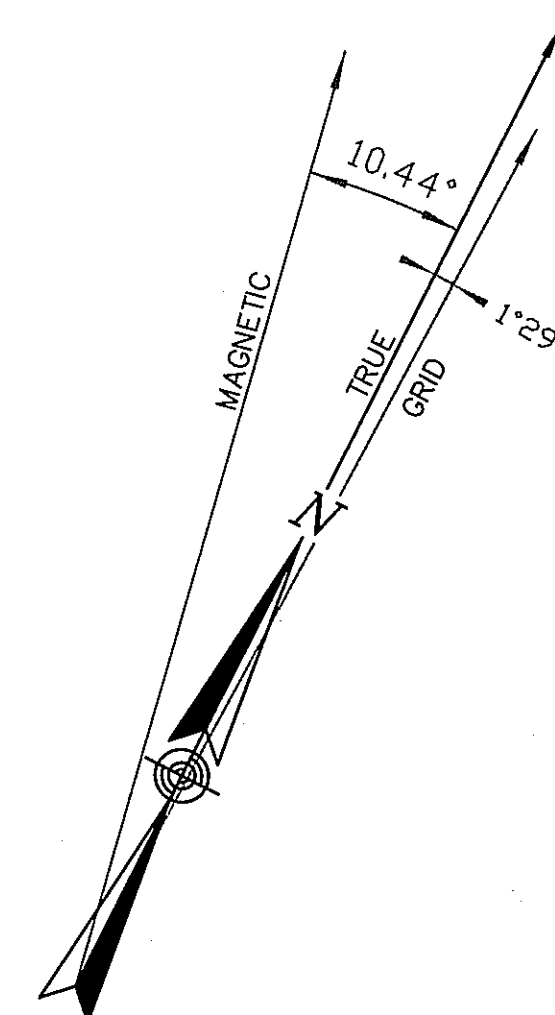
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| DRAWING #: | C-7 |
| REVISION: | 2 |



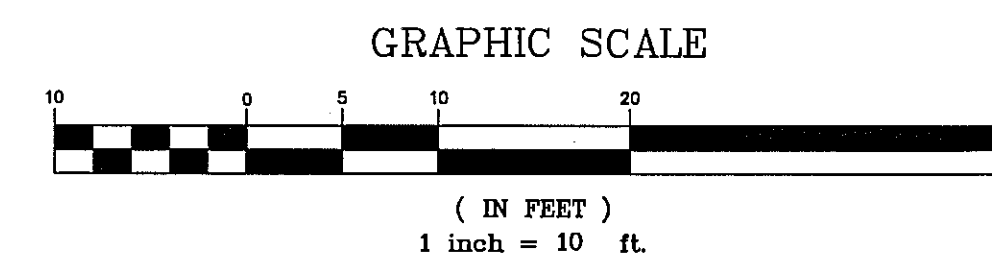
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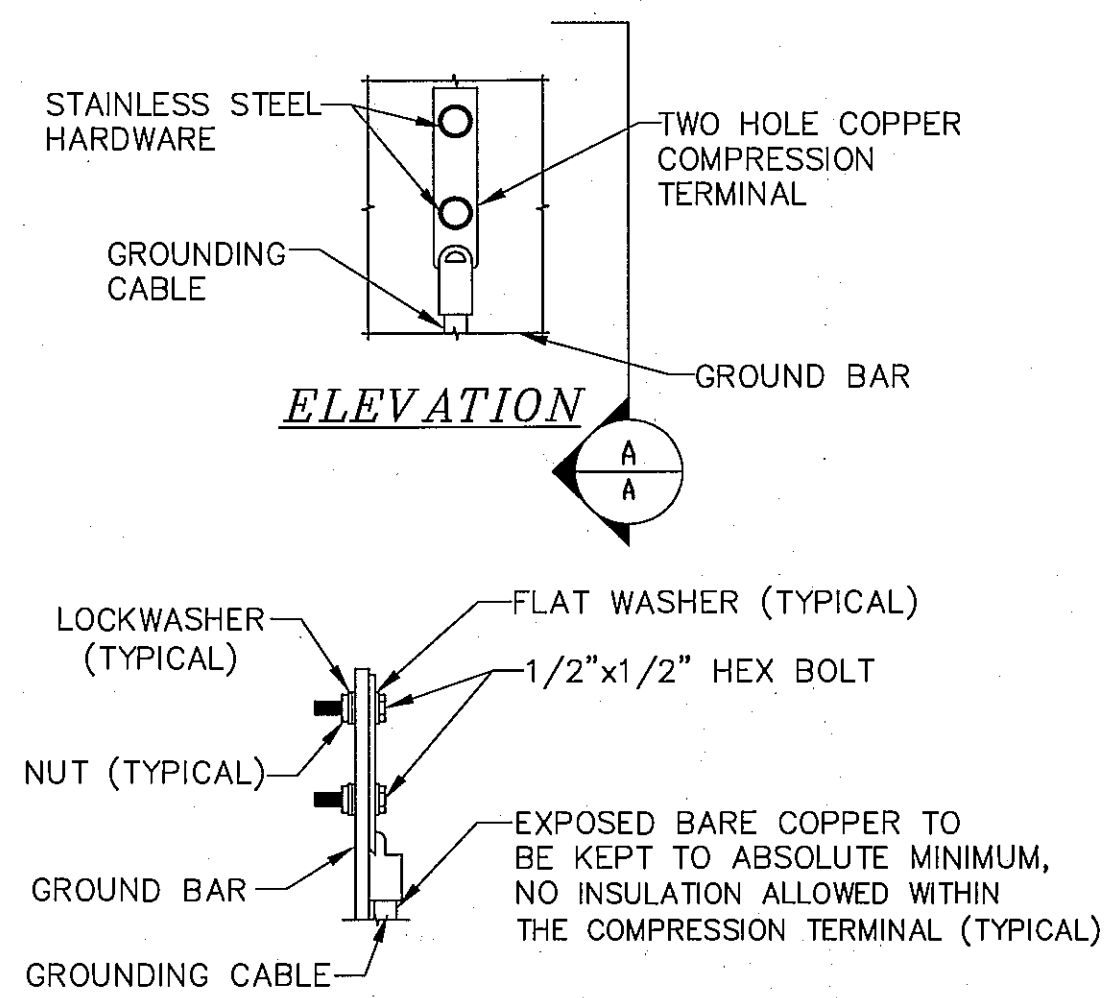
[illegible]

| | |
|--|------------------------------|
| SHEET TITLE: <i>UTILITY PLAN</i> | |
| DRAWING #: <i>E-1</i> | REVISION: <i>2</i> |



SCALE: 1"=10' (22x34)
1"=20' (11x17)



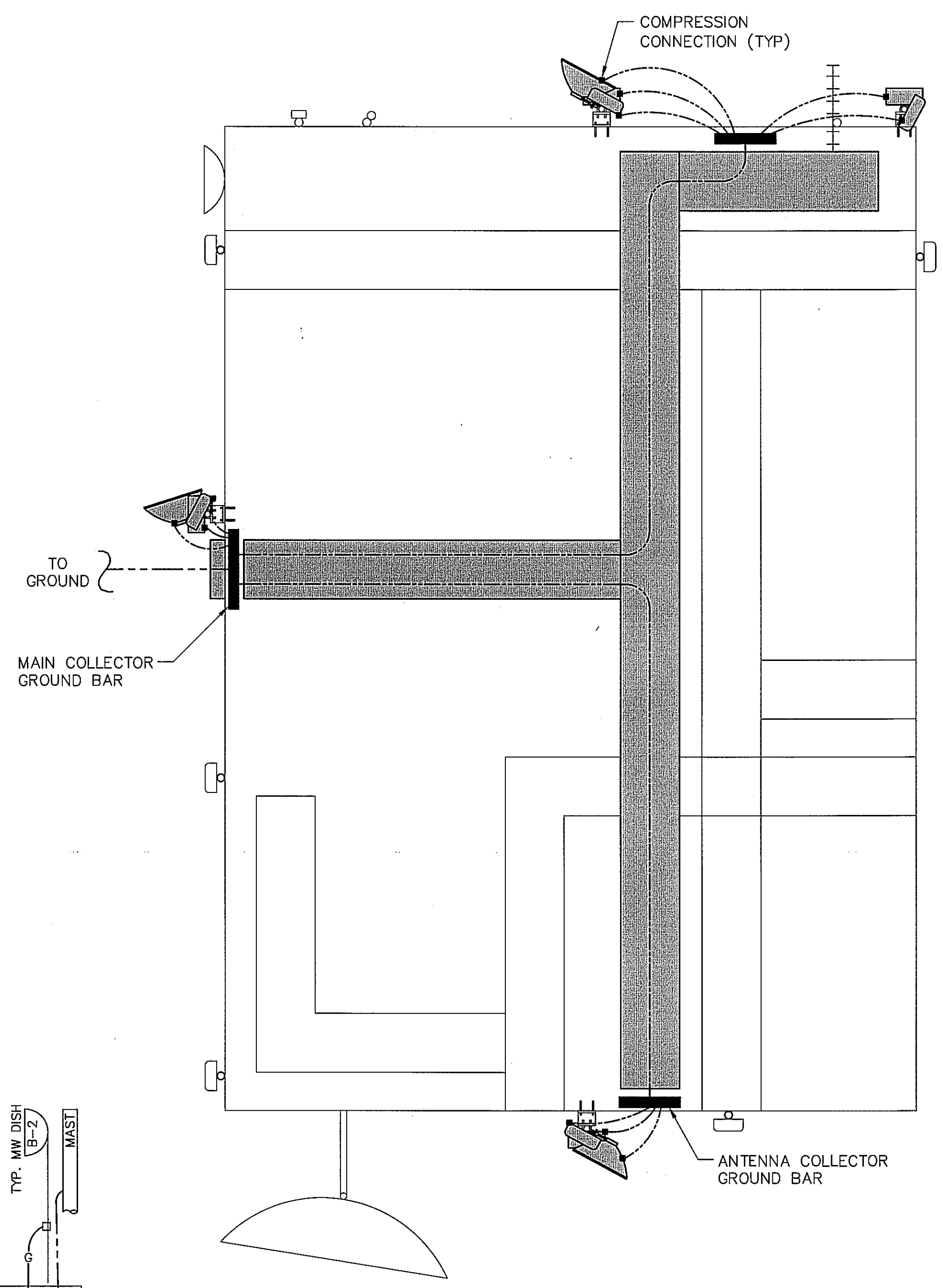


SECTION "A-A"

- NOTE:
- "DOUBLING UP" OR "STACKING" OF CONNECTION IS NOT PERMITTED
 - OXIDE INHIBITING COMPOUND TO BE USED AT ALL LOCATIONS

GROUND BAR CONNECTIONS

N.T.S.

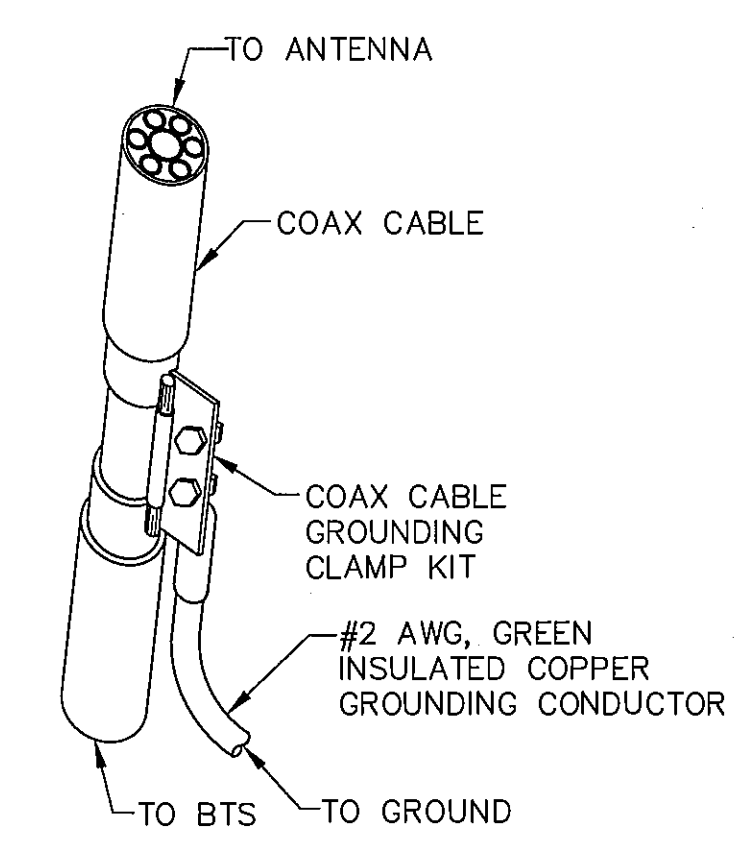


TYP. ANTENNA GROUNDING

N.T.S.

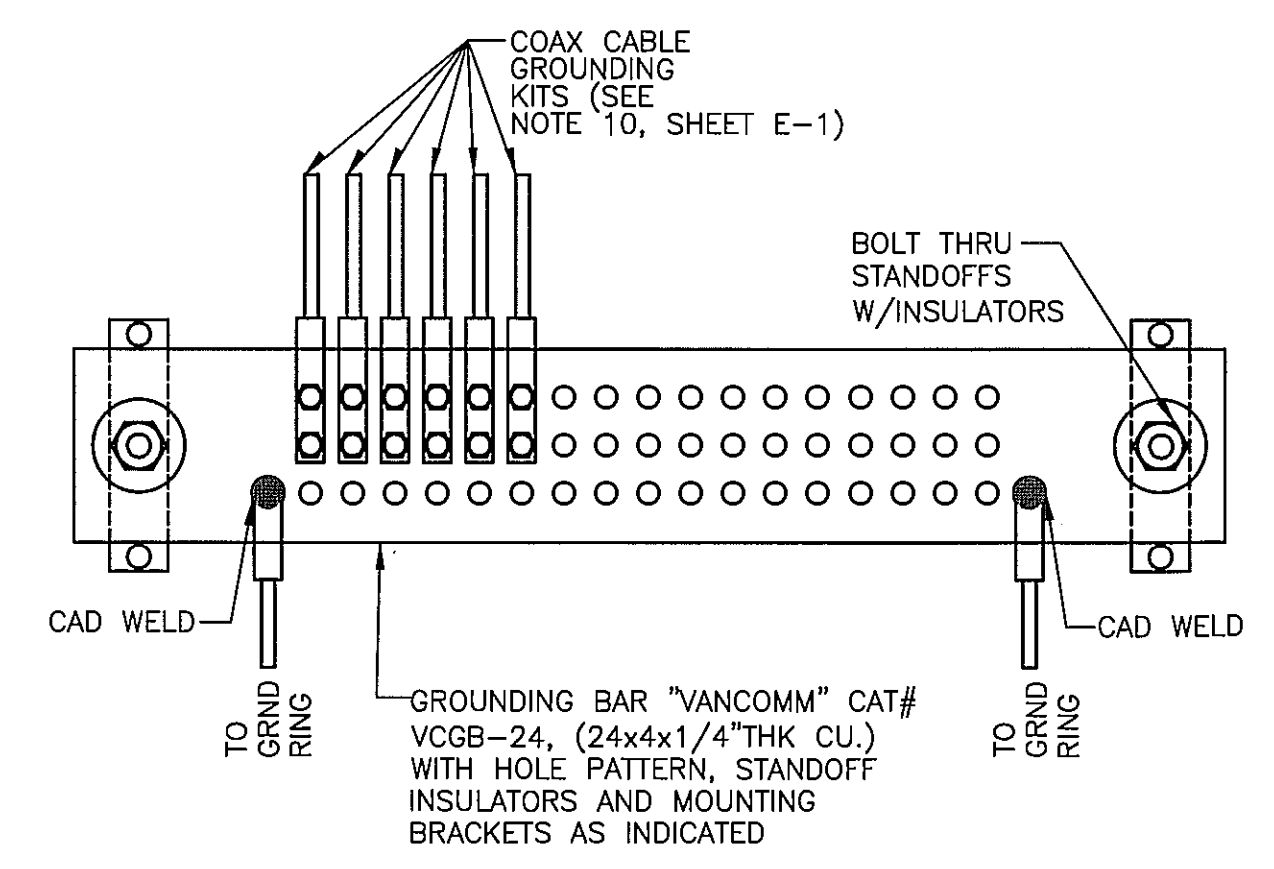
- ELECTRICAL NOTES**
- ALL ELECTRICAL WORK SHALL CONFORM TO THE NATIONAL ELECTRICAL CODE (EDITION ACCEPTED BY LOCAL JURISDICTION) AND APPLICABLE LOCAL CODES.
 - GROUNDING SHALL COMPLY WITH ARTICLE 250 OF THE NATIONAL ELECTRICAL CODE.
 - ALL ELECTRICAL ITEMS SHALL BE U.L. APPROVED OR LISTED.
 - ALL WIRES SHALL BE AWG THIN/THIN COPPER UNLESS NOTED OTHERWISE.
 - INSTALL #2 AWG GREEN-INSULATED STRANDED WIRE FOR ABOVE GRADE GROUNDING AND #2 BARE SOLID TIN-COATED WIRE FOR BELOW GRADE GROUNDING UNLESS NOTED OTHERWISE.
 - CONDUCTORS SHALL BE INSTALLED IN GALVANIZED RIGID STEEL CONDUIT, SCHEDULE 40 PVC, OR FLEXIBLE LIQUIDTIGHT CONDUIT AS INDICATED.
 - OBTAIN ALL PERMITS, PAY PERMIT FEES, AND SCHEDULE INSPECTIONS.
 - OBTAIN LOCAL POWER COMPANY APPROVAL AND COORDINATE WITH UTILITY COMPANIES SERVICE ENTRANCE REQUIREMENTS.
 - PROVIDE ALL LABOR AND MATERIAL DESCRIBED ON THIS DRAWING, AND ALL ITEMS INCIDENTAL TO COMPLETING AND PRESENTING THIS PROJECT AS FULLY OPERATIONAL.
 - GROUNDING CONNECTIONS SHALL BE EXOTHERMIC TYPE ("CADWELDS") TO FENCE POSTS, MONOPOLE AND GROUND RODS STEEL, AND GROUND RING. REMAINING GROUNDING CONNECTIONS SHALL BE COMPRESSION FITTINGS. CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO-HOLE LUGS.
 - GROUND COAXIAL CABLE SHIELDS AT BOTH ENDS WITH MANUFACTURER'S GROUNDING KITS.
 - ROUTE GROUNDING CONDUCTORS THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, BEND GROUNDING LEADS WITH A MINIMUM 12" RADIUS.
 - THE GROUND ELECTRODE SYSTEM SHALL CONSIST OF DRIVEN GROUND RODS UNIFORMLY SPACED AROUND CELL SITE. THE GROUND RODS SHALL BE 5/8" x 6'-0" COPPER CLAD STEEL, INTERCONNECTED WITH #2 AWG BARE SOLID WIRE BURIED 30" BELOW GRADE, BURY GROUND RODS A MAXIMUM OF 15' APART, AND A MINIMUM 8' APART.
 - PROVIDE GROUND RODS AND GROUND RING AS SHOWN ON SITE PLAN AND GROUNDING RISER DIAGRAM. TEST AND VERIFY THAT THE IMPEDANCE DOES NOT EXCEED 5 OHMS TO GROUND USING EARTH GROUND RESISTANCE TESTER. GROUNDING AND OTHER OPERATIONAL TESTING SHALL BE WITNESSED BY THE OWNER'S REPRESENTATIVE.
 - PROVIDE 3#3/0 + #46 IN 2" CONDUIT FROM POWER DEMARC TO DISTRIBUTION PANEL.

| SELECT | CABLE & CONDUIT SIZE/RUN LENGTHS |
|----------------|----------------------------------|
| RL UP TO 100' | 3 #3/0 AWG, 2"C |
| 100'<RL<=500' | 3 #500 KCM, 3"C |
| 500'<RL<=1000' | 3 #750 KCM, 4"C |



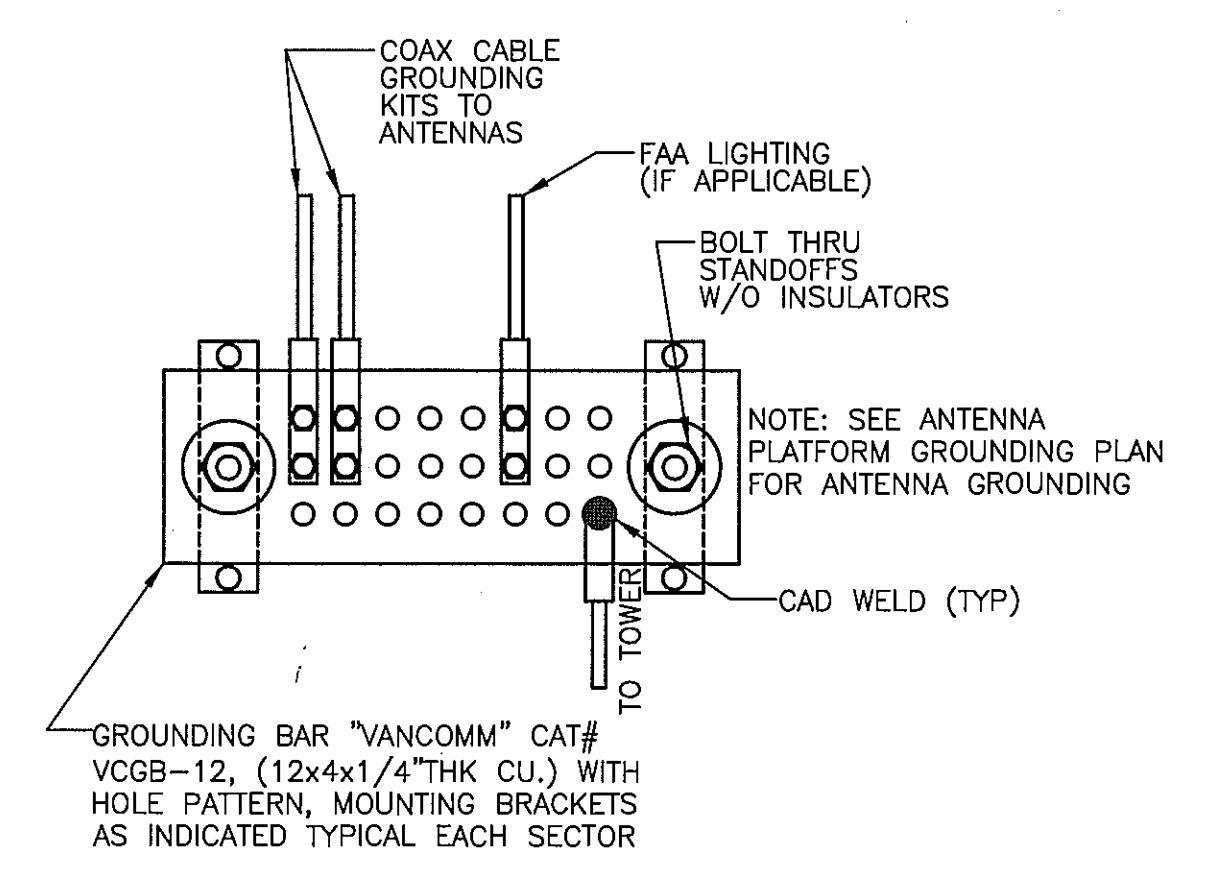
COAX CABLE GROUNDING

N.T.S.



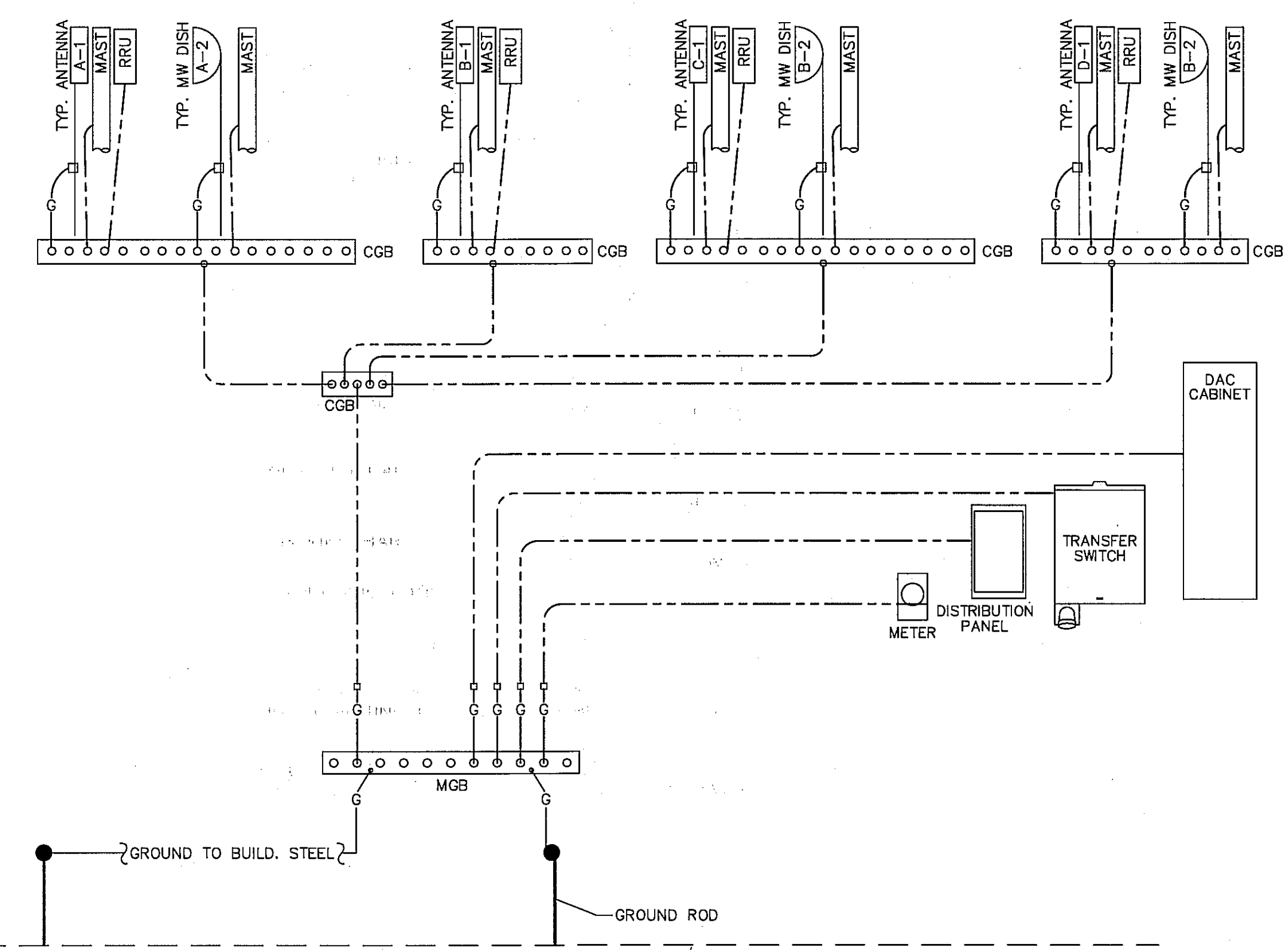
MASTER GROUND BAR (MGB)

N.T.S.



COLLECTOR GROUND BAR (CGB)

N.T.S.



GROUNDING RISER DIAGRAM

N.T.S.



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| DESIGNED BY: | DRB | DATE: | 10/30/13 |
| APPROVED BY: | DWC | A&E PROJECT #: | 13-B-126 |

| PLAN REVISIONS | | | | DRB | DRB | DRB | BY |
|----------------|--|--|--|-------------------|-------------------|-------------------|-------------|
| | | | | REVISED EQUIPMENT | REVISED EQUIPMENT | ISSUED FOR REVIEW | DESCRIPTION |
| | | | | 2. | 4/10/13 | | |
| | | | | 1. | 3/7/13 | | |
| | | | | 0. | 12/20/13 | | |
| | | | | NO. | DATE | | |



| | |
|---------------|---|
| SITE NUMBER: | BUF-555 |
| SITE NAME: | ST. JOSEPHS |
| SITE ADDRESS: | 2605 HARLEM ROAD CHEEKTOWAGA, NY 14225 |
| SITE TYPE: | ROOFTOP |

| | |
|--------------|---------|
| SHEET TITLE: | DETAILS |
| DRAWING #: | E-2 |
| REVISION: | 2 |

ATTACHMENT E.1

12 April 2012

Hourly rate schedule of work activities by classification as required for services for this Exhibit E work is as follows:

| | |
|---------------------|----------|
| Principal | \$149.00 |
| Project Manager | 106.00 |
| Project Architect | 78.00 |
| Mechanical Engineer | 96.00 |
| Electrical Engineer | 92.00 |
| Structural Engineer | 89.00 |
| Designer | 68.00 |
| CADD | 51.00 |
| Site Representative | 64.29 |

JJV:nmh

G:\Clients Confidential\Cheektowaga -Town of\Attach E1.docx



Baer & Associates, LLC
 2015 Litigation Support
 Tier 2 Billing Rates

Litigation Support Hourly Billing Rates:

| <u>Title</u> | <u>Hourly Rate</u> |
|-----------------------------------|--------------------|
| President | \$185.00 |
| Sr. Vice President | \$185.00 |
| Sr. Estimator | \$160.00 |
| Sr. Mechanical Estimator | \$160.00 |
| Mechanical Estimator | \$110.00 |
| General Construction Estimator I | \$110.00 |
| General Construction Estimator II | \$110.00 |
| Electrical Estimator | \$110.00 |
| Quantity Estimator I | \$100.00 |
| Quantity Estimator II | \$90.00 |

Trial preparation will be billed on an hourly basis at the following rates:

| | |
|--------------------|----------|
| President | \$285.00 |
| Sr. Vice President | \$285.00 |

Expert testimony will be billed on a per diem basis at the following rate:

| | |
|--------------------|----------------|
| President | \$3,000.00/day |
| Sr. Vice President | \$3,000.00/day |

Baer & Associates, LLC
 Construction Consultants

4588 South Park Avenue
 Blasdell, NY 14219

700 River Avenue, Suite 543
 Pittsburgh, PA 15212

Phone: 716-831-0000
 Fax: 716-831-0001
www.baer-associates.com



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, March 2, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on March 2, 2015 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Public Hearings

1. Rezoning Request - 4630 & 4652 Genesee Street

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Diane Benczkowski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Rezoning Request for Basil Ford at 1550 Walden Avenue

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: **CLOSED [UNANIMOUS]**
MOVER: Diane Benczkowski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-119

Transfer of Funds-2014

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

HIGHWAY

| | | | |
|-------|---------------|---------------------------------|--------------|
| FROM: | 300.5150.4162 | Gasoline & Oil | \$36,702.00 |
| | 300.9501.9131 | Bond Principal | 258,999.00 |
| | 300.9501.9211 | Bond Interest | 596,568.00 |
| | 300.1910.1120 | Sales Tax | 466,866.00 |
| | 300.5150.4178 | Blacktop Highway | 1,436.00 |
| TO: | 300.5110.4162 | Gasoline & Oil | \$35,962.00 |
| | 300.5110.4252 | Chargebacks | 13,003.00 |
| | 300.5140.4188 | Rental of Copier | 3,938.00 |
| | 300.5140.4191 | Misc. Expense | 10,080.00 |
| | 300.5150.4173 | Stone | 40.00 |
| | 300.5142.4433 | Stakes & Blades | 96.00 |
| | 300.5130.2407 | Misc. Highway Equipment | 207,012.00 |
| | 300.5110.4911 | Emergency Costs | 1,089,004.00 |
| | 300.9950.8000 | Transfer to Cap FD Down payment | 1,436.00 |

SPECIAL DISTRICTS

| | | | |
|-------|---------------|-----------------------------|------------|
| FROM: | 990.5182.4432 | Repairs & Maintenance | \$4,705.00 |
| | 660.8356.4339 | Hydrant Rental | 18.00 |
| | 650.8355.4339 | Hydrant Rental | 63.00 |
| | 640.8354.4339 | Hydrant Rental | 542.00 |
| | 630.8353.4339 | Hydrant Rental | 88.00 |
| | 620.8352.4339 | Hydrant Rental | 84.00 |
| | 255.8135.4431 | Equipment Repairs | 8,373.00 |
| | 255.8125.2500 | Sewer Maintenance Equipment | 31,569.00 |
| | 255.8125.9101 | Bond Principal | 144,220.00 |
| TO: | 990.5182.4354 | Chargebacks | \$4,705.00 |
| | 660.8356.4352 | Chargebacks | 18.00 |
| | 650.8355.4352 | Chargebacks | 63.00 |
| | 640.8354.4352 | Chargebacks | 542.00 |
| | 630.8353.4352 | Chargebacks | 88.00 |
| | 620.8352.4352 | Chargebacks | 84.00 |
| | 255.8135.4217 | Utilities | 8,373.00 |
| | 255.8125.4581 | Consulting Engineers | 139,828.00 |
| | 255.8125.4543 | Contracted Sewer | 27,991.00 |
| | 255.8125.4352 | Erie County | 7,809.00 |
| | 255.8125.4351 | RR Property Rentals | 161.00 |

PART TOWN

| | | | |
|-------|---------------|---------------------|------------|
| FROM: | 800.3620.4561 | Contracted Services | \$5,016.00 |
| TO: | 800.3620.2201 | Office Equipment | \$5,016.00 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-120

Transfer of Funds-2015

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

CDBG

| | | | |
|-------|---------------|------------------------------|-------------|
| FROM: | 700.1010.0684 | Fair Housing Activities | \$8,000.00 |
| | 700.1011.0600 | Housing Rehab.-Single Family | 63,150.93 |
| TO: | 700.1014.0703 | Administration | \$71,150.93 |

RESULT: ADOPTED [UNANIMOUS]

MOVER: Gerald Kaminski, Councilmember

SECONDER: Mary Holtz, Supervisor

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



3. RESOLUTION 2015-121

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to March 2, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|-----------------|
| GENERAL FUND | \$4,315,706.84 |
| RISK RETENTION FUND | 992,959.15 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 740,743.75 |
| HUD HOUSING REHABILITATION FUND | 0.00 |
| SPECIAL DISTRICTS FUND | 5,009,944.34 |
| HIGHWAY FUND | 1,169,402.28 |
| CAPITAL FUND | 97,119.74 |
| TRUST & AGENCY FUND | 9,972.90 |
| HUD CDBG FUND | 9,912.09 |
| PART TOWN FUND | 201,883.19 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$12,547,644.28 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-122

Amend Resolution Authorizing Agreement for Waste Recycling of Town-Owned Electronics

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, by Resolution 2015-102 adopted February 18, 2015, this Town Board approved an agreement with Sunnking, Inc., for the recycling of Town-owned Electronics; and

WHEREAS, there is an omission and error in the language of said Resolution and same must be corrected; NOW, THEREFORE, BE IT

RESOLVED, that the second "WHEREAS" paragraph in Resolution 2015-102 is hereby amended to add the words "Freon Containing Devices" and correct the spelling of the words "Chlorinated Flouro Carbons" and shall read as follows:

"WHEREAS, Sunnking, Inc., an electronics recycling company, has submitted a quotation whereby they will properly dispose of the above mentioned obsolete and non-operational Town-owned electronic items delivered by the Town to Sunnking's Buffalo facility, in full compliance with all government regulations applicable to the disposal of hazardous waste, for the following costs:

| | |
|--|--|
| <i>Customer Drop-Off</i> | <i>\$.00 (no charge)</i> |
| <i>CRT-Televisions/Monitors</i> | <i>\$.10 per pound environmental fee based on weight</i> |
| <i>Broken CRT Glass</i> | <i>\$.35 per pound</i> |
| <i>Freon Containing Devices/ Chlorinated Fluourocabons</i> | <i>\$.40 per pound</i> |
| <i>All other electronics</i> | <i>\$.00 (no charge)</i> |

as more fully set forth in said quotation, and in exchange, the Town will not collect payment for any recovered materials; NOW, THEREFORE, BE IT".

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-123

Award of Bid - Topsoil (Bid #2015-4)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, as a result of advertisement, bids were received on February 18, 2015 for the purchase of topsoil for the 2015 calendar year for use by the Cheektowaga Highway Department and various other departments in the Town, AND

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

RESOLVED, that the bid for the purchase of topsoil be awarded to Bengert Greenhouses for their submission of the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the bid for the purchase of topsoil be and hereby is awarded to:

Bengert Greenhouses
230 French Road
West Seneca, New York 14224

for the bid price of:

| | | |
|----------|----------------------|------------------------|
| Item 1 | Unscreened/Delivered | \$13.69 per 500 C.Y. |
| Item 1-A | Unscreened/Pick-Up | \$13.00 per 500 C.Y. |
| Item 2 | Screened/Delivered | \$17.69 per 3,000 C.Y. |
| Item 2-A | Screened/Pick-Up | \$16.30 per 3,000 C.Y. |

AND, BE IT FURTHER

RESOLVED, that payment for said topsoil shall be chargeable to the appropriate departmental budget line item.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-124

Award of Bid - Manhole/Catch Basin Frames and Covers (Bid #2015-5)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of manhole/catch basin frames and covers, which bids were duly received and opened on February 18, 2015, AND

WHEREAS, four (4) bids were received and referred to the Town Engineer for analysis and tabulation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of manhole frames and covers be and hereby is awarded to:

The Vellano Corporation
10 Lancaster Parkway
Lancaster, New York 14086

| BID ITEM | FRAME & 24" DIA COVER (SET) | UNIT BID PRICE DELIVERED |
|--------------|---|-----------------------------|
| I | Frame with 24" diameter self-sealing cover "CHEEKTOWAGA SANITARY" | \$233.00 per set |
| II | Frame with 24" diameter solid cover "STORM SEWER" | \$207.00 per set |
| Alternate IV | Catch basin frame with 26" square cover | \$158.50 per set |

AND, BE IT FURTHER

RESOLVED, that funds have been budgeted in Account #500-1440-4438 for Bid Item No. 1 and in Account #500-5141-9910-5423 for Bid Items No. 2 and 4.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-125

Award of Bid - Sanitary Sewer Pipe and Fittings (Bid #2015-6)

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, as a result of advertisement, bids were received on February 18, 2015 for the furnishing of SDR-35 Sanitary Sewer Pipe and Fittings for the Cheektowaga Engineering Department, AND

WHEREAS, four (4) bids were received and were referred to the Town Engineer for analysis and tabulation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of SDR-35 Sanitary Sewer Pipe and Fittings, Bid Items No. I and II be awarded to:

The Vellano Corporation
10 Lancaster Parkway
Lancaster, New York 14086

AND, BE IT FURTHER

RESOLVED, that Bid Items No. III, IV and V be awarded to:

K & S Contractors Supply, Inc.
1971 Gunnville Road
Lancaster, New York 14086

for submission of the lowest bids meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds have been budgeted in Account No. 500-1440-4438-5425.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-126

Notice to Bidders - Furnishing of Street Lighting Equipment Components for Harlem Road Lighting Repairs (Bid #2015-13)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, it is in order that bids be advertised for the furnishing of street lighting equipment components for Harlem Road lighting repairs (Bid #2015-13), AND

WHEREAS, the Engineering Department has prepared specifications for same, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of street lighting equipment components for Harlem Road lighting repairs, said notice to be published in THE CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of March, 2015 at 11:00 am, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 18, 2015 at 11:00 am, local time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Street Lighting Equipment Components for Harlem Road Lighting Repairs for the Town Sign Maintenance Division of the Highway Department.

Information for bidders and specifications may be obtained from the Office of the Town Clerk in Town Hall.

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk
Bid #2015-13

DATED: March 2, 2015

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-127

Notice to Bidders - Concrete Installation (Bid #2015-14)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, it is in order that bids be advertised for Concrete Installation in the Town of Cheektowaga for the 2015 calendar year, AND

WHEREAS, the Engineering Department has prepared specifications for same, 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 Concrete Installation, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of March, 2015 at 11:00 am at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 18, 2015 at 11:00 am, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for Concrete Installation in the Town of Cheektowaga for the 2015 calendar year.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Concrete Installation" and submitted to the Town Clerk prior to bid opening.

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

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

Please be advised that in accordance with a resolution adopted by the Cheektowaga Town Board on December 23, 2008, effective December 24, 2008, contractors on all construction contracts with a value in excess of \$1,000,000 and up to \$3,000,000 must have Apprenticeship Agreements appropriate for the type and scope of work to be performed that have been registered with and approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk
Bid # 2015-14

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-128

Bond Resolution Reconstruct Resurface Highways

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED MARCH 2, 2015, AUTHORIZING
THE PARTIAL RECONSTRUCTION AND RESURFACING OF
VARIOUS TOWN HIGHWAYS, STATING THE ESTIMATED
MAXIMUM COST THEREOF IS \$2,375,000,
APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,
AND AUTHORIZING THE ISSUANCE OF BONDS IN THE
PRINCIPAL AMOUNT OF \$2,375,000 TO FINANCE SAID
APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE
COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less
than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein
called the "Town"), is hereby authorized to partially reconstruct and resurface various Town
highways. The estimated maximum cost thereof, including preliminary costs and costs
incidental thereto and the financing thereof, is \$2,375,000 and said amount is hereby
appropriated for such purpose. The plan of financing includes the issuance of bonds in the
principal amount of \$2,375,000 to finance said appropriation, and the levy and collection of
taxes on all the taxable real property in the Town to pay the principal of said bonds and the
interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$2,375,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 20 (c) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such

year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "*Cheektowaga Bee*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town

for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 2015, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 2015, authorizing the partial reconstruction and resurfacing of various Town highways, stating the estimated maximum cost thereof is \$2,375,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$2,375,000 to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to partially reconstruct and resurface various Town highways; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$2,375,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$2,375,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$2,375,000 of the Town pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is fifteen (15) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$2,375,000 bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 2, 2015

Alice Magierski
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by Gerald P. Kaminski and duly put to a vote on roll call, which resulted as follows:

AYES: Supervisor Holtz; Councilmember Rogowski; Councilmember Kaminski; Councilmember Benczkowski; Councilmember Meyers and Councilmember Adamczyk.

NOES: None

The resolution was declared adopted.

CERTIFICATE

I, ALICE MAGIERSKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on March 2, 2015, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 2nd day of March, 2015.

(SEAL)

Town Clerk

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-129

Bond Resolution Authorizing Drainage Improvements

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA, NEW YORK, ADOPTED MARCH 2, 2015, AUTHORIZING THE CONSTRUCTION OF DRAINAGE IMPROVEMENTS ON TOWN HIGHWAYS, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$625,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$625,000 TO FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein called the "Town"), is hereby authorized to construct drainage improvements on Town highways. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$625,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$625,000 to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 2. Bonds of the Town in the principal amount of \$625,000 are hereby

authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "*Cheektowaga Bee*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 2015, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 2015, authorizing the construction of drainage improvements on Town highways, stating the estimated maximum cost thereof is \$625,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$625,000 to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to construct drainage improvements on Town highways; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$625,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$625,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of \$625,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is forty (40) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 2, 2015

Alice Magierski
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by Gerald P. Kaminski and duly put to a vote on roll call, which resulted as follows:

AYES: Supervisor Holtz; Councilmember Rogowski; Councilmember Kaminski; Councilmember Benczkowski; Councilmember Meyers and Councilmember Adamczyk.

NOES: None

The resolution was declared adopted.

CERTIFICATE

I, ALICE MAGIERSKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on March 2, 2015, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 2nd day of March, 2015.

(SEAL)

Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-130

Bond Resolution for Reconstruct Sidewalks

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED MARCH 2, 2015, AUTHORIZING
THE RECONSTRUCTION OF VARIOUS SIDEWALKS IN THE
TOWN, STATING THE ESTIMATED MAXIMUM COST
THEREOF IS \$200,000, APPROPRIATING SAID AMOUNT
FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE
OF BONDS IN THE PRINCIPAL AMOUNT OF \$200,000 TO
FINANCE SAID APPROPRIATION

THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE
COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less
than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town of Cheektowaga, in the County of Erie, New York (herein
called the "Town"), is hereby authorized to reconstruct various sidewalks in the Town. The
estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the
financing thereof, is \$200,000 and said amount is hereby appropriated for such purpose. The
plan of financing includes the issuance of bonds in the principal amount of \$200,000 to finance
said appropriation, and the levy and collection of taxes on all the taxable real property in the
Town to pay the principal of said bonds and the interest thereon as the same shall become due
and payable.

Section 2. Bonds of the Town in the principal amount of \$200,000 are hereby

authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness applicable to the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and Section 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution is subject to a permissive referendum and the Town Clerk is hereby authorized and directed, within ten (10) days after the adoption of this resolution, to cause to be published, in full, in the "*Cheektowaga Bee*," a newspaper having a general circulation within said Town and hereby designated the official newspaper of the Town for such publication and posted on the sign board of the Town maintained pursuant to the Town Law, a Notice in substantially the following form:

TOWN OF CHEEKTOWAGA, NEW YORK

PLEASE TAKE NOTICE that on March 2, 2015, the Town Board of the Town of Cheektowaga, in the County of Erie, New York, adopted a bond resolution entitled:

“Bond Resolution of the Town of Cheektowaga, New York, adopted March 2, 2015, authorizing the reconstruction of various sidewalks in the Town, stating the estimated maximum cost thereof is \$200,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$200,000 to finance said appropriation,”

an abstract of which bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING said Town to reconstruct various sidewalks in the Town; STATING the estimated maximum cost thereof, including preliminary costs, and costs incidental thereto and the financing thereof, is \$200,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$200,000 to finance said appropriation, and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds of the Town in the principal amount of \$200,000, pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which said bonds are authorized to be issued is ten (10) years; the proceeds of said bonds and any bond anticipation notes issued in anticipation thereof may be applied to reimburse the Town for expenditures made after the effective date of this bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Town; and PLEDGING to their payment the faith and credit of the Town;

FIFTH: DELEGATING to the Supervisor the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: March 2, 2015

Alice Magierski
Town Clerk

Section 8. The Town Clerk is hereby authorized and directed to cause said bond resolution to be published, in summary, after said bond resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

* * *

The adoption of the foregoing resolution was seconded by Gerald P. Kaminski and duly put to a vote on roll call, which resulted as follows:

AYES: Supervisor Holtz; Councilmember Rogowski; Councilmember Kaminski; Councilmember Benczkowski; Councilmember Meyers and Councilmember Adamczyk.

NOES: None

The resolution was declared adopted.

CERTIFICATE

I, ALICE MAGIERSKI, Town Clerk of the Town of Cheektowaga, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Cheektowaga duly called and held on March 2, 2015, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Cheektowaga this 2nd day of March, 2015.

(SEAL)

Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-131

Authorize Supervisor to Execute Municipal Cooperation Agreement with Village of Depew

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, Zurbrick Road is a public highway which runs from Borden Road to Transit Road, the northern one-half of which is owned and maintained by the Village of Depew, and the southern one-half of which is owned and maintained by the Town of Cheektowaga, and

WHEREAS, representatives of the Village of Depew and Town of Cheektowaga met to discuss the need to reconstruct and rehabilitate the Zurbrick Road pavement, said work to be done in 2015, and

WHEREAS, the Village of Depew and Town of Cheektowaga will each share in the cost of the Zurbrick Road reconstruction, and

WHEREAS, a municipal cooperation agreement is authorized under Article 5-G of the General Municipal Law, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned municipal cooperation with the Village of Depew

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-132

Authorize Supervisor to Execute Change Order No. 6 with Industrial Power & Lighting Corporation

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the contract for Electrical Work for the Police and Court Building Addition and Renovations Project was awarded by Town Board Resolution dated September 7, 2010 to Industrial Power & Lighting Corporation, 701 Seneca Street, Buffalo, New York 14210 in the amount of \$1,889,000.00, AND

WHEREAS, when the project was nearing completion, various additional electrical work was required pertaining to changes in the Police Department furniture layout and other related items as further described in labor and material breakdowns dated 10/29-11/9 and 11/16 of 2011, AND

WHEREAS, the Town Engineer has recommended the approval of Change Order No. 6 (Final - Electrical Work), contents described above, requested by the Police Department as an addition to the original scope of the original project, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 6 (Final - Electrical Work) for the Police & Court Building Addition and Renovation Project in the amount of \$7,377.81 as an addition to the contract of Industrial Power & Lighting Corporation be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order documents on behalf of this Town Board, chargeable to Account #500-1440-2535-5025.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-133

Authorize Supervisor to Execute Agreement with Trautman Associates for Professional Services at the Julia Boyer Reinstein Library

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, as a result of the event known as "Winter Storm Knife" in November of 2014, the structural integrity of an engineered wood purlin (beam) was compromised at the Julia Boyer Reinstein Library located at 1030 Losson Road, AND

WHEREAS, after an inspection was made by a structural engineer and Town representatives, it became clear that said purlin needs to be removed, redesigned and replaced along with related reconstruction, AND

WHEREAS, the firm of Trautman Associates has submitted a proposal to provide engineering and architectural services, including construction drawings and specifications related to said purlin removal, redesign and replacement as further described in their proposal dated February 19, 2015 for a fee not to exceed \$8,500.00, NOW, THEREFORE, BE IT

RESOLVED, that the proposal from Trautman Associates, 470 Franklin Street, Buffalo, New York 14202 for professional services related to construction drawings and specifications for the removal, redesign and replacement of an engineered wood purlin along with related reconstruction at the Julia Boyer Reinstein Library is hereby approved and accepted, AND, BE IT FURTHER

RESOLVED, that all funding for professional services and reconstruction has been deemed reimbursable from FEMA representatives, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute said professional services agreement for the aforesaid project on behalf of this Town Board.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-134

Authorize Supervisor to Execute Agreement with Trautman Associates for Professional Services for Repair of Structural Columns at the Highway Department Vehicle Storage Garage

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, there are two (2) existing structural columns located adjacent to the overhead door on the east side of the Highway Department vehicle storage garage located at 3145 Union Road, AND

WHEREAS, said overhead door has been the location where highway salting vehicles have washed out their boxes of salt residue, AND

WHEREAS, the combination of salt, water and debris has, over the years, adhered itself to the base of the existing columns which has led to substantial corrosion at the web of said columns, AND

WHEREAS, after an inspection was made by a structural engineer and Town representatives, it was evident that said columns need immediate attention and repair, AND

WHEREAS, the firm of Trautman Associates has submitted a proposal to provide engineering and architectural services, including construction drawings and specifications related to said column repair as further described in their proposal dated February 19, 2015, for a fee not to exceed \$2,000.00, NOW, THEREFORE, BE IT

RESOLVED, that the proposal from Trautman Associates, 470 Franklin Street, Buffalo, New York 14202 for professional services related to construction drawings and specifications for the repair of two (2) structural columns at the Highway Department vehicle storage garage is hereby approved and accepted, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute said professional services agreement for the aforesaid project on behalf of this Town Board, chargeable to Account #100-5132-4432.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-135

Approve Cultural Group Funding for Cheektowaga Community Symphony Orchestra

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town, in its 2015 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2014 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves agreement(s) with the cultural and not-for-profit organization(s) listed below for the amount(s) listed, and BE IT FURTHER

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

| <u>Cultural/Not-For-Profit Organization</u> | <u>Funding Approved</u> |
|---|-------------------------|
| Cheektowaga Community Symphony Orchestra | \$18,000.00 |

And BE IT FURTHER

RESOLVED that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2015 Town budget, subject to audit and approval of a properly signed Town voucher.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-136

2015 Family Support Service Contract

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that subject to approval by the Town Attorney the Supervisor be and hereby is authorized to execute the 2015 Family Support Service Contract in the amount of \$28,886.00, on behalf of the Department of Youth & Recreational Services and the New York State Office for People with Developmental Disabilities.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-137

2015 Community Development Block Grant Annual Plan and 5-Year Consolidated Plan

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga is eligible to receive \$916,326 in Community Development Block Grant Funds and \$193,030 in HOME Investment Partnership funds for the 2015 program year from the United States Department of Housing & Urban Development, and

WHEREAS, Public hearings regarding the use of said funds were held on October 20, 2014 and January 20, 2015, and

WHEREAS, the United States Department of Housing & Urban Development reduced CDBG funding in the amount of \$27,476 and \$23,994 in HOME funding to the original draft plan that was reviewed by the public, and

WHEREAS, the decrease in funding was absorbed by the Single Family Housing Rehabilitation activity, the treatment for such funding changes as described in the draft Annual Action Plan reviewed by the public, and

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

RESOLVED, that the Town Board hereby adopts and approves the submission of the Town of Cheektowaga Community Development Block Grant Program Annual Action Plan for the 2015 Program Year and the HOME Consortium Five-Year Consolidated Plan to the Department of Housing and Urban Development for the 2015 to 2019 Program Year period in conjunction with the Amherst-Cheektowaga-Tonawanda HOME Consortium, including the projects contained in the attached CDBG and HOME Project Summaries, and BE IT

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign the required Certifications and any other Community Development Block Grant and HOME Program related documents as may be necessary, including annual grant agreements, with the United States Department of Housing and Urban Development, and BE IT

FURTHER RESOLVED, that the Supervisor is also authorized to sign the required Sub Recipient Agreements with the Villages of Depew and Sloan, as well as Belmont Housing Resources for WNY, Child & Family Services, and Supportive Services, which are the not-for-profit agencies assigned to carry out the services as outlined in the Annual Action Plan.

**Town of Cheektowaga
Community Development Block Grant Program Budget
2015 Program Year**

| | |
|---|--------------------------------|
| Housing Rehabilitation - Single Family Owner-Occupied Units | \$ 1,724 |
| Housing Rehabilitation - Multi-Family Owner-Occupied Units..... | 100,300 |
| Housing Rehabilitation - Emergency Program..... | 66,000 |
| Housing Rehabilitation - Sump Pump Grant Program | 12,000 |
| Housing Rehabilitation - Handicap Accessibility Program | 6,000 |
| First Time Homebuyer Assistance..... | 10,000 |
| Weatherization | 5,000 |
| Housing Counseling Services | 11,000 |
| Summer Day Camp for Children | 22,000 |
| Senior Citizen Services Outreach Assistant | 9,000 |
| Domestic Violence Program..... | 9,000 |
| Public Safety - Police Foot Patrols | 33,000 |
| Cedargrove Youth Services | 30,000 |
| Administration | 171,463 |
| Rehabilitation Activity Delivery Costs | 335,539 |
| <u>Village of Depew</u> | <u>71,600</u> |
| \$64,400 - Drainage & Sewer Improvements | |
| 7,200 - Senior Services Center Support Staff | |
| <u>Village of Sloan</u> | <u>22,700</u> |
| \$22,700 - Drainage and Sewer Improvements | |
| Total 2015 CDBG Allocation | 916,326 |
| Projected Revolving Program Income - Housing Rehabilitation..... | 275,000 |
| <u>Projected Revolving Program Income - Economic Development.....</u> | <u>275,000</u> |
| \$21,434 - Administration | |
| 253,566 - Loan Activity | |
| Total Projected Available Funds for CDBG Activities | <u>\$ 1,466,326</u> |

HOME Investment Partnership Program Budget

| | |
|--|------------------------------|
| First-Time Homebuyers Program | \$ 14,014 |
| HOME Administration..... | 3,000 |
| Housing - Major Rehabilitation Program..... | <u>176,006</u> |
| Total 2014 HOME Allocation | 193,020 |
| Projected Revolving Program Income | <u>27,000</u> |
| \$27,000 - Housing - Moderate Rehabilitation Program | |
| Total Projected Available Funds for HOME Activities | <u>\$ 220,020</u> |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-138

Memorialize New York State to Enact Stricter Sex Offender Residency Restrictions

Sponsored By: Rogowski, Holtz, Kaminski, Benczkowski, Meyers, Adamczyk

WHEREAS, the Cheektowaga Town Board enacted Chapter 200 of the Town Code of the Town of Cheektowaga ("Sex Offenders") to prevent convicted sex offenders from residing or living near areas where children regularly meet and congregate; and to otherwise protect the health, safety and welfare of Town residents, and

WHEREAS, the New York State Court of Appeals, on February 17, 2015, rendered a decision holding that only New York State can regulate a sex offender's residence, and that local governments are prohibited from enacting their own residency restrictions, and

WHEREAS, New York State law only prohibits certain classes of sex offenders from living within 1,000 feet of a school and certain other regulations to be promulgated only by state agencies, and

WHEREAS, this Board strongly feels that restrictions need to be in place to regulate the residency of sex offenders near parks, playgrounds, day-care centers, skating rinks, dance halls, teen community centers and other places where children regularly congregate; as such, we feel that the State needs to enact stricter and more comprehensive legislation to regulate the locations where sex offenders may live, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby strongly memorializes the New York State Assembly, Senate and Governor to take quick action to enact stricter legislation to regulate where convicted sex offenders may reside, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to State Senators and Assembly Members from the Western New York area, and to Governor Andrew Cuomo.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-139

Hiring of Part-Time Employee

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

BE IT RESOLVED, that the following individual be and hereby is hired as a **PART-TIME EMPLOYEE** in the department listed, not to exceed nineteen (19) hours on a weekly basis, in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

JUSTICE COURT Clerk \$9.25/hour effective 3/3/15
Barbara T. Lukasik, Depew, New York

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-140

Appointment of Maintenance Worker (Labor/Permanent) Facilities Department (Buildings and Grounds Division) - Mark P. Mez

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Maintenance Worker position exists in the Facilities Department (Buildings and Grounds 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, no bargaining unit member bid on the vacancy; AND

WHEREAS, Mark P. Mez of Cheektowaga, New York, currently employed as a temporary Maintenance Worker in the Facilities Department, applied for said vacancy and meets the qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Mark P. Mez of Cheektowaga, New York be and hereby is appointed to the position of Maintenance Worker in the Facilities Department (Buildings and Grounds Division) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective March 3, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-141

Appointment of Laborer (Labor/Permanent) Highway Department/Daniel E. Miller

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Laborer in the Highway Department; AND

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

WHEREAS, Daniel E. Miller, currently employed as a Laborer in the Sanitation Department, bid on said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Daniel E. Miller of Cheektowaga, New York, be and hereby is appointed to the position of Laborer in the Highway Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective March 3, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-142

Travel Authorization Police Department/Detectives David Mossman and James Genson

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Pennsylvania Investigators Association Advanced Practical Homicide Investigation Course is being held April 13 through April 17, 2015; AND

WHEREAS, Detectives David Mossman and James Genson have been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,733.91; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Detectives David Mossman and James Genson be and hereby are authorized to attend the Pennsylvania Investigators Association Advanced Practical Homicide Investigation Course being held April 13 through April 17, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-143

Travel Authorization Police Department/Sergeant Lawrence Bauer, Sergeant Thomas Allen, Police Officers Kurt Spieler and Jay Ober

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Taser Instructor Recertification Course is being held April 10, 2015 in Utica, New York; AND

WHEREAS, Sergeants Lawrence Bauer and Thomas Allen along with Police Officers Kurt Spieler and Jay Ober have been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,795.14; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Sergeants Lawrence Bauer and Thomas Allen along with Police Officers Kurt Spieler and Jay Ober be and hereby are authorized to attend the Taser Instructor Recertification Course being held April 10, 2015 in Utica, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



26. RESOLUTION 2015-144

Travel Authorization Police Department/Captain Michael Isbrandt, Detectives Christopher Chojnacki, Joseph Bauman and Eric Broska

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Subconscious Communication: A Psychological Approach for Detecting Deception and Detecting Danger Course is being held March 10 through March 11, 2015 at Niagara University; AND

WHEREAS, Captain Michael Isbrandt, Detectives Christopher Chojnacki, Joseph Bauman and Eric Broska have been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$882.77; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Captain Michael Isbrandt, Detectives Christopher Chojnacki, Joseph Bauman and Eric Broska be and hereby are authorized to attend the Subconscious Communication: A Psychological Approach for Detecting Deception and Detecting Danger Course being held March 10 through March 11, 2015 at Niagara University.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



27. RESOLUTION 2015-145

Travel Authorization Police Department/Captain Michael Isbrandt, Lieutenant Thomas Wentland and Detectives Eric Broska, Terence Griffin, Robert Laskowski, Michael Pilat, Kevin Schmitt and John Skonecki

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, The Ultimate Online Investigators Tool Box Course is being held March 27, 2015 at Niagara University; AND

WHEREAS, Captain Michael Isbrandt, Lieutenant Thomas Wentland, and Detectives Eric Broska, Terence Griffin, Robert Laskowski, Michael Pilat, Kevin Schmitt and John Skonecki have been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$474; AND

WHEREAS, these expenses have been budgeted by the Department; NOW,
THEREFORE, BE IT

RESOLVED, that Captain Michael Isbrandt, Lieutenant Thomas Wentland, and Detectives Eric Broska, Terence Griffin, Robert Laskowski, Michael Pilat, Kevin Schmitt and John Skonecki be and hereby are authorized to attend The Ultimate Online Investigators Tool Box Course is being held March 27, 2015 at Niagara University.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Communications

A. Departmental Communications

1. **Supervisor's Statement of Funds - December 2014**
2. **Minutes: Cheektowaga Traffic Safety Commission - January 20, 2015**

3. Minutes: Cheektowaga Planning Board - February 12, 2015***B. General Communications***

- 1. Notice of Claim: Daniel J. Albrecht vs. Town of Cheektowaga**
- 2. Notice of Claim: Carol Baker vs. Town of Cheektowaga**
- 3. Notice of Claim: Daniel T. Baker vs. Town of Cheektowaga**
- 4. Notice of Claim: Judith Bauer, Individually and as Parent and Petitioner of Estate of David Deneke vs. Town of Cheektowaga (2) (Highway & Police)**
- 5. Notice of Claim: Chad Elgersmat vs. Town of Cheektowaga**
- 6. Notice of Claim: Andrew R. Kelly vs. Town of Cheektowaga**
- 7. Notice of Claim: David Mastriano vs. Town of Cheektowaga**

VI. Comments***A. Supervisor's Comments******B. Councilmember's Comments******C. Public Comments*****VII. Adjournment**

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to adjourn the meeting at 7:30 PM

Vickie L. Dankowski, Deputy Town Clerk



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, March 16, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on March 16, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Absent | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Absent | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Mark Wegner, Highway Superintendent

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-146

Transfer of Funds-2015

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|---------------|------------------|-------------|
| FROM: | 100.3120.3820 | State Aid Police | \$10,661.10 |
|-------|---------------|------------------|-------------|

| | | | |
|-----|---------------|--------------------|-------------|
| TO: | 100.3120.2205 | Grant Expenditures | \$10,661.10 |
|-----|---------------|--------------------|-------------|

HIGHWAY

| | | | |
|-------|---------------|------------------|-------------|
| FROM: | 300.5110.4162 | Gasoline & Oil | \$30,000.00 |
| | 300.5110.4177 | Receiver & Pipe | 10,000.00 |
| | 300.5140.4291 | Shade Trees | 15,000.00 |
| | 300.5140.4297 | Tree Maintenance | 5,000.00 |

| | | | |
|-----|---------------|---------------|-------------|
| TO: | 300.5140.4191 | Miscellaneous | \$60,000.00 |
|-----|---------------|---------------|-------------|

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Gerald Kaminski, Councilmember

SECONDER: Mary Holtz, Supervisor

AYES: Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski

ABSENT: Timothy J. Meyers, Christine Adamczyk



2. RESOLUTION 2015-147

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to March 16, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$2,981,888.24 |
| RISK RETENTION FUND | 949,799.22 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 16,000.00 |
| HUD HOUSING REHABILITATION FUND | 1,250.00 |
| SPECIAL DISTRICTS FUND | 1,157,971.18 |
| HIGHWAY FUND | 554,545.94 |
| CAPITAL FUND | 211,669.11 |
| TRUST & AGENCY FUND | 475.11 |
| HUD CDBG FUND | 1,609.93 |
| PART TOWN FUND | 136,293.29 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$6,011,502.02 |

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



3. RESOLUTION 2015-148

Award of Bid - Equipment & Operators for Public Works Projects (Bid #2015-3)

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, as a result of advertisement, bids were received on February 4, 2015 for the furnishing of Equipment and Operators for Public Works Projects in the Town of Cheektowaga, AND

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

RESOLVED, that the contract for the furnishing of Equipment and Operators for Public Works Projects in the Town of Cheektowaga for the period of March 16, 2015 to March 15, 2016 be awarded to C.M.H. Company, Inc., 12704 North Road, Alden, New York 14004 for submission of the lowest bid meeting the specifications as per the unit prices of:

| | | <u>Per Hour Rate</u> |
|---------|------------------------------------|----------------------|
| Item 1 | Tandem Dump Truck | \$ 77.00 |
| Item 2 | Hydraulic Rubber Tire Backhoe | \$ 90.00 |
| Item 3 | Pavement Saw Cutting Machine | \$100.00 |
| Item 4 | Hydraulic Crawler Backhoe (JD-60) | \$ 90.00 |
| Item 5 | Hydraulic Crawler Backhoe (JD-160) | \$110.00 |
| Item 6 | Hydraulic Crawler Backhoe (JD-290) | \$120.00 |
| Item 7 | Bulldozer | \$100.00 |
| Item 8 | Front End Wheel Loader | \$110.00 |
| Item 9 | 1.5 Ton Vibratory Blacktop Roller | \$ 80.00 |
| Item 10 | Hydraulic Crawler Backhoe W/Hammer | \$100.00 |
| Item 11 | Smooth Drum Dirt Roller | \$ 84.00 |
| Item 12 | Skilled Laborer | \$ 87.00 |
| Item 13 | Equipment Truck | \$ 10.00 |
| Item 14 | 8' x 10' Trench Shield | \$ 5.00 |
| Item 15 | Air Compressor W/Hammers | \$ 10.00 |
| Item 16 | Sewer Line Repair Crew | \$351.00 |
| Item 17 | New Sewer/Water Installation Crew | \$481.00 |
| Item 18 | New Sewer Line Installation Crew | \$568.00 |

AND, BE IT FURTHER

RESOLVED, that payment for work performed under this contract shall be chargeable to the appropriate departmental budgeted line item.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



4. RESOLUTION 2015-149

Award of Bid - Cold Milling Various Town Highways (Bid #2015-7)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Cold Milling of Various Town Highways within the Town of Cheektowaga, which bids were duly received and opened on February 18, 2015, AND

WHEREAS, three (3) bids were received and referred to the Town Engineer for analysis and tabulation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Cold Milling of Various Town Highways in the Town of Cheektowaga for the year of 2015 be awarded to:

Donegal Construction Corporation
1235 Marguerite Lake Road
Greensburg, PA 15601

for the bid price of \$123,750.00, said being the lowest bid meeting the requirements of the specifications.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



5. RESOLUTION 2015-150

Award of Bid - Work Uniforms (Bid #2015-8)

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of Work Uniforms for calendar year 2015, which bids were duly received and opened by the Office of the Town Clerk at a public bid opening on February 18, 2015, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the furnishing of Work Uniforms for calendar year 2015 be hereby awarded to the respective firms stated below having submitted the lowest bid meeting the requirements of the specifications for the unit prices for individual bid items as stated.

BID ITEM I

Williamson Dickie Mfg. Company
509 West Vickery Boulevard
Fort Worth, Texas 76104

| | | |
|---------|--|---------|
| Item 1A | Work Pants (sizes to 44) | \$15.05 |
| Item 1B | Work Pants (sizes 46-50) | \$16.55 |
| Item 1C | Work Pants (sizes 52-60) | \$18.25 |
| Item 2A | Shirts (long sleeve, sizes up to 17-1/2) | \$13.30 |
| Item 2B | Shirts (long sleeve, sizes 18 and up) | \$14.65 |
| Item 3A | Chambray Shirts (long sleeve, sizes up to 17-1/2) | \$14.15 |
| Item 3B | Chambray Shirts (long sleeve, sizes 18 and up) | \$15.55 |
| Item 4A | Shirts (short sleeve, sizes up to 17-1/2) | \$12.50 |
| Item 4B | Shirts (short sleeve, sizes 18 and up) | \$13.75 |
| Item 5A | Chambray Shirts (short sleeve, sizes up to 17-1/2) | \$12.50 |
| Item 5B | Chambray Shirts (short sleeve, sizes 18 and up) | \$13.75 |
| Item 6A | Coveralls (long sleeve, sizes 36-46, short - X long) | \$24.70 |
| Item 6B | Coveralls (long sleeve, sizes 48-50, short - X long) | \$24.70 |

| | | |
|---------|--|---------|
| Item 6C | Coveralls (long sleeve, sizes 52-60, short - X long) | \$27.20 |
| Item 7A | Denim Jeans (sizes 28-42) | \$11.45 |
| Item 7B | Denim Jeans (sizes 44-50) | \$12.65 |
| Item 7C | Denim Jeans (sizes 52-60) | \$13.95 |
| Item 8A | Bib Overalls (sizes to 44) | \$19.65 |
| Item 8B | Bib Overalls (sizes 46-50) | \$21.65 |
| Item 8C | Bib Overalls (sizes 52-60) | \$23.85 |
| Item 9A | Women's Work Pants (sizes 4-20) | \$14.05 |
| Item 9B | Women's Work Pants (sizes 22-28) | \$17.00 |

BID ITEM II

Philipps Brothers Supply Inc.
2525 Kensington Avenue
Amherst, NY 14226-4930

| | | |
|---------|-------------------------------------|---------|
| Item 1A | High Visibility Jacket (sizes S-XL) | \$49.95 |
| Item 1B | High Visibility Jacket (size 2XL) | \$49.95 |
| Item 1C | High Visibility Jacket (size 3XL) | \$49.95 |
| Item 1D | High Visibility Jacket (size 4XL) | \$53.95 |
| Item 1E | High Visibility Jacket (size 5XL) | \$53.95 |
| Item 1F | High Visibility Jacket (size 6XL) | \$55.95 |

BID ITEM III

DiVal Safety Equipment
1721 Niagara Street
Buffalo, NY 14207

| | | |
|---------|---|---------|
| Item 1A | Hooded Pullover Sweatshirt (sizes S-XL) | \$13.27 |
| Item 1B | Hooded Pullover Sweatshirt (size 2XL) | \$16.87 |
| Item 1C | Hooded Pullover Sweatshirt (size 3XL) | \$19.97 |
| Item 1D | Hooded Pullover Sweatshirt (size 4XL) | \$22.87 |

| | | |
|---------|---------------------------------------|---------|
| Item 2A | Hooded Zipper Sweatshirt (sizes S-XL) | \$18.07 |
| Item 2B | Hooded Zipper Sweatshirt (size 2XL) | \$18.97 |
| Item 2C | Hooded Zipper Sweatshirt (size 3XL) | \$22.97 |
| Item 2D | Hooded Zipper Sweatshirt (size 4XL) | \$24.47 |
| Item 3A | Heavy Duty Sweatshirt (sizes S-XL) | \$ 8.47 |
| Item 3B | Heavy Duty Sweatshirt (size 2XL) | \$11.37 |
| Item 3C | Heavy Duty Sweatshirt (size 3XL) | \$12.97 |
| Item 3D | Heavy Duty Sweatshirt (size 4XL) | \$14.97 |

BID ITEM IV

Williamson Dickie Mfg. Company
509 West Vickery Boulevard
Fort Worth, Texas 76104

| | | |
|---------|-------------------------------------|---------|
| Item 1A | Insulated Bib Overall (sizes 34-48) | \$52.65 |
| Item 2A | Insulated Bib Overall (size 50) | \$57.90 |

BID ITEM V

The Liberty Store
5 East Genesee Street
Auburn, NY 13021

| | | |
|---------|-----------------------------------|---------|
| Item 1A | Tee Shirts (sizes M-XL) | \$ 3.99 |
| Item 1B | Tee Shirts (size 2XL) | \$ 6.12 |
| Item 1C | Tee Shirt (size 3XL) | \$ 6.12 |
| Item 1D | Tee Shirt (size 4/5XL) | \$ 6.12 |
| Item 2A | Pocket Tee Shirt (size M-XL) | \$ 5.59 |
| Item 2B | Pocket Tee Shirt (size 2XL) | \$ 6.73 |
| Item 2C | Pocket Tee Shirt (size 3XL) | \$ 6.73 |
| Item 2D | Pocket Tee Shirt (size 4/5XL) | \$ 6.73 |
| Item 3A | Long Sleeve Tee Shirt (size m-XL) | \$ 6.99 |
| Item 3B | Long Sleeve Tee Shirt (size 2XL) | \$ 9.24 |

| | | |
|---------|---|---------|
| Item 3C | Long Sleeve Tee Shirt (size 3XL) | \$ 9.24 |
| Item 3D | Long Sleeve Tee Shirt (size 4/5 XL) | \$ 9.24 |
| Item 4A | Long Sleeve Tee Shirt W/Pocket (size M-XL) | \$ 8.52 |
| Item 4B | Long Sleeve Tee Shirt W/Pocket (size 2XL) | \$10.52 |
| Item 4C | Long Sleeve Tee Shirt W/Pocket (size 3XL) | \$10.52 |
| Item 4D | Long Sleeve Tee Shirt W/Pocket (size 4/5XL) | \$10.52 |

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Gerald Kaminski, Councilmember

AYES: Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski

ABSENT: Timothy J. Meyers, Christine Adamczyk



6. RESOLUTION 2015-151

Award of Bid - Street Light Standards (Bid #2015-11)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the purchase of round tapered aluminum street light standards with elliptical arms, which bids were duly opened on March 4, 2015, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, AND

WHEREAS, said report recommends that the bid for the furnishing of round tapered aluminum street light standards with elliptical arms be awarded to Shanor Electric Supply, Inc. for their bid proposal, being the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the furnishing of round tapered aluminum street light standards with elliptical arms is hereby awarded to:

Shanor Electric Supply, Inc.
1276 Military Road
Kenmore, New York 14217

for their unit price bid of \$815.50 each and total bid for a quantity of twenty-five (25) in the amount of \$20,387.50 to be chargeable to the Town's General Lighting District Budget.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



7. RESOLUTION 2015-152

Award of Bid - Equipment & Operators for the Installation of Cured-in-Place Sanitary Sewer Point Repairs (Bid #2015-12)

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, as a result of advertisement, bids were received on March 4, 2015 for the furnishing of equipment & operators for the installation of cured-in-place sanitary sewer point repairs in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which tabulation and report is contained in a letter from the Town Engineer dated March 10, 2015, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment & operators for the installation of cured-in-place sanitary sewer point repairs be awarded to:

Sewer Specialty Services Company, Inc.
2462 New Road
Leicester, New York 14481

for submission of the lowest bid meeting the requirements of the specifications in the amount of \$3,200.00/day for equipment & operators and the unit prices for the various diameter, material repair lengths stated below:

- | | | |
|----|---|-----------------|
| 1) | 8" diameter, 2' long point repair materials: | \$ 650.00 each |
| 2) | 8" diameter, 4' long point repair materials: | \$1,300.00 each |
| 3) | 10" diameter, 2' long point repair materials: | \$ 650.00 each |
| 4) | 10" diameter, 4' long point repair materials: | \$1,300.00 each |
| 5) | 12" diameter, 2' long point repair materials: | \$ 700.00 each |
| 6) | 12" diameter, 4' long point repair materials: | \$1,400.00 each |

AND, BE IT FURTHER

RESOLVED, that funds have been budgeted in the Consolidated Sewer District Account No. 255-8125-4543 for this work.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



8. RESOLUTION 2015-153

Negative SEQR Declaration- 1550 Walden Avenue Basil Ford

Sponsored By: Supervisor Holtz, Councilmember Rogowski

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

WHEREAS, an application was submitted by Charles Basil on Behalf of 1520-1540 Walden Avenue Realty, LLC for the rezoning of 1550 Walden Avenue from CM- General Commercial to MS- Motor Services to permit the conversion of an existing bowling alley facility to a new motor vehicle sales facility, with accessory used car sales, motor vehicle service and display, 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, the Town of Cheektowaga Planning Board recommended approval of the rezoning request and site plan at their meetings of February 12, 2015. AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is recommending its approval, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on March 11, 2015 has recommended a determination of non-significance, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, the Planning Board, and the Traffic Safety Commission NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

| | |
|------------------|---|
| RESULT: | ADOPTED AS AMENDED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



9. RESOLUTION 2015-154

Accept Site Plan - 1550 Walden Avenue Basil Ford

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Charles Basil submitted a development review application for the conversion of an existing bowling alley facility at 1550 Walden Avenue to a new motor vehicle sales facility, with accessory used car sales, motor vehicle service and vehicle displays, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of March 12, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to :

1. Plan amendments providing for a an accessible pedestrian route from the public walk to the main building and provisions for handicap parking.
2. Submission of a photometric plan for review by the Town Planner for any new exterior lighting.
3. Submission of a plan for any new signage for review by the Town Planner.
4. Confirmation of land owner permission to use the existing paved area for parking within the existing vehicular access easement filed under L8724, P477.

| | |
|----------------|------------------|
| RESULT: | WITHDRAWN |
|----------------|------------------|



10. RESOLUTION 2015-155

Approval of Rezoning - 1550 Walden Avenue

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, Basil Ford/1520-1540 Walden Avenue Realty, LLC petitioned for a rezoning from CM-General Commercial District to MS-Motor Services District for property owned by it and identified as 1550 Walden Avenue, Cheektowaga, New York, which property is described in the attached legal description, to permit the conversion of a former bowling alley facility into an automobile dealership for the sale/display of new and used motor vehicles and for the servicing of same, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 2nd day of March, 2015 at 6:45 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 Basil Ford/1520-1540 Walden Avenue Realty, LLC for the rezoning from CM-General Commercial District to MS-Motor Services District of the property described in the attached legal description for the conversion of a former bowling alley facility into an automobile dealership for the sale/display of new and used motor vehicles and the servicing of same be and the same is hereby approved, and BE IT FURTHER

RESOLVED, that any future additions to the development or site plan must be resubmitted to the Town Board to determine whether the addition is substantially in agreement with the intent of this rezoning and site plan approval, and BE IT FURTHER

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



LEGAL DESCRIPTION

All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey, described as follows:

Parcel "A"

BEGINNING at the point of intersection of the northerly line of Walden Avenue Extension (being also the northerly line of the parcel of land appropriated by The People of the State of New York for purposes connected with the Thruway System as shown and described on a map prepared by New York State Department of Public Works and entitled "Ontario Thruway-Erie County-Town of Cheektowaga Dist. No. 5 Map No. 252 Parcel No. 252" dated April 20, 1950 and filed in the Erie County Clerk's Office on November 28, 1950) with the easterly line of lands conveyed to Scharell Corporation by deed recorded in the Erie County Clerk's Office in Liber 5484 of Deeds at page 408 (said easterly line being also the easterly line of lands conveyed to Elnathan Bennett by deed recorded in the Erie County Clerk's Office in Liber 58 of Deeds at page 549 and being also the easterly line of the parcel of land firstly described in deed made by Fair Land Realty Company dated September 19, 1916 recorded in the Erie County Clerk's Office in Liber 1360 of Deeds at page 246;) running thence northerly along the easterly line of the lands so conveyed to Scharell Corporation 814.73 feet, more or less, to a point distant southeasterly 68.5 feet measured at right angles from the monumented line of the West Shore Railroad (said monumented line being 6.5 feet southeasterly of and parallel with the center line of the altered and changed route of the New York, West Shore and Buffalo Railway); thence southwesterly parallel with and distant southeasterly 68.5 feet measured at right angles from said monumented line 348.95 feet, more or less, to a point distant westerly 300 feet measured at right angles from the easterly line of the lands conveyed to Scharell Corporation by deed aforesaid; running thence southerly parallel with and distant westerly 300 feet measured at right angles from the easterly line of the lands so conveyed to Scharell Corporation 674.68 feet, more or less, to the said northerly line of Walden Avenue Extension; thence easterly along the northerly line of Walden Avenue Extension 302.68 feet, more or less, to the point or place of beginning.

Parcel "B"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey and according to a map filed in the Erie County Clerk's Office under Cover No. 372 is known as Subdivision Lots Nos. 88 to 116, inclusive.

Parcel "C"

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 24, Township 11, Range 7 of the Holland Land Company's Survey and according to a map filed in the Erie County Clerk's Office under Cover No. 372, is known as Subdivision Lot No. 117.

EXCEPTING therefrom that part taken by the State of New York by Notice of Appropriation recorded in Liber 4840 of Deeds at page 189 and designated as Map No. 250, Parcel No. 250.

Together with all right, title and interest of, in and to any streets and roads abutting the above described premises, further conveying all of the grantor's right claim and interest in a certain easement for ingress and egress over a portion of the westerly 24.8' of The Avenue, as described in agreement dated November 15, 1978 between Ellicott Drug Company and Consolidated Bowling Company recorded November 21, 1978 in Liber 8724 of Deeds at page 477.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



11. RESOLUTION 2015-156

Call for Public Hearing - 6500 Transit Road Rezoning Request & Special Use Permit

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, 6500 Transit Road, LLC has made application for a special use permit and is requesting the rezoning of 6500 Transit Road from M1- Light Manufacturing to M2- General Manufacturing and CM- General Commercial for the construction of a truck terminal, an office building and a restaurant with an accessory drive thru window, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on April 6, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the April 6, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

6500 Transit Road, LLC

For the rezoning of 6500 Transit Road from M1- Light Manufacturing to M2- General Manufacturing and CM- General Commercial for the construction of a truck terminal, an office building and a restaurant with an accessory drive thru window .

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



Land to be rezoned from M1-Light Manufacturing District to CM-General Commercial District

THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 79, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

Commencing at a point in the southerly line of Pfohl Road distant 154 feet westerly from the

intersection of said southerly line extended, with the center line of Transit Road, thence westerly along the southerly line of Pfohl Road, a distance of 121+/- feet to the Point of Beginning.

From the Point of Beginning:

Thence southerly, along the Parcel No. 190 acquired in fee by the People of the State of New York as shown on the Map No. 172, a distance of 141 feet plus or minus, to a point on west bound of Transit road;

Thence southerly along west bound of Transit road, a distance of 193.88 feet to a point;

Continuing southerly along the west bound of Transit road, a distance of 167.15 feet to a point;

Thence easterly along the West bound of Transit Road, a distance of 54.86 feet to the north west corner of Parcel No. 191, acquired in fee by the People of the State of New York as shown on the Map No. 172;

Thence southerly along west side of Parcel No.191, a distance of 56.95 feet to a point on the southerly property line of Davy Tree Expert Company Incorporated;

Thence westerly along Ellicott Creek, a distance of 240.75 feet to a point;

Thence northerly at an interior angle of $91^{\circ}22'50''$ with the last described line a distance of 498.54 feet to a point on the southerly line of Pfohl Road.

Thence easterly, along the southerly line of Pfohl Road, a distance of 33.23 feet to the Point of Beginning.

Containing 2.05 acres more or less.

Land to be rezoned from M1-Light Manufacturing District to M2-General Manufacturing District

THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 79, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

Commencing at a point in the southerly line of Pfohl Road distant 154 feet westerly from the intersection of said southerly line extended, with the center line of Transit Road, thence westerly along the southerly line of Pfohl Road, a distance of 154.23 feet to the Point of Beginning.

From the Point of Beginning:

Thence southerly at an interior angle of $90^{\circ}15'09''$ with last described line a distance of 498.54 feet to a point on the southerly line of Davy Tree Expert Company Incorporated;

Thence westerly at an interior angle of $88^{\circ}37'10''$ with last described line, a distance of 439.33 feet to a point;

Thence northerly at interior angle of $91^{\circ}43'05''$ with last described line, a distance of 486.00 feet

to a point;

Thence easterly along southerly line of Pfohl Road a distance of 442.07 to the Point of Beginning.

Containing 4.98 acres more or less.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



12. RESOLUTION 2015-157

Call for Public Hearing - Local Law Intro No. 2015-1 - A Local Law to Amend the Zoning Law to Authorize the Police Department to Enforce Provisions Thereof Relating to Repair of Vehicles on Residential Property

Sponsored By: Supervisor Holtz, Councilmember Rogowski

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

WHEREAS, there is a need for the Police Department to be able to cite and prosecute residential property owners who repair vehicles (other than those owned by the owner or occupant of the property) on their property; and

WHEREAS, the Petitions Committee has recommended that the Zoning Law be amended to permit the Police Department to enforce this provision of the Zoning Law, and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 6th day of April, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law to Amend the Zoning Law to Authorize the Police Department to Enforce Provisions Thereof Relating to Repair of Vehicles on Residential Property", and BE IT FURTHER

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



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 6th day of April, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2014-4 of the Year 2014, entitled "A Local Law to Amend the Zoning Law to Authorize the Police Department to Enforce Provisions Thereof Relating to the Repair of Vehicles on

Residential Property". Following is a synopsis of the proposed Local Law Intro No. 2015-1:

Local Law Intro No. 2015-1

A Local Law to Amend the Zoning Law to Authorize the Police Department to Enforce

Provisions Thereof Relating to the Repair of Vehicles on Residential Property

Section 260-68 of the Town Code (Zoning Law), **Administrative and enforcement officer**, shall be amended to read as follows:

B. The provisions of 260-28.E.(5)(a) shall also be enforced by the Police Department.

Dated: March 16, 2015

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

ALICE MAGIERSKI, Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



13. RESOLUTION 2015-158

Call for Public Hearing - Local Law Intro No. 2015-2 - A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, Chapter 210 of the Code of the Town of Cheektowaga, entitled "Streets and Sidewalks" sets forth specifications for streets and sidewalks, and also lists regulations concerning the maintenance of same, and

WHEREAS, there is a need to amend Article II ("Sidewalk Specifications") and Article IV ("Appliances and Obstructions in Streets") in said Chapter 210 to specifically permit the Police Department officers and the Code Enforcement Officers to enforce provisions thereof relating to the removal of snow, ice and other materials from public sidewalks; and to prohibit the placement (even temporary) of basketball hoops and similar apparatus in the right of way of public streets, and

WHEREAS, the Town Attorney and Petitions Committee have recommended that this Town Board enact revisions to the Streets and Sidewalks Law, and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 6th day of April, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-2, entitled "A Local Law to Amend the Streets and Sidewalks Law 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 Hearing in the Cheektowaga Bee.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 6th day of April , 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2015-2 of the Year 2015, entitled "A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga". Following is a synopsis of the proposed Local

Law Intro No. 2015-2:

Local Law Intro No. 2015-2

A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

1. A new section, **Section 210-14.1, entitled “Enforcement”** shall be adopted to read as follows:

Section 210-14.1. The provisions of Section 210-14 of this law shall be enforced by the officers of the Cheektowaga Police Department and the Code Enforcement Officers of the Town of Cheektowaga.

2. Sections 210-21 (“Appliances and obstructions without permit prohibited”) shall be amended to add the words “basketball hoop or similar apparatus” after the words “water meter”.

3. A new section, Section 210-24.1, entitled **“Enforcement”** shall be adopted to read as follows:

Section 210-24.1. **Enforcement.** The provisions of Section 210-21 shall be enforced by the officers of the Cheektowaga Police Department.

Dated: March 16, 2015

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

ALICE MAGIERSKI, Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



14. RESOLUTION 2015-159

Notice to Bidders - One Cab & Chassis with Roll-Off Body (Bid #2015-16)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Sanitation Department is in need of one (1) new and unused 2016 Conventional Cab and Chassis with Roll-Off Body, AND

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

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of said vehicle for the Sanitation Department, notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 1st day of April, 2015 at 11:00 am 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 by the Town of Cheektowaga on April 1, 2015 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new and unused 2016 Conventional Cab & Chassis with Roll-Off Body for the Sanitation Department.

Information for bidders and specifications may be obtained from the Town Clerk at her 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.

Alice Magierski, Town Clerk
Bid #2015-16

DATED: March 16, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



15. RESOLUTION 2015-160

Notice to Bidders - 2015 Ford F-450 Truck with 14' Stake Body and Lift Gate (Bid #2015-17)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga desires to purchase one (1) new and unused 2015 Ford F-450 Truck with 14' Stake Body and Lift Gate, or equal, for use by the Sanitation Department, 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 purchase of one (1) new and unused 2015 Ford F-450 Truck with 14' Stake Body and Lift Gate, or equal, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk on the 1st day of April, 2015 at 11:00 am, 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 April 1, 2015 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new and unused 2015 Ford F-450 Truck with 14' Stake Body and Lift Gate, or equal.

Information for bidders and specifications may be obtained from the Town Clerk at her 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.

Alice Magierski, Town Clerk
Bid #2015-17

DATED: March 16, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



16. RESOLUTION 2015-161

Authorize Supervisor to Execute Contracts for 37th Annual Polish Festival

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the Supervisor is hereby authorized to execute contracts and agreements between the Town of Cheektowaga and performers and vendors for the 37th Annual Polish American Arts Festival, to be held on July 16th, 17th, 18th, and 19th, 2015, subject to approval by the Town Attorney.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



17. RESOLUTION 2015-162

Authorize Supervisor to Execute Agreement with USDA for Geese Control

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga is experiencing a problem with Canada Geese in Stiglmeier Park and other areas in the Town, AND

WHEREAS, the U.S. Department of Agriculture, Wildlife Services Division ("USDA"), administers a Canada Goose Management Program in certain areas of the United States; in the State of New York, the USDA works in coordination with the New York State Department of Environmental Conservation, AND

WHEREAS, prior to implementation of this program, the USDA, pursuant to the National Environmental Policy Act ("NEPA"), prepared an environmental assessment and issued a Decision of Finding of No Significant Impact, AND

WHEREAS, the Town of Cheektowaga Facilities Department submitted an application for funding and authorization of a Canada Goose Management Program administered by the USDA on lands owned and/or controlled by the Town of Cheektowaga, and on private lands with landowner permission for 2015, AND

WHEREAS, the Town Environmental Advisory Committee previously reviewed this application and its impact on the Town and recommended that a determination of non-significance be issued for this program, and this Town Board rendered a Determination of Non-Significance for same, AND

WHEREAS, the USDA requires that anyone wishing to have the USDA implement this program on their behalf execute an agreement with the USDA and commit to remit payment to the USDA for this program, AND

WHEREAS, the cost of the program proposed for the Town of Cheektowaga is approximately \$5,268.00, AND

WHEREAS, this Board wishes to proceed with utilizing the services of the USDA to operate the Canada Goose Management Program for the Town of Cheektowaga in 2015, NOW, THEREFORE, BE IT

RESOLVED, that, subject to review and approval by the Town Attorney's Office, the Supervisor be and hereby is authorized and directed to execute an agreement with the USDA and all other documents necessary to authorize the USDA to administer its Canada Goose Management Program for the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that moneys not to exceed \$5,268.00 for this program, shall be appropriated from budget line item number 100-7110-4106.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



18. RESOLUTION 2015-163

Approve Purchase of Two (2) New and unused 2014 Caterpillar 938K Wheel Loaders

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town Board authorized the purchase of two (2) new and unused 2014 Caterpillar 938K Wheel Loaders from Milton Cat 4610 East Saile Drive, Batavia, New York 14020, as specified under New York State OGS Contract PC 65318 at a regular board meeting on March 17, 2014

WHEREAS, said New York State OGS Contract PC 65318 runs through October 31, 2015, AND

WHEREAS, Milton Cat offers a one year trade-in program for said equipment as long as the New York State OGS Contract remains in effect, AND

WHEREAS, said trade-in program is based on the hours of use of equipment and any price increase in the New York State OGS Contract, AND

WHEREAS, the Highway Department has requested authorization to Trade-in two (2) 2014 Milton Cat 938K Caterpillar Wheel Loaders for two (2) new and unused 2015 Caterpillar 938K Caterpillar Wheel Loaders as specified under the terms of the Milton Cat's trade-in program and New York State OGS Contract PC65318, AND

WHEREAS, funds for said purchase have been budgeted and are available under account number 300-5130-2407, NOW THEREFORE BE IT,

RESOLVED, that the Town Board hereby authorized to trade-in two (2) Milton Cat 938K Caterpillar Wheel Loaders for two (2) new and unused 2015 Caterpillar 938K Wheel Loaders in the amount of \$28,042.00 from:

Milton Cat
4610 East Saile Drive
Batavia, New York 14020

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



19. RESOLUTION 2015-164

Approve Cultural Group Funding for Friends of the Woods, Ltd.

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town, in its 2015 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2014 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves agreement(s) with the cultural and not-for-profit organization(s) listed below for the amount(s) listed, and BE IT FURTHER

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

| <u>Cultural/Not-For-Profit Organization</u> | <u>Funding Approved</u> |
|---|-------------------------|
| Friends of the Woods, Ltd. | \$800.00 |

And BE IT FURTHER

RESOLVED that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2015 Town budget, subject to audit and approval of a properly signed Town voucher.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



20. RESOLUTION 2015-165

Authorize Supervisor to Execute Grant Application with NYSDEC for Municipal Waste Reduction and Recycling

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga Highway Department has in place a recycling program for leaf pickup, tree removal and brush removal, AND

WHEREAS, the Town of Cheektowaga Highway Department is in need of replacing the 1998 Fecon Organic Resource Processor for use with said recycling program, AND

WHEREAS, grant funding is available under the NYSDEC State Assistance Programs for Municipal Waste Reduction and Recycling (NYSDEC), AND

WHEREAS, NYSDEC would reimburse the Town of Cheektowaga 50% of the cost to purchase a New and Unused Organic Resources Processor in 2015, valued at \$500,000.00, as well as five Leaf Loaders, valued at \$40,000.00/each, AND

WHEREAS, NYSDEC would also reimburse the Town of Cheektowaga 50% of the cost of the 2013 Knuckle Boom Brush Loader and Dump Body approved and purchased thru 2013 Town Board Resolution #6667 for the total cost of \$150,750.00, AND

WHEREAS, the Town of Cheektowaga wishes to avail itself of said funding to further municipal waste reduction services, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is authorized to execute said Grant application to NYSDEC's Municipal Waste Reduction and Recycling Program grant funding and any future documentation to support said Grant on behalf of the Town of Cheektowaga in an amount not to exceed \$375,000.00.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



21. RESOLUTION 2015-166

Special Event - Infant of Prague Church 5-K Run

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

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

WHEREAS, Infant of Prague Church has made application to hold its 10th Annual " 5-K Race" on Saturday, April 18, 2015 beginning at 11:00 A.M. for approximately 45 minutes along the following route: Foisset Ave., Maplevue Rd., Yeager Dr., Union Rd., Clearvale Rd., Burdette Dr., Beach Rd. and Huth Rd; AND

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

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

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

IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Infant of Prague Church for the said 5-K Race on Saturday, April 18, 2015 beginning at 11:00 a.m.; AND BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such run and to ensure compliance with Section 1600(a)(6) of the Vehicle and Traffic Law; AND BE IT FURTHER

RESOLVED, that the Town Clerk shall forward a copy of this resolution to the Chief of Police Dave Zack.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



22. RESOLUTION 2015-167

Amendment to Personnel Policies for Exempt Employees that are Department Heads and Personnel Policy for Exempt Employees that are not Department Heads

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town wishes to amend Section 14 of the Personnel Policy for Exempt Employees that are Department Heads and the Personnel Policy for Exempt Employees that are not Department Heads; AND

WHEREAS, the following language is proposed to replace Section 14 of the aforementioned policies:

14. **RESTRICTION AGAINST OVERTIME AND COMPENSATORY TIME** - It is recognized that many of the employees covered under this policy may work, on occasion or regularly, irregular hours. All such employees shall be required to report, on a weekly basis, all hours worked. Employees covered under this policy deemed "exempt" as defined by the federal Fair Labor Standards Act (FLSA) are not entitled to any overtime compensation.

Employees covered by this policy are not entitled to accrue compensatory time. Employees working additional hours outside the standard work week have the ability to work a flexible schedule within the same work week.

For example: An employee may have an assignment or a meeting that extends for two (2) hours beyond the normal workday. The employee has the ability to shorten another workday during the same week by two (2) work hours.

AND,

WHEREAS, the Town Board has reviewed and wishes to adopt this proposed amendment; NOW, THEREFORE, BE IT

RESOLVED, that Section 14 of the Personnel Policy for Exempt Employees that are Department Heads and the Personnel Policy for Exempt Employees that are not Department Heads be and hereby be adopted effective immediately.

| | |
|------------------|--|
| RESULT: | DEFEATED [3 TO 1] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski |
| NAYS: | Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



23. RESOLUTION 2015-168

Authorization of Student Interns (Police Department)

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, Taryn C. Courneen and Matthew J. Pazderski, students at Medaille College, have requested to participate in the student internship program at the Police Department; AND

WHEREAS, these individuals have been interviewed by the Police Department and the Police Department is willing to afford them the opportunity to intern in the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Taryn C. Courneen and Matthew J. Pazderski, both of Cheektowaga, New York, be and hereby are authorized to participate as unpaid interns in the Police Department, subject to their execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that Taryn C. Courneen and Matthew J. Pazderski's internships be and hereby are effective March 17, 2015 through June 30, 2015; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement of Confidentiality, and all other documents necessary to effectuate these student internships in the Police Department.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



24. RESOLUTION 2015-169

Youth & Recreation Terminations

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

| | | |
|----------------------|----------|-------|
| Mikayla Bluff-Pearce | 11/29/14 | 14225 |
| Brian Mayle | 8/25/14 | 14215 |
| Natalie Stack | 2/4/15 | 14225 |
| Gary Steltermann | 10/24/14 | 14225 |

Motion by Councilmember Rogowski; Seconded by Supervisor Holtz to waive the reading of names for the following three (3) resolutions: 2015-159; 2015-160 and 2015-161. Motion carried.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



25. RESOLUTION 2015-170

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide to Recreation Attendant - Regular Part-time - 7140.1611 - \$8.90

Paul Cianflone

Recreation Aide to Recreation Attendant - Regular Part-time - 7140.1630 - \$8.90

Karisa Poczciwinski

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



26. RESOLUTION 2015-171

Termination and Amendment of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following part-time employee be and hereby is terminated as listed:

JUSTICE COURT
Maria A. Ross effective 3/1/15

AND,

BE IT FURTHER RESOLVED, that the following amendment be and hereby is made to the noted employee's status:

Amend Spelling of First Name and Hourly Rate (Part-Time)
FACILITIES DEPARTMENT (Parks Division) from \$9.00/hour to \$9.25/hour effective 2/19/15
Brandon M. Kindzierski, Cheektowaga, New York

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



27. RESOLUTION 2015-172

Travel Authorization Accounting Department/Director of Administration and Finance Brian Krause

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the New York State Government Finance Officers Association Annual Conference is being held March 25, 2015 through March 27, 2015 in Albany, New York; AND

WHEREAS, Director of Administration and Finance Brian Krause has submitted a request for travel authorization along with the proper paperwork in a timely manner to request approval to attend said conference; AND

WHEREAS, the total cost to the Town shall not exceed \$946.50; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Director of Administration and Finance Brian Krause be and hereby is authorized to attend the New York State Government Finance Officers Association Annual Conference being held March 25, 2015 through March 27, 2015 in Albany, New York.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



28. RESOLUTION 2015-173

Travel Authorization Police Department/Police Officers Thomas Rogers and Paul Nazzarett

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Security Assessment for Law Enforcement Officers Seminar is being held April 13 through April 17, 2015 in Louisville, Kentucky; AND

WHEREAS, Police Officers Thomas Rogers and Paul Nazzarett have been recommended to attend said seminar; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$3,181.70; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officers Thomas Rogers and Paul Nazzarett be and hereby are authorized to attend the Security Assessment for Law Enforcement Officers Seminar being held April 13 through April 17, 2015 in Louisville, Kentucky.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



29. RESOLUTION 2015-174

Travel Authorization Police Department/Police Officers Dennis Kusak, Michael Smith, Jacob Gawronski, Kurt Spieler, James Rottger and Caleb Harte

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Glock Armorer's Course is being held April 28, 2015 in Tonawanda, New York; AND

WHEREAS, Police Officers Dennis Kusak, Michael Smith, Jacob Gawronski, Kurt Spieler, James Rottger and Caleb Harte have been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,402.29; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officers Dennis Kusak, Michael Smith, Jacob Gawronski, Kurt Spieler, James Rottger and Caleb Harte be and hereby are authorized to attend the Glock Armorer's Course being held April 28, 2015 in Tonawanda, New York.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |



30. RESOLUTION 2015-175

Travel Authorization Police Department/Lieutenants Thomas Gerace and Brian Gould

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Field Force Command and Planning Conference is being held April 13 through April 17, 2015 in Anniston, Alabama; AND

WHEREAS, Lieutenants Thomas Gerace and Brian Gould have been recommended to attend said conference; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$380; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenants Thomas Gerace and Brian Gould be and hereby are authorized to attend the Field Force Command and Planning Conference being held April 13 through April 17, 2015 in Anniston, Alabama.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |

IV. Suspension of Rules



1. RESOLUTION 2015-176

Authorize Supervisor to Execute Agreements for Cheektowaga Safe Crossings Transportation Alternatives Program 2014

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, a Project for the Cheektowaga Safe Crossings TAP 2014, PIN 5761.10 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs for such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, AND

WHEREAS, the Town of Cheektowaga desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of the Preliminary Engineering (Design I-VI) and Right-Of-Way Incidentals phases of the Project, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves the above subject Project, AND, BE IT FURTHER

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Town to pay 100% of the federal and non-federal share of the cost of \$30,000.00 for the Project or portions thereof, AND, BE IT FURTHER

RESOLVED, that the non-federal funds in the sum of \$30,000.00 are hereby appropriated from Account #500.1440.4830.5429 to cover the cost of participation in the above phases of the Project; AND, BE IT FURTHER

RESOLVED, that in the event the full federal and non-federal share costs of the Project exceed the amount appropriated above, the Town Board of Cheektowaga shall convene, as soon as possible, to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; AND, BE IT FURTHER

RESOLVED, that the Supervisor of the Town Board of the Town of Cheektowaga be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid on behalf of the Town of Cheektowaga, subject to the approval by the Town Attorney, with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal aid and state aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, AND, BE IT FURTHER

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project, AND, BE IT FURTHER

RESOLVED, that this Resolution shall take effect immediately.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Mary Holtz, James P. Rogowski, Gerald Kaminski, Diane Benczkowski |
| ABSENT: | Timothy J. Meyers, Christine Adamczyk |

V. Communications

A. Departmental Communications

1. Supervisor's Statement of Funds - January 2015
2. Building Permit List - February 2015
3. Minutes: Cheektowaga Conservation Advisory Council - February 5, 2015
4. Minutes: Town of Cheektowaga Environmental Advisory Committee - March 11, 2015

B. General Communications

1. Notice of Claim: National Fuel Gas Dist vs. Town of Cheektowaga
2. Notice of Claim: Bernd Pawig vs. Town of Cheektowaga

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjournment

Motion by Supervisor Holtz; Seconded by Councilmember Kaminski to adjourn the meeting at 7:49 PM

Alice Magierski, Town Clerk



Town of Cheektowaga

Work Session

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, March 31, 2015

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on March 31, 2015 at Council Office, Conference Room, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Absent | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Resolutions



1. RESOLUTION 2015-177

Renewal of Property Insurance

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town's Property Insurance Coverage expired on March 30, 2015, and

WHEREAS, Holfoth Risk Management, the Town's insurance consultant, solicited proposals for the renewal of the Town's property insurance coverage, and

WHEREAS, after review of the proposals received, Holfoth Risk Management recommended that the Town of Cheektowaga accept the proposal from CNA Insurance Company for \$78,040.22 for the following listed options:

| <u>Coverage</u> | <u>Limits</u> | <u>Deductible</u> |
|-------------------------|---------------|-------------------|
| Buildings & Contents | \$74,164,831 | \$ 25,000 |
| Accounts Receivable | \$ 1,000,000 | |
| Business Interruption | \$ 250,000 | |
| Equipment Floater | \$ 3,769,064 | \$ 2,500 |
| Flood (non Flood Zones) | \$ 5,000,000 | \$ 25,000 |
| Earthquake | \$ 25,000 | \$1,000,000 |

, and

WHEREAS, Holfoth Risk Management has also recommended that the Town of Cheektowaga accept the proposal from Allianz Global for the following vehicle physical damage insurance for \$16,735.65:

| <u>Limits</u> | <u>Deductible</u> |
|---------------|-------------------|
| \$3,000,000 | \$10,000 |

, and

WHEREAS, this Town Board wishes to award the above referenced Town's property insurance to CNA Insurance Company and Allianz; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the Town's Buildings and Contents property insurance as outlined above to CNA Insurance Company (through Lawley Service, Inc.) for the period from March 30, 2015 to March 30, 2016 for a premium of \$78,040.22; and BE IT FURTHER

RESOLVED, that this Town Board hereby awards the Town's Vehicle Physical Property Damage Insurance to Allianz Global for the period March 30, 2015 to March 30, 2016 to Allianz Global FOR \$16,735.65, and BE IT FURTHER

Resolved, that Holfoth Risk Management be and hereby is directed to bind the above referenced insurance coverages on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute

any and all documents to effectuate this property insurance coverage.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



2. RESOLUTION 2015-178

Appoint Custodian and Collateral Agent for Town Funds

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, JP Morgan Chase Bank, N.A. has acted as Custodian and Collateral Agent for Town of Cheektowaga funds managed through First Niagara Bank, and

WHEREAS, the Town of Cheektowaga was notified that JP Morgan Chase Bank, N.A. resigned its duties as Collateral Agent, effective March 20, 2015, and

WHEREAS, Federal Home Loan Bank of New York ("FHLB-NY") has been selected by First Niagara Bank to be the successor third party custodian for these funds, and

WHEREAS, this Board needs to approve a new Third Party Custodian Agreement with FHLB-NY, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby consents to the appointment of FHLB-NY as third party custodian and collateral agent for the Town funds managed through First Niagara Bank, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned Third Party Custodian Agreement with First Niagara Bank and FHLB-NY and any and all other documents necessary to effectuate said agreement.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk |
| ABSENT: | Timothy J. Meyers |



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, April 6, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on April 6, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Public Hearings

1. Rezoning Request & Special Use Permit - 6500 Transit Road

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Diane Benczkowski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Local Law Intro No. 2015-1 - A Local Law to Amend the Zoning Law to Authorize the Police Department to Enforce Provisions Thereof Relating to Repair of Vehicles on Residential Property

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Gerald Kaminski, Councilmember
SECONDER: Mary Holtz, Supervisor
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

3. Local Law Intro No. 2015-2 - A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Gerald Kaminski, Councilmember
SECONDER: Mary Holtz, Supervisor
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-179

Transfer of Funds-2014

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|--------------------|------------------------|------------|
| FROM: | 100.1010.1901 | Regular Pay | \$2,400.00 |
| | 100.1110.1901 | Regular Pay | 30,920.00 |
| | 100.1220.4957 | Grant Development | 10,390.00 |
| | 100.1315.1902 | Overtime Pay | 1,362.00 |
| | 100.1315.1971 | PT Regular | 1,027.00 |
| | 100.1315.4011 | Printed Forms | 596.00 |
| | 100.1355.1901 | Regular Pay | 2,460.00 |
| | 100.1410.1971 | Pt Regular | 4,960.00 |
| | 100.1420.1931 | Vacation Sellback | 713.00 |
| | 100.1430.1901 | Regular Pay | 20,330.00 |
| | 100.1910.4322 | Contracted Services | 37,099.00 |
| | 100.1440.1901 | Regular Pay | 2,373.00 |
| | 100.1625.1901 | Regular Pay | 21,103.00 |
| | 100.1640.4161 | Gasoline | 17,004.00 |
| | 100.1410.1971 | PT Regular | 801.00 |
| | 100.1680.2204 | Computer Hardware | 15,117.00 |
| | 100.1685.1971 | PT Regular | 10,927.00 |
| | 100.9010.8975 | Retirement Buyout | 23,770.00 |
| | 100.3020.1908 | Training | 10,769.00 |
| | 100.3020.1914 | Shift Differential | 3,951.00 |
| | 100.3020.1917 | Clothing Allowance | 1,050.00 |
| | 100.3020.4022 | Maintenance Contract | 6,875.00 |
| | 100.3020.4029 | Supplies | 1,529.00 |
| | 100.3020.4093 | PS Dispatcher Training | 3,983.00 |
| | 100.3120.1902 | Overtime Pay | 73,032.00 |
| | 100.3120.1908 | Training | 90,295.00 |
| | 100.3120.1931 | Vacation Sellback | 110,237.00 |
| | 100.3120.1971 | PT Regular | 19,042.00 |
| | 100.3310.1971 | PT Regular | 20,672.00 |
| | 100.3510.1902 | Overtime Pay | 2,184.00 |
| | 100.9010.8975 | Retirement Buyout | 5,367.00 |
| | 100.7110.1971 | PT Regular | 40,832.00 |
| | 100.7110.1951 | Seasonal Regular | 10,651.00 |
| | 100.7140.1971.1611 | PT Regular | 1,596.00 |
| | 100.7140.1971.1614 | PT Regular | 1,809.00 |
| | 100.7140.1971.1639 | PT Regular | 2,042.00 |
| | 100.7140.1971.1664 | PT Regular | 772.00 |
| | 100.7310.1971.1803 | PT Regular | 2,026.00 |
| | 100.7310.1971.1804 | PT Regular | 560.00 |
| | 100.7310.1971.1814 | PT Regular | 685.00 |
| | 100.7310.4693 | Dev. Disabled | 1,819.00 |
| | 100.7310.4261 | Postage | 326.00 |
| | 100.7310.4689 | Conservation Corp | 341.00 |

| | | | |
|-----|---------------|--------------------------------|--------------|
| | 100.7310.1931 | Vacation Sellback | 502.00 |
| | 100.7310.1902 | Overtime Pay | 912.00 |
| | 100.7140.1914 | Shift Differential | 333.00 |
| | 100.7620.1971 | PT Regular | 6,618.00 |
| | 100.9010.8101 | Employee Retirement | 433,528.00 |
| | 100.9010.8975 | Retirement Buyout | 86,034.00 |
| | 100.9949.1902 | Overtime Pay | 10,089.00 |
| | 100.9010.8141 | Medical Insurance | 3,976,892.00 |
| TO: | 100.1010.1990 | Other Pay | \$2,400.00 |
| | 100.1110.1902 | Overtime Pay | 28,512.00 |
| | 100.1110.1971 | PT Regular | 2,408.00 |
| | 100.1220.1901 | Regular Pay | 3,722.00 |
| | 100.1220.1911 | Longevity | 950.00 |
| | 100.1220.1932 | Sick Sellback | 1,115.00 |
| | 100.1220.1971 | PT Regular | 3,101.00 |
| | 100.1315.1901 | Regular Pay | 4,243.00 |
| | 100.1315.1931 | Vacation Sellback | 140.00 |
| | 100.1315.1932 | Sick Sellback | 59.00 |
| | 100.1315.4088 | Travel, Training & Conferences | 45.00 |
| | 100.1355.1932 | Sick Sellback | 27.00 |
| | 100.1355.1990 | Other Pay | 2,300.00 |
| | 100.1355.4431 | Equipment Maintenance | 133.00 |
| | 100.1410.1901 | Regular Pay | 4,960.00 |
| | 100.1420.4501 | Records Management | 713.00 |
| | 100.1430.1932 | Sick Sellback | 981.00 |
| | 100.1430.1971 | PT Regular | 6,940.00 |
| | 100.1430.4502 | Legal Personnel | 49,508.00 |
| | 100.1440.1932 | Sick Sellback | 177.00 |
| | 100.1440.4594 | PIP Consultants | 2,196.00 |
| | 100.1625.1902 | Overtime Pay | 9,922.00 |
| | 100.1625.1911 | Longevity | 2,200.00 |
| | 100.1625.1931 | Vacation Sellback | 93.00 |
| | 100.1625.1932 | Sick Sellback | 2,200.00 |
| | 100.1625.4217 | Utilities | 6,688.00 |
| | 100.1640.1901 | Regular Pay | 13,372.00 |
| | 100.1640.1902 | Overtime Pay | 2,119.00 |
| | 100.1640.1911 | Longevity | 1,400.00 |
| | 100.1640.1931 | Vacation Sellback | 113.00 |
| | 100.1670.1901 | Regular Pay | 784.00 |
| | 100.1670.1932 | Sick Sellback | 17.00 |
| | 100.1680.1901 | Regular Pay | 8,991.00 |
| | 100.1680.1902 | Overtime Pay | 4,247.00 |
| | 100.1680.1914 | Shift Differential | 203.00 |
| | 100.1680.4207 | GPS Services | 1,676.00 |
| | 100.1685.1901 | Regular Pay | 32,431.00 |
| | 100.1685.1902 | Overtime Pay | 511.00 |
| | 100.1685.2000 | Equipment | 1,755.00 |
| | 100.3020.1901 | Regular Pay | 54,157.00 |
| | 100.3020.1902 | Overtime Pay | 42,573.00 |
| | 100.3020.1931 | Vacation Sellback | 68.00 |
| | 100.3020.1932 | Sick Sellback | 1,578.00 |
| | 100.3020.4203 | Cellular Phones | 7,176.00 |
| | 100.3120.1901 | Regular Pay | 177,459.00 |

| | | |
|---------------|-----------------------------|--------------|
| 100.3120.1907 | Court Time | 2,242.00 |
| 100.3120.1911 | Longevity | 9,600.00 |
| 100.3120.1914 | Shift Differential | 5,904.00 |
| 100.3120.1917 | Clothing Allowance | 3,700.00 |
| 100.3120.1936 | Holiday Sellback | 16,306.00 |
| 100.3310.1901 | Regular Pay | 1,930.00 |
| 100.3310.1902 | Overtime Pay | 6,786.00 |
| 100.3310.1951 | Seasonal Regular | 11,956.00 |
| 100.3510.1901 | Regular Pay | 1,166.00 |
| 100.3510.1932 | Sick Sellback | 1,018.00 |
| 100.5010.1901 | Regular Pay | 1,277.00 |
| 100.5010.1931 | Vacation Sellback | 4,090.00 |
| 100.7110.1901 | Regular Pay | 24,104.00 |
| 100.7110.1902 | Overtime Pay | 12,818.00 |
| 100.7110.1911 | Longevity | 2,450.00 |
| 100.7110.1914 | Shift Differential | 834.00 |
| 100.7110.4211 | Electric | 11,124.00 |
| 100.7110.4451 | Bldg. & Grounds Maintenance | 153.00 |
| 100.7140.1901 | Regular Pay | 6,200.00 |
| 100.7140.1932 | Sick Sellback | 19.00 |
| 100.7310.1901 | Regular Pay | 6,286.00 |
| 100.7310.1911 | Longevity | 100.00 |
| 100.7310.1932 | Sick Sellback | 1,047.00 |
| 100.7310.4001 | Office Supplies | 71.00 |
| 100.7620.1901 | Regular Pay | 5,568.00 |
| 100.7620.1932 | Sick Sellback | 1,050.00 |
| 100.9010.8111 | Police Retirement | 510,748.00 |
| 100.9499.1901 | Regular Pay | 8,739.00 |
| 100.9499.1931 | Vacation Sellback | 2,482.00 |
| 100.9499.1971 | PT Regular | 7,682.00 |
| 100.9903.8141 | Medical Insurance | 3,976,892.00 |

SPECIAL DISTRICTS

| | | | |
|-------|---------------|---------------------------|--------------|
| FROM: | 150.8160.1902 | Overtime Pay | \$23,912.00 |
| | 150.8160.1931 | Vacation Sellback | 2,734.00 |
| | 150.1910.2799 | Fund Balance | 1,515,730.00 |
| | 255.8125.1902 | Overtime Pay | 5,559.00 |
| | 255.8135.1951 | Seasonal Regular | 10,752.00 |
| | 255.8135.4356 | Buffalo Sewer Authority | 26,941.00 |
| | 255.8125.8141 | Medical Insurance | 267,388.00 |
| | 255.8125.1902 | Overtime Payroll | 13,320.00 |
| | 255.8135.8141 | Medical Benefits | 153,970.00 |
| | 150.8160.8141 | Medical Insurance | 560,786.00 |
| | 150.8160.1901 | Regular Payroll | 2,796.00 |
| | 150.8160.1971 | PT Regular | 2,440.00 |
| | 150.1910.2701 | Appropriated Fund Balance | 1,299,212.00 |
| | 990.5182.4212 | Electric | 2,225.00 |
| TO: | 150.8160.1901 | Regular Pay | \$6,718.00 |
| | 150.8160.1911 | Longevity | 2,350.00 |
| | 150.8160.2306 | Packers | 211,282.00 |
| | 150.8160.4221 | Gas | 1,723.00 |
| | 150.8160.4352 | Erie County Chargeback | 11,704.00 |
| | 150.8160.8975 | Retirement Buyout | 8,304.00 |

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|--------------------|-----------------------|--------------|
| 150.8173.2501 | Other Equipment | 1,300,295.00 |
| 255.8125.1901 | Regular Pay | 639.00 |
| 255.8125.1911 | Longevity | 3,150.00 |
| 255.8125.1931 | Vacation Sellback | 212.00 |
| 255.8125.1932 | Sick Sellback | 278.00 |
| 255.8125.8121 | Social Security | 1,280.00 |
| 255.8135.1901 | Regular Pay | 11,496.00 |
| 255.8135.1902 | Overtime Pay | 17,020.00 |
| 255.8135.1911 | Longevity | 1,600.00 |
| 255.8135.1914 | Shift Differential | 1,282.00 |
| 255.8135.1932 | Sick Sellback | 3,264.00 |
| 255.8135.4217 | Utilities | 1,863.00 |
| 255.8135.8121 | Social Security | 1,168.00 |
| 255.9903.8141.8125 | Medical Insurance | 280,708.00 |
| 255.9903.8141.8135 | Medical Insurance | 153,970.00 |
| 150.8160.8975 | Retirement Buyout | 4,153.00 |
| 150.8173.2501 | Other Equipment | 1,300,295.00 |
| 150.9903.8141 | Medical Insurance | 560,786.00 |
| 990.5182.4432 | Repairs & Maintenance | 2,225.00 |

HIGHWAY
FROM:

| | | |
|---------------|---------------------------|--------------|
| 300.9010.8141 | Medical Insurance | \$928,796.00 |
| 300.9010.8975 | Retirement Buyout | 37,967.00 |
| 300.9010.8101 | Retirement | 31,030.00 |
| 300.5110.4207 | GPS Services | 1,024.00 |
| 300.5110.4185 | Barricades | 217.00 |
| 300.5140.4071 | Uniform Replacement | 2,233.00 |
| 300.5140.4191 | Misc. Expenses | 10,039.00 |
| 300.5141.1914 | Shift Differential | 4,627.00 |
| 300.1910.2799 | Appropriated Fund Balance | 366,856.00 |
| 300.5110.1701 | Labor General | 22,737.23 |
| 300.5130.1701 | Labor General | 54,642.22 |
| 300.5141.1734 | Brush & Weed Allocation | 16,037.66 |
| 300.5141.1735 | Labor Snow | 285,686.61 |
| 300.5148.1701 | Other Gov'ts | 2,443.46 |
| 300.5141.1737 | Labor Improvements | 95,931.46 |

TO:

| | | |
|---------------|----------------------|------------|
| 300.5110.4178 | Blacktop | \$1,206.00 |
| 300.5110.4911 | Emergency Costs | 23,957.00 |
| 300.5141.1901 | Payroll Regular | 6,779.00 |
| 300.5141.1902 | Overtime Payroll | 323,816.00 |
| 300.5141.1911 | Longevity | 32,600.00 |
| 300.5141.1932 | Sick Sellback | 1,858.00 |
| 300.9010.8121 | Social Security | 14,182.00 |
| 300.9903.8141 | Health Transfer | 978,391.00 |
| 300.5141.1731 | Labor Allocation | 22,737.23 |
| 300.5141.1733 | Labor Allocation | 54,642.22 |
| 300.5140.1379 | Brush & Weed | 12,487.06 |
| 300.5140.1701 | Brush & Weed | 3,550.60 |
| 300.5142.1701 | Snow Removal | 285,686.61 |
| 300.5141.1736 | Labor Other Gov'ts | 2,443.46 |
| 300.5150.1701 | Highway Improvements | 95,931.46 |

CDBG

| | | | |
|-----------|---------------|--------------------------------|-------------|
| FROM: | 700.1011.0600 | Housing Rehab Single Family | \$15,455.52 |
| TO: | 700.1011.0606 | Disposition | \$9,671.05 |
| | 700.1014.0752 | Housing Rehab Costs | 5,784.47 |
| PART TOWN | | | |
| FROM: | 800.3620.1901 | Regular Payroll | \$70,821.00 |
| | 800.8010.4191 | Misc. Expense | 86.00 |
| | 800.3620.1911 | Longevity | 4,300.00 |
| | 800.3620.2770 | Permits & Inspections | 16,085.00 |
| | 800.9010.8141 | Medical Insurance | 223,681.00 |
| | 800.9010.8101 | Retirement | 12,781.00 |
| | 800.3620.1931 | Vacation Sellback | 4,015.00 |
| | 800.3620.4191 | Misc. Expenses | 2,972.00 |
| | 800.3620.4411 | Refunds of Permits | 2,380.00 |
| | 800.3620.4514 | Acquisition of Properties | 3,889.00 |
| | 800.3620.4561 | Contracted Services | 1,431.00 |
| | 800.3620.4088 | Travel, Training & Conferences | 958.00 |
| | 800.9010.8143 | Retiree Medical Insurance | 6,470.00 |
| TO: | 800.3620.1902 | Overtime Payroll | \$29,179.00 |
| | 800.3620.1932 | Sick Sellback | 51.00 |
| | 800.3620.1971 | PT Regular | 16,476.00 |
| | 800.8010.1901 | Regular Pay | 86.00 |
| | 800.9010.8121 | Social Security | 2,202.00 |
| | 800.9010.8975 | Retirement Buyout | 43,298.00 |
| | 800.9010.8121 | Social Security | 4,621.00 |
| | 800.9010.8975 | Retirement Buyout | 60,411.00 |
| | 800.9903.8141 | Medical Insurance | 193,545.00 |

RESULT: ADOPTED [UNANIMOUS]

MOVER: Gerald Kaminski, Councilmember

SECONDER: Mary Holtz, Supervisor

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



2. RESOLUTION 2015-180

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to April 6, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$3,807,080.76 |
| RISK RETENTION FUND | 869,060.24 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 0.00 |
| SPECIAL DISTRICTS FUND | 878,206.33 |
| HIGHWAY FUND | 806,511.56 |
| CAPITAL FUND | 231,390.34 |
| TRUST & AGENCY FUND | 4,600.75 |
| HUD CDBG FUND | 1,981.27 |
| PART TOWN FUND | 110,989.62 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$6,709,820.87 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-181

Adopt Local Law No. 1 of 2015 - A Local Law to Amend the Zoning Law

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, there is a need for the Police Department to be able to cite and prosecute residential property owners who repair vehicles (other than those owned by the owner or occupant of the property) on their property; and

WHEREAS, the Petitions Committee has recommended that the Zoning Law be amended to permit the Police Department to enforce this provision of the Zoning Law, and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney, and

WHEREAS, a public hearing was held on the 6th day of April, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A Local Law to Amend the Zoning Law to Authorize the Police Department to Enforce Provisions Thereof Relating to Repair of Vehicles on Residential Property", and

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 1 of the Year 2015, entitled "A Local Law to Authorize the Police Department to Enforce Provisions Thereof Relating to Repair of Vehicles on Residential Property", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 1 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



LOCAL LAW NO. 1 OF THE YEAR 2015

A Local Law to Amend the Zoning Law to Authorize the Police Department to Enforce

Provisions Thereof Relating to the Repair of Vehicles on Residential Property

Section 260-68 of the Town Code (Zoning Law), Administrative and enforcement officer, shall be amended to read as follows:

B. The provisions of 260-28.E.(5)(a) shall also be enforced by the Police Department.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-182

Adopt Local Law No. 2 of the Year 2015 - A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, Chapter 210 of the Code of the Town of Cheektowaga, entitled "Streets and Sidewalks" sets forth specifications for streets and sidewalks, and also lists regulations concerning the maintenance of same, and

WHEREAS, there is a need to amend Article II ("Sidewalk Specifications") and Article IV ("Appliances and Obstructions in Streets") in said Chapter 210 to specifically permit the Police Department officers and the Code Enforcement Officers to enforce provisions thereof relating to the removal of snow, ice and other materials from public sidewalks; and to prohibit the placement (even temporary) of basketball hoops and similar apparatus in the right of way of public streets, and

WHEREAS, the Town Attorney and Petitions Committee have recommended that this Town Board enact revisions to the Streets and Sidewalks Law, and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney's Office, and

WHEREAS, a public hearing was held on the 6th day of April, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-2, entitled "A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga", and

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 2 of the Year 2015, entitled "A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 2 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



LOCAL LAW NO. 2 OF THE YEAR 2015

A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

1. A new section, Section 210-14.1, entitled "Enforcement" shall be adopted to read as follows:

Section 210-14.1. The provisions of Section 210-14 of this law shall be enforced by the officers of the Cheektowaga Police Department and the Code Enforcement Officers of the Town of Cheektowaga.

2. Sections 210-21 (“Appliances and obstructions without permit prohibited”) shall be amended to add the words “basketball hoop or similar apparatus” after the words “water meter”.

3. A new section, Section 210-24.1, entitled “Enforcement” shall be adopted to read as follows:

Section 210-24.1. Enforcement. The provisions of Section 210-21 shall be enforced by the officers of the Cheektowaga Police Department.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-183

Award of Bid - Mowing Galleria Detention Basins & Pfohl Brothers Landfill (Bid #2015-10)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, bids were received and publicly opened on March 4, 2015 for the furnishing of equipment and operators for mowing the three (3) Walden Galleria Detention Basins and the Pfohl Brothers Landfill Site in the Town of Cheektowaga for the calendar years 2015, 2016 and 2017, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report are contained in a letter to the Town Board dated March 31, 2015, NOW, THEREFORE, BE IT

RESOLVED, that Contract "A" for the furnishing of equipment and operators for mowing the three (3) Walden Galleria Detention Basins in the amount of \$6,140.00 and Contract "B" for the furnishing of equipment and operators for mowing the Pfohl Brothers Landfill Site in the amount of \$2,940.00 be awarded to:

Kamholz Enterprises L.L.C.
5641 Seneca Street
West Seneca, New York 14224

for their submission of the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds have been budgeted for maintenance of the Galleria Detention Basins in Account No. 600-0600-0831 and 600-0600-0834 and for the Pfohl Brothers Site in Account No. 150-1910-5901.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-184

Award of Bid - Concrete Installation (Bid #2015-14)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, as a result of advertisement, bids were received on March 18, 2015 for concrete installation in the Town of Cheektowaga for the 2015 calendar year, AND

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

RESOLVED, that the contract for the replacement of sidewalks be awarded to Yarussi Construction, Inc. for their submission of the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the bid for concrete installation in the Town of Cheektowaga be and hereby is awarded to:

Yarussi Construction, Inc.
5650 Simmons Avenue
Niagara Falls, New York 14304

for the total bid price of \$956,645.40 for Bid Items 1 thru 14 for the year of 2015, AND, BE IT FURTHER

RESOLVED, that payment for said sidewalks shall be chargeable to the appropriate departmental budget line item.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-185

Award Contract for Grass Cutting of Town-Owned Properties (2014)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga owns (twelve) 12± residential properties on which the grass needs to be regularly cut; and

WHEREAS, a Request for Proposals ("RFP") was issued to have private contractors perform these services; and

WHEREAS, proposals were received from two (2) firms; and

WHEREAS, the proposal having the lowest cost to the Town was submitted by Dreamscapes Development, Inc. d/b/a Dreamscapes Landscaping; NOW, THEREFORE, BE IT

RESOLVED, that the contract for lawn cutting and trimming services for the twelve (12) Town properties shown on the list in the RFP be and hereby is awarded to Dreamscapes Development, Inc. d/b/a Dreamscapes Landscaping, 5 Indian Road, Cheektowaga, New York 14227, for lawn cutting and trimming for 12 properties for \$300.40 bi-weekly (\$4,205.60 for 14 cuttings); and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a contract and any and all other documents to effectuate terms of a contract for these services, subject to approval of the Town Attorney; and BE IT FURTHER

RESOLVED, that the fees for said services shall be appropriated from the following Town budget line items:

Account #800-3620-4561
Account #700-1007-0606

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-186

Approval of Change Order No. 3 - Sewer Maintenance Building Addition and Renovation Project

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, the contract for the Sewer Maintenance Building Addition and Renovation Project was awarded by Town Board Resolution dated May 19, 2014 to SM Hayes, LLC Construction Services, 174 Anderson Place, Buffalo, New York 14222 in the amount of \$506,900.00, AND

WHEREAS, the Project Architect, Aurora Architectural, and the Town Engineer have recommended the approval of Change Order No. 3 (final) which provides for several additions and deletions beyond the original scope of the project as further detailed in the change order document, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 3 (final) for the Sewer Maintenance Building Addition and Renovations Project in the amount of \$7,756.05 as an addition to the contract for several additions and deletions to the original contract, which will be offset by the contract contingency allowance, be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 3 (final) on behalf of this Town Board.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-187

Notice to Bidders - 2015 Pipeline Television Inspection Van (Bid #2015-18)

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, the Town of Cheektowaga desires to purchase one (1) new and unused 2015 Pipeline Television Inspection Van for use by the Sewer Maintenance Department, 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 purchase of one (1) new and unused 2015 Pipeline Television Inspection Van, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk on the 22nd day of April, 2015 at 11:00 am, 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 April 22, 2015 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new and unused 2015 Pipeline Television Inspection Van for the Sewer Maintenance Department.

Information for bidders and specifications may be obtained from the Town Clerk at her 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.

Alice Magierski
Town Clerk
Bid #2015-18

DATED: April 6, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-188

Notice To Bidders - 2015 Athletic White Stripe (Bid #2015-19)

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division requires Athletic White Stripe (Bid #2015-19) for the purpose of lining athletic fields for 2015, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga be directed to publish a Notice to Bidders for the purchase of Athletic White Stripe, AND BE IT FURTHER

RESOLVED, that specifications for said Athletic White Stripe may be obtained from the Town Clerks Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 15th day of April, 2015 at 11:00 AM at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall



Notice to Bidders

Sealed proposals will be received by the Town Clerk on April 15, 2015, at 11:00 AM at the Town Hall, 3301 Broadway, for the supplying of Athletic White Stripe for the year 2015 (Bid #2015-19).

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

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

Alice Magierski, Town Clerk

April 6, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-189

Notice To Bidders - 2015 Pool Maintenance Chemicals (Bid #2015-20)

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga Facilities Department, Parks Division, annually requires Pool Maintenance Chemicals for 2015 (Bid #2015-20), NOW, THEREFORE BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice To Bidders for the furnishing of Pool Maintenance Chemicals, AND BE IT FURTHER

RESOLVED, that specifications for said Pool Maintenance Chemicals may be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 15th day of April, 2015 at 11:00 AM at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



Notice to Bidders

Sealed proposals will be received by the Town Clerk on April 15, 2015, at 11:00 AM at Town Hall, 3301 Broadway, for the furnishing of Pool Maintenance Chemicals for the year 2015 (Bid #2015-20).

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

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

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk

April 6, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-190

Authorization to Purchase 18 Randolph Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the goals of the Community Development Block Grant program include neighborhood stability, the creation of decent and affordable housing and the elimination of blighting influences on residential neighborhoods, AND

WHEREAS, Community Development Block Grant and HOME Investment Partnership Program funds have been budgeted for the acquisition of residential properties in support of said goals, AND

WHEREAS, on occasion, residential properties which are deteriorated, vacant, or serve as a blighting influence on a neighborhood, and which are in need of repair and restoration or demolition, become available for purchase, AND

WHEREAS, acquisition of such properties by the Town would, on occasion, serve to further the neighborhood preservation goals of the Town, AND

WHEREAS, the Director of Economic & Community Development has identified the residential property located at 18 Randolph Avenue as such a property, and that property would be part of a plan to advance the Town's goals of neighborhood stability and preservation pursuant to federal program regulations and program guidelines established by the Town Department of Economic & Community Development for said purpose, AND

WHEREAS, the Department of Economic & Community Development wishes to transfer said property to a qualified Community Housing Development Organization (CHDO) for the future development of said property, AND

WHEREAS, the Director of Community Development has identified the Polish Community Center of Buffalo, Inc. d/b/a Lt. Col. Matt Urban Human Services Center of WNY as a qualified CHDO, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to enter into contract to purchase the residential property located at 18 Randolph Avenue, as recommended by the Director of Community Development pursuant to federal program regulations and guidelines established by the Town Office of Community Development, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to take all action necessary to effectuate the transfer of this property to the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents to effectuate the acquisition and transfer of this property.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-191

Accept Title to 18 Stratford Place

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Wells Fargo Home Mortgage Company owns the residential property at 18 Stratford Place, Cheektowaga, NY 14225, and

WHEREAS, the Wells Fargo Home Mortgage Company would like to donate the property to the Town of Cheektowaga, along with an \$8,000.00 seller concession to help with repairs, and has agreed to provide marketable title on the donated property paying all closing costs including title insurance policy, taxes through the day of closing and past due utilities, and

WHEREAS, the Town of Cheektowaga will enter into an agreement with the Polish Community Center of Buffalo, Inc. d/b/a Lt. Col. Matt Urban Human Services Center of WNY, to act as a Community Housing Development Organization (CHDO), as regulated by the Housing and Urban Development (HUD) agency, and

WHEREAS, the CHDO will rehabilitate this property with Town HOME funding and sell the property to an income qualified First-Time Home-buyer per HUD guidelines, and

WHEREAS, this Town Board is interested in acquiring title to this property in an effort to eliminate the blighted condition this property poses to the neighborhood and enhance housing opportunities for low-moderate income homebuyers, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to accept title to 18 Stratford Place Court from Wells Fargo Home Mortgage Company, and BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is directed to take all action necessary to effectuate the transfer of this property to the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to effectuate the receipt and transfer of this property.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-192

Approve Cultural Group Funding for Cheektowaga Community Chorus

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town, in its 2015 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2014 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to reduce the requirement that officers of the cultural organization be comprised of at least 80% Town residents; the officers of this organization are comprised of 72.7% Town residents, and BE IT FURTHER

RESOLVED that this Town Board hereby approves agreement(s) with the cultural and not-for-profit organization(s) listed below for the amount(s) listed, and BE IT FURTHER

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

| <u>Cultural/Not-For-Profit Organization</u> | <u>Funding Approved</u> |
|---|-------------------------|
| Cheektowaga Community Chorus, Inc. | \$12,000.00 |

and BE IT FURTHER

RESOLVED that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2015 Town budget, subject to audit and approval of a properly signed Town voucher.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-193

Approve Cultural Group Funding for Cheektowaga Historical Association

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town, in its 2015 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2014 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves agreement(s) with the cultural and not-for-profit organization(s) listed below for the amount(s) listed, and BE IT FURTHER

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

| <u>Cultural/Not-For-Profit Organization</u> | <u>Funding Approved</u> |
|---|-------------------------|
| Cheektowaga Historical Association | \$3,050.00 |

and BE IT FURTHER

RESOLVED that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2015 Town budget, subject to audit and approval of a properly signed Town voucher.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-194

Authorize Supervisor to Execute Agreement with PCO Buffalo III, LLC

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, PCO Buffalo III, (the "Company") is the owner of premises located at 100 and 110 McKesson Parkway in the Town of Cheektowaga; and

WHEREAS, the Company recently purchased a portion of McKesson Parkway bordering its property, and

WHEREAS, there are two (2) fire hydrants along said portion of McKesson Parkway, and

WHEREAS, the Company has agreed to pay the Town for any annual fee imposed by the Erie County Water Authority with respect to each hydrant, which fee is to be determined by the Erie County Water Authority; and

WHEREAS, this Town Board approves of the foregoing and is willing to enter into an agreement with the Company; NOW THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned agreement on behalf of the Town of Cheektowaga, subject to approval by the Town Attorney's Office.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-195

Amendment to Personnel Policy for Exempt Employees That Are Department Heads and Personnel Policy for Exempt Employees That Are Not Department Heads

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town wishes to amend Section 14 of the Personnel Policy for Exempt Employees That Are Department Heads and the Personnel Policy for Exempt Employees That Are Not Department Heads; AND

WHEREAS, the following language is proposed to replace Section 14 of the aforementioned policies:

14. RESTRICTION AGAINST OVERTIME AND COMPENSATORY TIME - *It is recognized that many of the employees covered under this policy may work, on occasion or regularly, irregular hours. All such employees shall be required to report, on a weekly basis, all hours worked. Employees covered under this policy deemed "exempt" as defined by the federal Fair Labor Standards Act (FLSA) are not entitled to any overtime compensation.*

Employees covered by this policy are not entitled to accrue compensatory time. Employees working additional hours outside the standard work week have the ability to work a flexible schedule within a week of working the extra hours. For example: An employee may have an assignment or a meeting that extends for two (2) hours beyond the normal workday. The employee has the ability to shorten another workday by two (2) work hours within the next week.

AND,

WHEREAS, the Town Board has reviewed and wishes to adopt this proposed amendment; NOW, THEREFORE, BE IT

RESOLVED, that Section 14 of the Personnel Policy for Exempt Employees That Are Department Heads and the Personnel Policy for Exempt Employees That Are Not Department Heads be and hereby be adopted effective immediately.

| | |
|------------------|---|
| RESULT: | ADOPTED [5 TO 1] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Meyers, Adamczyk |
| NAYS: | Diane Benczkowski |



18. RESOLUTION 2015-196

Adopt Policy Relating to Town Vehicles

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, policies relating to the use of Town vehicles were adopted by prior Town Boards on February 3, 1992 and February 18, 1992, and

WHEREAS, this Town Board, on February 18, 2015, adopted a policy on the prohibited use of Town property, which policy included the use of Town vehicles, and

WHEREAS, the policy relating to the use of Town vehicles needs to be clarified, NOW, THEREFORE, BE IT

RESOLVED, that, effective immediately, the following rules shall apply to the use of all Town vehicles, excluding those vehicles used by the Supervisor, Superintendent of Highways, Chief of Police, Assistant Chief of Police, Police Captains, Emergency Services Manager, Sewer Maintenance General Crew Chief and the Sewer Maintenance Department Working Crew Chiefs:

1. Town vehicles assigned to department heads or other Town employees shall be used only during working hours for official Town business by such employee;
2. No Town equipment or vehicles shall be kept overnight at the private residence of any Town officer or employee (other than those listed above);
3. The following rules shall apply to Town vehicles, (other than those listed above):
 - (a) After working hours, Town vehicles shall be parked on Town property in the parking lot adjacent to where the employee who uses the vehicle works;
 - (b) Keys for such vehicles shall be kept in the office where the employee works;
 - (c) At the end of each day, the employee who used such vehicle shall record in a log book maintained by the department the mileage of such vehicle and the time when such vehicle was returned;
 - (d) When the vehicle is taken out, the Town employee removing such vehicle shall record in the log book maintained by the department the time such vehicle was taken out.

, and BE IT FURTHER

RESOLVED, that the following policy/rules shall apply to the use of Town vehicles by the Police Captains, Deputy Town Superintendent of Highways, Sewer Maintenance Department General Crew Chief and the Sewer Maintenance Department Working Crew Chiefs:

- (a) After working hours, Town vehicles may be taken home by said individuals so that, in the event of a Town incident, said employees can quickly respond;
- (b) No personal use of said vehicles shall be permitted.

, and BE IT FURTHER

RESOLVED, that the following policy/rules shall apply to the use of Town vehicles by the Supervisor, Superintendent of Highways, Chief of Police, Assistant Chief of Police and the Emergency Services Manager:

- (a) Said individuals may take their Town vehicles home;
- (b) Vehicles may not be used outside of New York State for Town business without authorization from the Town Board;
- (c) Said individuals may use the Town vehicles for personal use, subject to the following restrictions:
 - 1. Vehicles shall not be driven more than 75 miles from the boundaries/perimeter of the Town;
 - 2. Vehicles shall not be driven outside of New York State;
 - 3. Vehicles shall not be utilized for any political purposes (including campaign activities and traveling to and from political events).

, and BE IT FURTHER

RESOLVED, that, in addition to the above rules, all Town vehicles (except the vehicles utilized by the Supervisor, Chief of Police, Assistant Chief of Police; and Police Vehicles and Designated Unmarked Police Vehicles) shall have affixed thereto a permanent (not magnetic) decal identifying such vehicles as Town vehicles, and BE IT FURTHER

RESOLVED, that this policy relating to the use of Town vehicles and placement of decals on Town vehicles shall supersede and replace prior policies adopted on February 3, 1992; February 18, 1992 and February 18, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-197

Appointment of Laborer (Labor/Permanent) Sanitation Department/Keith Piatek

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Laborer in the Sanitation Department; AND

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

WHEREAS, no bargaining unit member bid on said vacancy; AND

WHEREAS, Keith Piatek, currently employed as a part-time Laborer in the Sanitation Department, bid on said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Keith Piatek of Sloan, New York, be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective April 7, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-198

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Attendant - 7310.1814 - Teen Club - \$9.00 - Seasonal

Stephen Kelly 14211

Recreation Specialist - "CCC Education Coordinator" - 7310.1811 - \$14.50 -

Regular Part Time

Adam Skowron 14227

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the reading of names for the following three (3) resolutions: 2015-198; 2015-199 and 2015-200. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Diane Benczkowski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



21. RESOLUTION 2015-199

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide to Recreation Attendant - Regular Part-time - 7310.1801 & 7310.1803 - \$8.75
Kourtney Killian

Recreation Aide to Recreation Attendant - Regular Part-time - 7140.1614 - \$8.75
Gillian Wittig

Recreation Aide to Recreation Attendant - Regular Part-time - 7140.1648 - \$8.75
Anthone' Proctor

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-200

Hiring/Termination/Amendments of Part Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individual be and hereby is hired as a **PART-TIME EMPLOYEE** in the department listed, not to exceed nineteen (19) hours on a weekly basis, in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT Dog Control Officer \$10.75/hour effective 4/7/15
Kyle D. Krzemien, Cheektowaga, New York

BE IT RESOLVED, that the following part-time employee be and hereby is terminated as follows:

POLICE DEPARTMENT
Andrew D. Maguda effective 4/8/15

AND, BE IT FURTHER

RESOLVED, that the following amendments be and hereby are made as follows:

POLICE DEPARTMENT Part-Time Laborer to Part-Time Dog Control Officer \$10.50/hour effective 7/22/14
Jason C. Dorsey, Cheektowaga, New York

POLICE DEPARTMENT Part-Time Dog Control Officer \$10.75/hour effective 1/1/15
Jason C. Dorsey, Cheektowaga, New York

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-201

Travel Authorization Housing & Neighborhood Preservation/Fire Inspector Joseph Ehnes

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Fire Marshals and Inspectors Seminar is being held October 20 through October 23, 2015 in Montour Falls, New York; AND

WHEREAS, Fire Inspector Joseph Ehnes has been recommended to attend said seminar; AND

WHEREAS, Director of Community Development Carla Kosmerl has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$352.52; AND

WHEREAS, these expenses have been budgeted by the Department; NOW,
THEREFORE, BE IT

RESOLVED, that Fire Inspector Joseph Ehnes be and hereby is authorized to attend the Fire Marshals and Inspectors Seminar being held October 20 through October 23, 2015 in Montour Falls, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-202

Travel Authorization Youth and Recreation Department/Recreation Supervisor Lynn Koszuta

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, the New York State Recreation and Park Society Conference is being held April 26 through April 28, 2015 in Saratoga Springs, New York; AND

WHEREAS, Recreation Supervisor Lynn Koszuta has been recommended to attend said conference; AND

WHEREAS, Executive Director Ellen Fischer has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$869; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Recreation Supervisor Lynn Koszuta be and hereby is authorized to attend the New York State Recreation and Park Society Conference being held April 26 through April 28, 2015 in Saratoga Springs, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Communications

A. Departmental Communications

1. Supervisor's Statement of Funds - February 2015
2. Minutes: Cheektowaga Conservation Advisory Council Minutes - March 5, 2015
3. Minutes: Cheektowaga Planning Board Minutes - March 12, 2015
4. Minutes: Cheektowaga Traffic Safety Commission - February 17, 2015

B. General Communications

1. Notice of Claim: Frank Max, Jr. vs. Town of Cheektowaga

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjournment

Motion by Supervisor Holtz; Seconded by Councilmember Kaminski to adjourn the meeting at 7:29 PM

Alice Magierski, Town Clerk



Town of Cheektowaga

Work Session

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, April 14, 2015

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on April 14, 2015 at Council Office, Conference Room, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Enter Into Executive Session

Motion by Supervisor Holtz; Seconded by Councilmember to discuss personnel matters, including potential discipline of employees in various departments, and the termination of hiring of various employees. Motion Carried.

III. Exit Executive Session

Motion by Supervisor Holtz; Seconded by Councilmember Rogowski. Motion Carried.

IV. Resolutions at 6:20 PM



1. RESOLUTION 2015-203

Settlement of Litigation - Gawron Vs Town

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, on or about March 29, 2010, an action (Edward and Joanne Gawron, vs Town of Cheektowaga, et al, Index No. I-2010-11582) was commenced against the Town; and

WHEREAS, the law firm of Chelus, Herdzik, Speyer & Monte, P.C. (Arthur A. Herdzik, Esq., of counsel) was retained to represent the Town; vigorously defended the interests of the Town with regard to this claim; and has recommended a settlement with the claimant's attorneys; and

WHEREAS, this settlement is in the best interests of the Town of Cheektowaga;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves of the above settlement with the Stipulation of Discontinuance and Settlement Agreement and Release being signed by the plaintiff; and the Supervisor, Town Attorney and/or Chelus, Herdzik, Speyer & Monte, P.C. be and hereby are authorized to execute and procure all papers necessary to effectuate said settlement and compromise of the above mentioned claim in accordance with the terms of the Settlement Agreement and Release and Stipulation of Discontinuance.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-204

Retain Engineering Firm

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, as part of the review process for development in the Town of Cheektowaga, plans are submitted to the Town Engineering Department for review, and

WHEREAS, due to other commitments and reduced staffing in the Engineering Department, there is a delay in approving drainage plans, etc. by the Engineering Department for these development projects, and

WHEREAS, Nussbaumer & Clarke, Inc., an engineering firm, has the expertise and knowledge of Town infrastructure and Town construction requirements to review development plans on behalf of the Town, and

WHEREAS, Nussbaumer & Clarke, Inc. has submitted a proposal to perform these development review services for the Town of Cheektowaga for the remainder of calendar year 2015, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is directed to execute the proposal agreement with Nussbaumer & Clarke, Inc. for the above referenced services, and BE IT FURTHER

RESOLVED, that funding for these services shall be appropriated from budget line item number 100-1440-4594.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227

<http://www.town.cheektowaga.ny.us>

Alice Magierski

716-686-3400

Monday, April 20, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on April 20, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-205

Transfer of Funds-2014

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|---------------|---------------------------|----------------|
| FROM: | 100.9010.8143 | Retiree Medical Insurance | \$3,093,580.00 |
|-------|---------------|---------------------------|----------------|

| | | | |
|-----|---------------|---------------------------------------|----------------|
| TO: | 100.9903.8143 | Transfer to Risk-Retiree Medical Ins. | \$3,093,580.00 |
|-----|---------------|---------------------------------------|----------------|

SPECIAL DISTRICTS

| | | | |
|-------|---------------|---------------------------|--------------|
| FROM: | 150.8160.8143 | Retiree Medical Insurance | \$443,860.00 |
|-------|---------------|---------------------------|--------------|

| | | | |
|--|---------------|---------------------------|------------|
| | 255.8125.8143 | Retiree Medical Insurance | 238,076.00 |
|--|---------------|---------------------------|------------|

| | | | |
|--|---------------|---------------------------|-----------|
| | 255.8135.8143 | Retiree Medical Insurance | 46,271.00 |
|--|---------------|---------------------------|-----------|

| | | | |
|-----|---------------|---------------------------------------|--------------|
| TO: | 150.9903.8143 | Transfer to Risk-Retiree Medical Ins. | \$443,860.00 |
|-----|---------------|---------------------------------------|--------------|

| | | | |
|--|--------------------|---------------------------------------|------------|
| | 255.9903.8143.8125 | Transfer to Risk-Retiree Medical Ins. | 232,986.00 |
|--|--------------------|---------------------------------------|------------|

| | | | |
|--|--------------------|---------------------------------------|-----------|
| | 255.9903.8143.8135 | Transfer to Risk-Retiree Medical Ins. | 51,361.00 |
|--|--------------------|---------------------------------------|-----------|

HIGHWAY

| | | | |
|-------|---------------|---------------------------|--------------|
| FROM: | 300.9010.8143 | Retiree Medical Insurance | \$398,134.00 |
|-------|---------------|---------------------------|--------------|

| | | | |
|-----|---------------|---------------------------------------|--------------|
| TO: | 300.9903.8143 | Transfer to Risk-Retiree Medical Ins. | \$398,134.00 |
|-----|---------------|---------------------------------------|--------------|

PART TOWN

| | | | |
|-------|---------------|---------------------------|------------|
| FROM: | 800.1910.2799 | Appropriated Fund Balance | \$4,937.00 |
|-------|---------------|---------------------------|------------|

| | | | |
|--|---------------|---------------------------|-----------|
| | 800.9010.8143 | Retiree Medical Insurance | 82,270.00 |
|--|---------------|---------------------------|-----------|

| | | | |
|-----|---------------|---------------------------------------|-------------|
| TO: | 800.9903.8143 | Transfer to Risk-Retiree Medical Ins. | \$87,207.00 |
|-----|---------------|---------------------------------------|-------------|

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Gerald Kaminski, Councilmember

SECONDER: Mary Holtz, Supervisor

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



2. RESOLUTION 2015-206

Transfer of Funds-2015

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

CDBG

| | | | |
|-------|---------------|------------------------------|-------------|
| FROM: | 700.1012.0600 | Housing Rehab.-Single Family | \$40,454.99 |
|-------|---------------|------------------------------|-------------|

| | | | |
|-----|---------------|-------------------------------|-------------|
| TO: | 700.1014.0752 | Rehab Activity Delivery Costs | \$40,454.99 |
|-----|---------------|-------------------------------|-------------|

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Gerald Kaminski, Councilmember

SECONDER: Mary Holtz, Supervisor

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



3. RESOLUTION 2015-207

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to April 20, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$3,035,421.85 |
| RISK RETENTION FUND | 1,239,740.66 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 6,850.00 |
| SPECIAL DISTRICTS FUND | 898,355.24 |
| HIGHWAY FUND | 544,551.35 |
| CAPITAL FUND | 99,247.56 |
| TRUST & AGENCY FUND | 3,974.19 |
| HUD CDBG FUND | 50,421.44 |
| PART TOWN FUND | 122,312.78 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$6,000,875.07 |

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-208

Award of Bid - Furnishing of Street Lighting Equipment Components for Harlem Road Lighting Repairs (Bid #2015-13)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of street lighting equipment components for Harlem Road lighting system maintenance and repairs, which bids were duly opened on March 18, 2015, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, AND

WHEREAS, said report recommends that the bid for the furnishing of street lighting equipment components for repair and maintenance of Harlem Road lighting facilities be awarded to Shanor Electric Supply, Inc. for their submission of the lowest unit price bid meeting the requirements for each of the five (5) bid items I thru V, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the furnishing of said street lighting system components is hereby awarded to Shanor Electric Supply, 1276 Military Road, Kenmore, New York 14217 for the individual bid item components as follows:

| | | <u>Unit Price</u> |
|--------------|----------------------------|-------------------|
| Bid Item I | 25' Extruded Aluminum Pole | \$4,242.25 each |
| Bid Item II | Breakaway Transformer Base | \$ 828.75 each |
| Bid Item III | Extruded Aluminum Arm | \$ 910.80 each |
| Bid Item IV | 400 Watt Luminaire | \$1,527.95 each |
| Bid Item V | Arm Leveling Fitter | \$ 190.80 each |

AND, BE IT FURTHER

RESOLVED, that the purchase of the aforesaid lighting system components shall be chargeable to the Town's General Lighting District Budget.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-210

Award of Bid - One Cab & Chassis with Roll-Off Body (Bid #2015-16)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) new and unused 2016 Conventional Cab and Chassis with Roll-Off Body for the Town Sanitation Department, which bids were duly received and opened at a public bid opening conducted on April 1, 2015, AND

WHEREAS, said bids were referred to the Town's Engineering Department for evaluation, analysis, tabulation and report, which is detailed in a letter from the Town Engineer dated April 17, 2015, AND

WHEREAS, said report recommends that the bid for the furnishing of one (1) new and unused 2016 Conventional Cab and Chassis with Roll-Off Body be awarded to Fleet Maintenance, Inc. for their bid proposal utilizing a Freightliner Model No. 114SD Conventional Cab & Chassis with a Galbreath Model No. U5-0R-194 Roll-Off Body, said bid being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the furnishing of one (1) 2016 Conventional Cab & Chassis with Roll-Off Body is hereby awarded to:

Fleet Maintenance, Inc.
67 Ransier Drive
West Seneca, New York 14224

for their bid in the amount of \$161,774.00 for Bid Item No. 1 for the above described Cab & Chassis with Roll-Off Body, AND, BE IT FURTHER

RESOLVED, that funding for said vehicle purchase shall be chargeable to Account No. 15-8160-2306.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-209

Award of Bid - Pool Chemicals 2015 (Bid #2015-20)

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, sealed bids were received for Pool Maintenance Chemicals on April 15, 2015 at a meeting held for said purpose, AND

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

RESOLVED, that the Cheektowaga Town Board hereby award said Bid for Pool Maintenance Chemicals to:

Alden Pools, Inc.
12890 Broadway
Alden, NY 14004

for

| | | |
|----------|---------|----------------|
| Category | Bromine | \$2.36 per lb. |
|----------|---------|----------------|

Amrex Chemical Co., Inc.
391 Exchange Street
Buffalo, NY 14204

for

| | | |
|--------------|---------------------|----------------|
| Category II | Diatomaceous Earth- | \$.43 per lb. |
| Category III | Sodium Bicarbonate | \$.34 per lb. |
| Category IV | Soda Ash | \$.32 per lb. |

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-211

Call for a Public Hearing on Local Law Intro No. 2015-3 of the Year 2015 To Amend the Taxicabs Law

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, Chapter 23 of the Code of the Town of Cheektowaga, entitled "Taxicabs" was adopted by the Town Board on October 21, 1985, and

WHEREAS, said law requires anyone who operates a taxicab or similar vehicle-for-hire to obtain a permit from the Town Clerk and to otherwise comply with the other provisions of said law, and

WHEREAS, by Local Law No. 2 of the Year 2014, this Town Board made changes to said law, and

WHEREAS, the Town Clerk and Police Department have recommended that amendments to this revised law be enacted, NOW, THEREFORE, BE IT

RESOLVED, that, in accordance with the provisions of the Town Law/Municipal Home Rule Law of the State of New York, a public hearing shall be held on the 4th day of May, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York, at which hearing all interested parties will be given an opportunity to be heard and at which time and place it may be determined by the Town Board whether Local Law Intro No. 2015-3 of the Year 2015 entitled "A Local Law to Amend the Taxicabs Law" should be enacted, and BE IT FURTHER

RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA BEE, the official Town newspaper.



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall, 3301 Broadway, Cheektowaga, New York, on the 4th day of May, 2015 at 6:45 P.M. on said day for the purpose of considering the adoption of Local Law Intro No. 2015-3 of the Year 2015, entitled "A Local Law to Amend the Taxicabs Law". A summary of such Local Law is as follows:

LOCAL LAW INTRO NO. 2015-3 OF THE YEAR 2015

A LOCAL LAW TO AMEND THE TAXICABS LAW

This local law would amend the existing Taxicabs Law as follows:

1. Section 223-4.B. of the Taxicabs Law is amended to state that there is no pro-rating of the yearly fee for the owner's license.
2. Section 223-5.A.(2) of the Taxicabs Law is amended to delete the requirement to supply some of the vehicle information for the taxicabs.
3. Section 223-6 ("Fees") of the Taxicabs Law is amended to revise the language for the transfer of a taxicab or livery permit to another vehicle.
4. Section 223-7.F. of the Taxicabs Law is amended to state that there will be no pro-rating of the fee for a driver's permit license.
5. A new subsection, subsection G, shall be added to Section 223-7 ("Application procedure for drivers") to add language that background checks for driver's permits which are being renewed will not be required in most instances.

A copy of the entire text of the proposed Local Law Intro No. 2015-3 of the Year 2015 is on file in the Town Clerk's Office, where same can be viewed during regular business hours.

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

April 20, 2015

ALICE MAGIERSKI, Town Clerk

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-212

Call for Public Hearing - Rezoning Request West of 700 Aero Drive

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, TDB Properties, LLC has made application and requested the rezoning of vacant lands west of 700 Aero Drive known as SBL No. 81.04-1-12.11 from M1-Light Manufacturing to MS-Motor Services for the establishment of an automobile parking facility (park and fly), NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on May 4, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway, corner of Union Road on the May 4, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

TDB Properties, LLC

For the rezoning of vacant lands west of 700 Aero Drive known as SBL No. 81.04-1-12.11 from M1-Light Manufacturing to MS-Motor Services for the establishment of an automobile parking facility (park and fly).

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 81, Township 11 and Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point being the southwest corner of said Lot No. 81; RUNNING THENCE NORTHERLY and along the westerly line of said Lot No. 81, a distance of 572.00 feet to the southerly line of premises conveyed by Joseph Foisset and Mary Foisset, his wife, to Albert Ryley by deed recorded June 16, 1952 in Erie County Clerk's Office in Liber 5134 of Deeds at page 34; RUNNING THENCE EASTERLY and parallel with the northerly line of said Lot No. 81 and along the southerly line of said premises conveyed to Albert Ryley, a distance of 313.85 feet to a point; RUNNING THENCE SOUTHERLY at an exterior angle of 90°24'53", a distance of 720.48 to a point on the centerline of Aero Drive (formerly known as Ellicott Creek Road); RUNNING THENCE SOUTHWESTERLY along said centerline of Aero Drive, a distance of 179.40 feet to the point of intersection of said centerline with the westerly line of Lot No. 81;

RUNNING THENCE NORTHWESTERLY and along said westerly line of Lot No. 81, being also the centerline of Ellicott Creek, a distance of 250 feet, more or less, to the point or place of beginning. Said premises containing an area of 5.04 acres, more or less.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



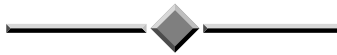
9. RESOLUTION 2015-213

Call for Public Hearing - Rezoning Request South of 4972 Transit Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, Gold Seal Equity Partnership has made application and requested the rezoning of vacant lands south of 4972 Transit Road from NS-Neighborhood Services to C-Retail Business for the construction of a 15,700 s.f. retail plaza, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on May 4, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the May 4, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Gold Seal Equity Partnership

For the rezoning of vacant lands south of 4972 Transit Road from NS-Neighborhood Services to C-Retail Business for the construction of a 15,700 s.f. retail plaza.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, being part of Lot No, 46, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Beginning at the point of intersection of the south line of Strasmer Road (66 feet wide) with the line of Transit Road (100 feet wide); running thence south along said west line of Transit Road, 400 feet to a point or place of beginning, said point of beginning also being the southeast corner of lands conveyed to NY Chiropractic College by deed recorded in the Erie County Clerk's Office in Liber 10945 of Deeds at page 5613; thence south and continuing along said west line of Transit Road, a distance of 353.64 feet more or less to the northeast corner of lands conveyed to Pay A. Josefiak and Pearl A. his wife by deed recorded in the Erie County Clerk's Office in Liber 3684 of Deeds at page 218; and which point is the principal place or point of beginning, thence west along said Josefiak's north line a distance of 383 feet to a point in the east line of lands conveyed to Ludwig Zellner and Grace his wife by deed recorded in the Erie

County Clerk's Office in Liber 3243 of Deeds at page 161; thence north along said Zellner's east line, a distance of 254.46 feet more or less to a point, thence east along a line parallel to the south property of the NY Chiropractic College's south line, a distance of 383 feet to a point, then southerly along the west line of Transit Road a distance of 248.64 feet to the point and the principal point of beginning.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-214

Call for Public Hearing - 3601 Union Road Rezoning Request and Special Use Permit

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, Union Road Plaza, LLC has made application and requested the rezoning of 3601 Union Road from C- Retail Business to CM-General Commercial and requested a special use permit for the conversion of an existing full service restaurant into a drive-in restaurant with an accessory drive through window, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on May 4, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the May 4, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Union Road Plaza, LLC

For the rezoning of 3601 Union Road from C- Retail Business to CM-General Commercial and is requesting a special use permit for the conversion of an existing full service restaurant into a drive-in restaurant with an accessory drive through window.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 11, Township 11, Range 7 of the Holland Land Company's Survey and further distinguished as part of Lot No. 5 on a partition map made by Tobias Witmer, Surveyor and filed in the Erie County Clerk's Office May 25, 1953 in an action in the Supreme Court Erie County entitled Peter Davis and one against Joseph Mayerling and others, bounded and described as follows:

BEGINNING at a point of intersection of a line drawn parallel with the northerly line of said Lot No. 11 easterly from a point in the westerly line of said Lot No. 11, distant 1,824.90 feet southerly from the northwesterly corner thereof with the easterly line of Union Road as taken by

The People of the State of New York, under Notice of Appropriation recorded in Erie County Clerk's Office April 3, 1946 in Liber 3863 of Deeds at page 357;

running thence easterly along said line so drawn parallel with said northerly line of Lot No. 11, being also the southerly line of lands conveyed to John M. Konsek, Jr. and Florence H. Konsek, his wife by deed recorded in Erie County Clerk's Office in Liber 5221 of Deeds at page 351, 940.66 feet more or less to a point distant 957.66 feet easterly from the westerly line of said Lot No. 11, as measured along said parallel line, said point being also the southeasterly corner of said lands so conveyed to John M. Konsek, Jr. and Florence H. Konsek, his wife;

thence northerly parallel with said westerly line of Lot No. 11 and along the easterly line of said lands so conveyed to John M. Konsek, Jr. and Florence H. Konsek, his wife 574.90 feet to the southeasterly corner of lands conveyed to Town of Cheektowaga, by deed recorded in Erie County Clerk's Office in Liber 6692 of Deeds at page 149;

thence westerly along the southerly line of said lands so conveyed to Town of Cheektowaga 932.12 feet to said easterly line of Union Road as taken by The People of the State of New York as aforesaid;

thence southerly along said easterly line of Union Road 368.80 feet more or less to an angle therein;

thence westerly at right angles and along the line of Union Road as so taken by The People of the State of New York 10 feet to an angle therein;

thence southerly at right angles and along the easterly line of Union Road as so taken 152.90 feet more or less to the point or place of beginning.

TOGETHER with the benefits under a Reciprocal Easements Agreement between BG Union Road, LLC and FBBT/US Properties, LLC recorded May 27, 2004 in Liber 11076 of Deeds, page 2765.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-216

Notice to Bidders - Lawn Cutting & Trimming Services For 2015 (Bid #2015-21)

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, the Neighborhood Preservation Office, a Division of Community Development, is responsible for inspecting various properties within the Town of Cheektowaga to ensure compliance with the Codes of New York State and Cheektowaga Town Law, and

WHEREAS, the cleaning up of these properties includes grass cutting and related landscaping services, and

WHEREAS, when violations are noted, property owners are notified to clean up their properties by cutting their grass, cleaning up debris, etc., and

WHEREAS, in the event property owners do not comply with clean up orders from the Housing & Neighborhood Preservation Office, and public health and safety require that action be taken immediately, it is necessary that the Housing & Neighborhood Preservation Office retain a private contractor to perform the necessary grass cutting and clean-up work on the property, and

WHEREAS, due to the projected annual cost for performing this work, it is in order that this Board advertise for bids for these services, and

WHEREAS, the Community Development Office, Neighborhood Preservation Office, and the Town Attorney's Office have drafted bid specifications for this purpose for calendar year 2015, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Furnishing Equipment and Operators for Grass Cutting and Related Landscape Services for Various Properties in the Town of Cheektowaga (BID 2015-21) in the Cheektowaga Bee, and BE IT FURTHER

RESOLVED, that bids will be received until May 13, 2015 at 11:00 a.m. by the Town Clerk, who is hereby authorized and directed to publicly open all bids received at such time 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 May 13, 2015 at 11:00 A.M., at the Town Hall, corner of Broadway and Union Roads, for Grass Cutting and Related Landscape Services for Various Properties in the Town of Cheektowaga for 2015 (Bid #2015-21), said services to include seasonal cleanup and removal of garbage/debris; mowing of grass, standard weed-whacking and removal of grass clippings and/or minor debris; and tree/bush/shrub trimming.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Grass Cutting and Related Landscape Services for 2015 (Bid #2015-21)" and submitted to the Town Clerk prior to bid opening.

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

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

Each proposal must be accompanied by a certified check for a sum equal to one thousand dollars (\$1,000.00), payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the attorney for the Town of Cheektowaga, New York.

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

Alice Magierski, Town Clerk

DATED: April 20, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-215

Notice to Bidders - 2016 New and Unused Model Crew Cab Truck with an 11 foot Utility Body and an Underdeck Mounted, PTO Drive 185 CFM Compressor (Bid #2015-22)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of One (1) New and Unused 2016 Model Crew Cab Truck with an 11 foot Utility Body and an Underdeck Mounted, PTO Drive 185 CFM Compressor (Bid #2015-22) for use by the Highway Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on May 6, 2015 at 11:00 A.M.

Information for bidders specifications may be obtained from the Office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York, between the hour of 9:00 AM and 4:30 PM, Monday through Friday, NOW THEREFORE BE IT

RESOLVED, that the Town Clerk is hereby designated as the Office to open bids on the aforesaid items at a public bid opening on Wednesday May 6, 2015, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of One (1) New and Unused 2016 Model Crew Cab Truck with an 11 foot Utility Body and an Underdeck Mounted, PTO Drive 185 CFM Air Compressor (Bid #2015-22) for use by the Highway Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on May 6, 2015 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Alice Magierski, Town Clerk at her office located at Town Hall, Cheektowaga NY. Bids must be enclosed in an opaque envelope plainly marked "ONE (1) NEW AND UNUSED 2016 MODEL, CREW CAB TRUCK WITH AN 11 FOOT UTILITY BODY AND AN UNDERDECK MOUNTED, PTO DRIVE 185 CFM AIR COMPRESSOR". Non-Collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

ALICE MAGERSKI, TOWN CLERK

DATE: 4/20/2015

PUBLISHED: 4/23/2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-217

Change Order No. 3 (Final) Rehabilitation of the Rein Road Bridge

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, by resolution dated July 21, 2014 this Town Board awarded a contract for the Rehabilitation of the Rein Road Bridge spanning Ellicott Creek, PIN 5758.38, BIN 2212970 in the total amount of \$810,782.90 to Hunting Valley Construction, Inc., AND

WHEREAS, the contractor, Hunting Valley Construction, Inc. has substantially completed the contract work and the consultant, Greenman-Pedersen, Inc. has recommended that the project be accepted by the Town and have the minor work items remaining completed under an Uncompleted Work Agreement as outlined in the Uncompleted Work Agreement letters dated March 27, 2015 and April 16, 2015. The value of the uncompleted work is \$37,390.14. The contractor, Hunting Valley Construction, Inc., shall submit a Performance Bond to the Town in the amount of \$74,780.28. The remaining work under said agreement shall be completed by May 29, 2015, AND

WHEREAS, the project consultant, Greenman-Pedersen, Inc. and the Town Engineer have recommended the approval of Change Order No. 3 (final) to balance contract items and to add additional items due to actual field conditions, which provides a credit to the original contract as further outlined on the Change Order Documents, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 3 (final) for the aforementioned project to the contract of Hunting Valley Construction, Inc., 825 Rein Road, Cheektowaga, New York 14225 which provides a credit in the amount of \$94,292.46 be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that no further payments shall be paid to the contractor for any work completed after April 20, 2015, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 3 (Final) on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that the project work under the contract is substantially complete and the remaining work shall be completed under the Uncompleted Work Agreement dated March 27, 2015, AND, BE IT FURTHER

RESOLVED, that Hunting Valley Construction, Inc. shall submit a Performance Bond to the Town in the amount of \$74,780.28 and the remaining work shall be completed no later than May 29, 2015, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Uncompleted Work Agreement on behalf of this Town Board.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-218

Accept Site Plan- 4900, 4906 & 4908 Transit Road Amendment to Previously Approved Site Plan

Sponsored By: Meyers, Rogowski, Holtz

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, 4908 Transit Road, LLC/Benderson Development Company, LLC submitted a development review application for an amendment to a previously approved site plan at 4900, 4906 and 4908 Transit Road, AND

WHEREAS, such plan amendment includes the addition of a full ingress and egress driveway on Maderia Drive, AND

WHEREAS, the Town of Cheektowaga Environmental Advisory Committee has reviewed the proposed site plan amendment at their meeting of April 15, 2015 and have recommended the approval of the site plan, AND

WHEREAS, The New York State Department of Transportation (NYSDOT) has reviewed the plan amendment as is supporting the proposed driveway on Maderia Drive, rather permitting a second driveway on Transit Road, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of April 9, 2015 and have recommended approval thereof AND,

WHEREAS, this Town Board on March 5, 2007 previously issued a determination of Non-Significance pursuant the State Environmental Quality Review Act (SEQRA), AND

WHEREAS, this Town Board re-affirms said negative SEQR Declaration, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan.

Attachments:
Site Plan 10-15-2014 (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-219

Accept Site Plan - 1550 Walden Avenue Basil Ford

Sponsored By: Meyers, Rogowski, Holtz

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Charles Basil submitted a development review application for the conversion of an existing bowling alley facility at 1550 Walden Avenue to a new motor vehicle sales facility, with accessory used car sales, motor vehicle service and vehicle displays, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of March 12, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to :

1. Plan amendments providing for a an accessible pedestrian route from the public walk to the main building and provisions for handicap parking.
2. Submission of a photometric plan for review by the Town Planner for any new exterior lighting.
3. Submission of a plan for any new signage for review by the Town Planner.
4. Confirmation of land owner permission to use the existing paved area for parking within the existing vehicular access easement filed under L8724, P477.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-220

Accept Site Plan- 2001-2013 Walden Avenue Amendment to Previously Approved Site Plan - Cabela's Crossing

Sponsored By: Meyers, Holtz, Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Buffalo WVP Associates, LLC/Benderson Development Company, LLC submitted a development review application for an amendment to a previously approved site plan at 2001-2013 Walden Avenue, AND

WHEREAS, such plan amendments include, a modification to the geometry of the existing northerly driveway along Duke Road and a proposed ingress drive way along the west side of Duke Road, north of the aforementioned northerly driveway, which shall also include a deceleration lane on the plaza parcel for such ingress driveway, AND

WHEREAS, the Town of Cheektowaga Environmental Advisory Committee has reviewed the proposed site plan amendments at their meeting of April 15, 2015 and have recommended the approval of the site plan subject to the applicant providing a post construction Traffic Impact Statement (TIS) within 12 months of completion of the driveway work, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of April 9, 2015 and have recommended approval thereof AND,

WHEREAS, this Town Board on July 15, 2013 previously issued a determination of Non-Significance pursuant the State Environmental Quality Review Act (SEQRA), AND

WHEREAS, this Town Board re-affirms said negative SEQR Declaration, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The applicant performing a post construction traffic impact statement within 12 months of completing the driveway work and implementing any recommended mitigation within a time period to be agreed upon with the applicant and this Town Board.

Attachments:

site plan_04-07-15 (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-221

Special Event - Crabapple Festival

Sponsored By: Supervisor Holtz, Councilmember Kaminski

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

WHEREAS, Supervisor Mary Holtz has made application to hold the 7th Annual Crabapple Festival - Celebration of the Town of Cheektowaga on June 12th, 13th, and 14th, 2015; and

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

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

- Submittal of plan for sanitary facilities;
- Submittal of site plan;
- Submittal of Security Plan;
- Submittal of Fire Prevention/Emergency Services Plan;
- Certificate of Insurance from Cheektowaga Patriotic Commission;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Supervisor Mary Holtz for the aforementioned 7th Annual Crabapple Festival - Celebration of the Town of Cheektowaga to be held on June 12th, 13th and 14th, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-222

Special Event - War of 1812 Commemoration Ceremony

Sponsored By: Councilmember Rogowski, Councilmember Meyers

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

WHEREAS, the War of 1812 Cemetery Committee has made application to hold its War of 1812 Cemetery Commemoration Ceremony on Sunday, June 14th, 2015 beginning at 11:30 A.M. at the War of 1812 Cemetery on Aero Drive, AND

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the War of 1812 Cemetery Committee for the aforementioned Ceremony to be held on Sunday, June 14th, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-223

Special Event - HSBC "Co-Ed Softball Tournament"

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

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

WHEREAS, the HSBC Sports and Social Club has made application to hold its Softball Tournament in Stiglmeier Park on Saturday, August 22nd, 2015 from 7:00 a.m. to 7:00 p.m.; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the HSBC Sports and Social Club for the aforementioned Softball Tournament to be held in Stiglmeier Park on Saturday, August 22nd, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-224

Special Event - Infant of Prague Lawn Fete

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, Infant of Prague Church has made application to hold its annual Church Lawn Fete on Friday, August 28th (4:00 p.m. - 12:00 a.m.) and Saturday, August 29th, 2015 (12:00 p.m. - 12:00 a.m.) on Church grounds; and, as a result of this Lawn Fete, they are also requesting a street closing of Foisset Avenue adjacent to church lot only, AND

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

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

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

IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Infant of Prague Church for the said Lawn Fete and street closing, as listed above; AND BE IT FURTHER

RESOLVED, that the Town Clerk shall forward a copy of this resolution to the Chief of Police Dave Zack.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-225

Memorialize National Traffic Safety Board to Require Safer Rail Cars

Sponsored By: Holtz, Kaminski, Rogowski, Benczkowski, Meyers, Adamczyk

WHEREAS, rail shipments of crude oil increased from 9,500 carloads in 2008 to more than 435,000 in 2013, driven by a boom in the Bakken oil patch of North Dakota and Montana, and

WHEREAS, trains involved in hauling Bakken-region oil have been involved in major accidents in the last few years, and

WHEREAS, reports of oil leaking from railroad tank cars also have increased substantially, and

WHEREAS, the National Traffic Safety Board, in a 1991 report, concluded that hazardous materials that are highly flammable or toxic are routinely hauled in tank cars that provide inadequate protection even though better protected tank cars are available, and

WHEREAS, many rail cars traveling carrying crude oil and other hazardous materials pass through the Town of Cheektowaga on a weekly basis, and, if an accident occurs, there can be serious damage to property and life here, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the National Traffic Safety Board and the Federal Railroad Administration to act quickly to require railroad companies to use more modern and safer tank cars to transport crude oil and other toxic materials by rail, and BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes U.S. Senators Charles Schumer, U.S. Senator Kristen Gillibrand, U.S. Congressman Brian Higgins and U.S. Congressman Chris Collins to take whatever action is necessary to effectuate changes in the regulations relating to tank cars to make them safer.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-226

Approve Cultural Group Funding for Cheektowaga Garden Club

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town, in its 2015 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2014 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves agreement(s) with the cultural and not-for-profit organization(s) listed below for the amount(s) listed, and BE IT FURTHER

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

| <u>Cultural/Not-For-Profit Organization</u> | <u>Funding Approved</u> |
|---|-------------------------|
| Cheektowaga Garden Club | \$625.00 |

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2015 Town budget, subject to audit and approval of a properly signed Town voucher.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-227

Software Program - State Archives Grant

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga seeks grant monies in an amount not to exceed \$500,000.00 from the New York State Education Department Local Government Records Management Improvement Funds (LGRMIF) to develop a software program that will improve management of electronic records, and

WHEREAS, no matching funds are required from the Town of Cheektowaga for said grant, NOW, THEREFORE BE IT

RESOLVED, that KHEOPS, the Town's grants consultant, and the Town's Director of Information Technology and Records Management, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Education Department LGRMIF for the purposes of securing this grant, and BE IT FURTHER

RESOLVED, that the Supervisor and Town Clerk be and hereby are authorized and directed to execute the aforementioned grant application and any and all other documents pertaining to the application and acquisition of said funding.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-228

Disaster Management Grant - State Archives

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga seeks grant monies in an amount not to exceed \$10,000.00 from the New York State Education Department Local Government Records Management Improvement Funds (LGRMIF) to purchase a server for Disaster Management of electronic records at the Records Center, and

WHEREAS, no matching Town funding is required for this grant, NOW, THEREFORE
BE IT

RESOLVED, that KHEOPS, the Town's grant consultant, and the Town's Director of Information Technology and Records Management, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Education Department Local Government Records Management Improvement Funds ("LGRMIF") for the purpose of securing this grant, and BE IT
FURTHER

RESOLVED, that the Supervisor and Town Clerk be and hereby are authorized and directed to execute the grant application and any and all other documents pertaining to the application and acquisition of said funding.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-229

Authorize Supervisor to Execute Lease for Historical Museum

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga is the owner of property known as the Cheektowaga Historical Museum located at 3329 Broadway, and

WHEREAS, said Historical museum property has been leased to the Cheektowaga Historical Association, and

WHEREAS, said lease has expired and the Cheektowaga Historical Association has requested the Town to renew said lease, and

WHEREAS, the Town Attorney has prepared a lease for an another five (5) years, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned lease with the Cheektowaga Historical Association, and BE IT FURTHER

RESOLVED, that this lease is subject to permissive referendum under New York State 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 Bee.



NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on April 20, 2015, adopted a resolution authorizing the Town of Cheektowaga to lease property located at 3329 Broadway, Cheektowaga, New York to the Cheektowaga Historical Association.

A copy of such resolution and proposed lease are 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: April 20, 2015

ALICE MAGIERSKI
Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



26. RESOLUTION 2015-230

Authorize Supervisor to Execute Agreement for Pick-Up of Brush, Grindings, and Other Debris

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town Highway Department is responsible for the pickup and disposition of brush grindings, logs, leaves, and soil from various locations within the Town; and

WHEREAS, Zoladz Construction Co., Inc., ("Zoladz") has contacted the Superintendent of Highways with a proposal wherein Zoladz would pick up all brush grindings, logs, leaves, and soil collected by the Highway Department from Highway Department property and dispose of same at no cost to the Town for a one-year term commencing on April 17, 2015 and terminating on April 16, 2016; and

WHEREAS, the Superintendent of Highways has recommended that the Town accept the Contractor's proposal; and

WHEREAS, the Town Attorney's Office has prepared an Agreement regarding said proposal; NOW THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforesaid Agreement with Zoladz Construction Co., Inc., for a one-year term commencing on April 17, 2015 and terminating on April 16, 2016 under the terms and conditions set forth therein.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



27. RESOLUTION 2015-231

Unsafe-Unsecured/36 Carol Drive

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 36 Carol Drive, Cheektowaga, New York SBL# 90.76-5-12 that is a danger to the safety of others, and records kept by the Assessor's Office identify Tod Simpson, 36 Carol Drive, Cheektowaga, New York 14215 as the owner AND

WHEREAS, an inspection of such premises was conducted at 36 Carol Drive by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well-being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



28. RESOLUTION 2015-232

Unsafe-Unsecured/77 East End Avenue

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 77 East End Avenue, Cheektowaga, New York SBL# 90.84-1-26 that is a danger to the safety of others, and records kept by the Assessor's Office identify Solomon Gennings & Priscilla McAlister, 2798 Peek Road, Apt 223, Atlanta, GA 30318 as the owner, AND

WHEREAS, an inspection of such premises was conducted at 77 East End Avenue by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well-being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



29. RESOLUTION 2015-233

Unsafe-Unsecured/11-17 Elkins Drive

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 11-17 Elkins Drive, Cheektowaga, New York SBL# 91.15-2-10 that is a danger to the safety of others, and records kept by the Assessor's Office identify Mel Pama, 11-17 Elkins Drive, Loomis, CA 956506 as the owner, AND

WHEREAS, an inspection of such premises was conducted at 11-17 Elkins Drive by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well-being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



30. RESOLUTION 2015-234

Unsafe-Unsecured/2580 Union Road

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 2580 Union Road, Cheektowaga, New York SBL# 113.20-1-2 that is a danger to the safety of others, and records kept by the Assessor's Office identify Monica Lorenz, 52 Carefree Lane, Cheektowaga, New York 14227 as the owner, AND

WHEREAS, an inspection of such premises was conducted at 2580 Union Road by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well-being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



31. RESOLUTION 2015-235

Require Director of Information Technology and Records Management to File Financial Disclosure Statement

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the Code of Ethics of the Town of Cheektowaga (Chapter 18 of the Town Code) provides, in part, that certain Town employees must annually file a Financial Disclosure Statement with the Town Board of Ethics, and

WHEREAS, by resolution dated April 4, 2011, the Town Board listed certain individuals who must file this Financial Disclosure Statement, and

WHEREAS, by resolution dated November 17, 2014, this Town Board created and filled the position of Director of Information Technology and Records Management, and

WHEREAS, this Board feels that the Director of Information Technology and Records Management should be required to annually file a Financial Disclosure Statement with the Town Board of Ethics, NOW, THEREFORE, BE IT

RESOLVED, that, effective immediately, the employee with the job title of Director of Information Technology and Records Management be and hereby is required to annually file a Financial Disclosure Statement with the Town of Cheektowaga Board of Ethics.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



32. RESOLUTION 2015-236

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.25/hour

Gregory L. Merritt, Cheektowaga, New York effective 3/30/15

Trevor D. Starzynski, Cheektowaga, New York effective 3/30/15

Walter W. Szafraniec, Cheektowaga, New York effective 4/13/15

Marc P. Beang, Cheektowaga, New York effective 4/13/15

Anthony S. Jasinski, Depew, New York effective 4/13/15

Andrew P. Babcock, Cheektowaga, New York 4/13/15

Nicholas M. Snyder, Cheektowaga, New York effective 4/6/15

SEWER MAINTENANCE DEPARTMENT Laborer \$9.50/hour effective 4/13/15

Sean F. Ross, Cheektowaga, New York

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

JUSTICE COURT Clerk \$9.25/hour effective 4/21/15

Dona M. Kozak, Cheektowaga, New York

Mary Anne Nawrocki, Cheektowaga, New York

POLICE DEPARTMENT Police Attendant \$17.35/hour effective 4/20/15

Justin R. Glodowski, Cheektowaga, New York

BE IT RESOLVED, that the following seasonal or part-time employee be and hereby is terminated as listed:

POLICE DEPARTMENT

Richard A. Pilarski, Jr. effective 3/29/15

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the reading of names for this resolution. Motion Carried.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



33. RESOLUTION 2015-237

Appointment of Working Crew Chief - B (Non-Competitive/Permanent) Doug J. Dixon/Facilities Department (Parks Division)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the position of Working Crew Chief - B in the Facilities Department (Parks Division); AND

WHEREAS, Doug J. Dixon, currently employed as a Working Crew Chief in the Facilities Department (Parks Division), meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Doug J. Dixon of Depew, New York, be and hereby is appointed to the position of Working Crew Chief - B in the Facilities Department (Parks Division), pursuant to the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit effective April 21, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



34. RESOLUTION 2015-238

Appointment of Public Safety Dispatcher (Competitive/Permanent) Leanna S. Shafer

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, a vacancy exists in the position of Public Safety Dispatcher in the Police Department; AND

WHEREAS, said vacancy is in the competitive class of civil service; AND

WHEREAS, Leanna S. Shafer appears on said civil service list and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Leanna S. Shafer of Cheektowaga, New York, be and hereby is appointed to the position of Public Safety Dispatcher in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Public Safety Dispatchers Association effective April 27, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



35. RESOLUTION 2015-239

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide - 7140.1646 - \$8.75 - Part-time

Eric Green 14225

Recreation Attendant - 7140.1646 - \$9.00 - Regular Part-time

Andrew Meyerhofer 14225

Recreation Attendant - 7140.1646 - \$9.50 - Regular Part-time

Steven Gasiorek 14206

Recreation Attendant - 7140.1613 - \$9.00 - Regular Part-time

Kayla Green 14225

Recreation Attendant - 7140.1646 - \$9.75 - Regular Part-time

Joshua Strzelec 14211

Motion by Councilmember Rogowski; Seconded by Councilmember Kaminski to waive the reading of names for this resolution. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Diane Benczkowski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



36. RESOLUTION 2015-240

Travel Authorization Police Department - Police Chief David Zack, Captain Michael Isbrandt and Sergeant Lawrence Bauer

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the CALEO 22nd Annual Training Symposium is being held May 13, 2015 through May 15, 2015 in Niagara Falls, Ontario, Canada; AND

WHEREAS, Police Chief David Zack, Captain Michael Isbrandt and Sergeant Lawrence Bauer have requested to attend said symposium; AND

WHEREAS, Police Chief Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,647.44; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Chief David Zack, Captain Michael Isbrandt and Sergeant Lawrence Bauer be and hereby are authorized to attend the CALEO 22nd Annual Training Symposium being held May 13, 2015 through May 15, 2015 in Niagara Falls, Ontario, Canada.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



37. RESOLUTION 2015-241

Travel Authorization Police Department - Detective Mark Jedd

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Northeast International Association of Auto Theft Investigators is meeting May 11, 2015 through May 15, 2015 in Long Island, New York; AND

WHEREAS, Detective Mark Jedd has been recommended to attend said association meeting; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,341.12; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Detective Mark Jedd be and hereby is authorized to attend the Northeast International Association of Auto Theft Investigators meeting being held May 11, 2015 through May 15, 2015 in Long Island, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



38. RESOLUTION 2015-242

Travel Authorization Police Department - Detective Mark Jedd

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Statewide MVT & IF Advisory Group Meeting is being held April 28, 2015 through April 29, 2015, in Saratoga Springs, New York; AND

WHEREAS, Detective Mark Jedd has been recommended to attend said meeting; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$313; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Detective Mark Jedd be and hereby is authorized to attend the Statewide MVT & IF Advisory Group Meeting being held April 28, 2015 through April 29, 2015, in Saratoga Springs.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



39. RESOLUTION 2015-243

Travel Authorization Police Department - Police Officer John Duskocz

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the 2015 Annual K-9 Seminar is being held May 3, 2015 through May 7, 2015 in Penn Yann, New York; AND

WHEREAS, Police Officer John Duskocz has been recommended to attend said seminar; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$865; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officer John Duskocz be and hereby is authorized to attend the 2015 Annual K-9 Seminar being held May 3, 2015 through May 7, 2015 in Penn Yann, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



40. RESOLUTION 2015-244

Travel Authorization Police Department - Police Officer Paul Nazzarett

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the 17th Annual National Citizens Police Academy Association Conference is being held May 11, 2015 through May 14, 2015 in Lexington, Kentucky; AND

WHEREAS, Police Officer Paul Nazzarett has been recommended to attend said conference; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,369.42; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officer Paul Nazzarett be and hereby is authorized to attend the 17th Annual National Citizens Police Academy Association Conference being held May 11, 2015 through May 14, 2015 in Lexington, Kentucky.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



41. RESOLUTION 2015-245

Travel Authorization Police Department - Police Officer Jacob Gawronski

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the NRA Patrol Rifle Instructor Development School is being held May 4, 2015 through May 8, 2015 in Angola, New York; AND

WHEREAS, Police Officer Jacob Gawronski has been recommended to attend said school; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$660; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officer Jacob Gawronski be and hereby is authorized to attend the NRA Patrol Rifle Instructor Development School being held May 4, 2015 through May 8, 2015 in Angola, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

IV. Communications

A. Departmental Communications

1. Supervisor's Statement of Funds - March 2015

B. General Communications

1. Notice of Claim: Darryl Williams vs. the Town of Cheektowaga
2. Notice of Claim: Cynthia Wisniewski vs. the Town of Cheektowaga
3. News Release: Erie County Broadband Committee Releases White Paper

V. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VI. Adjournment

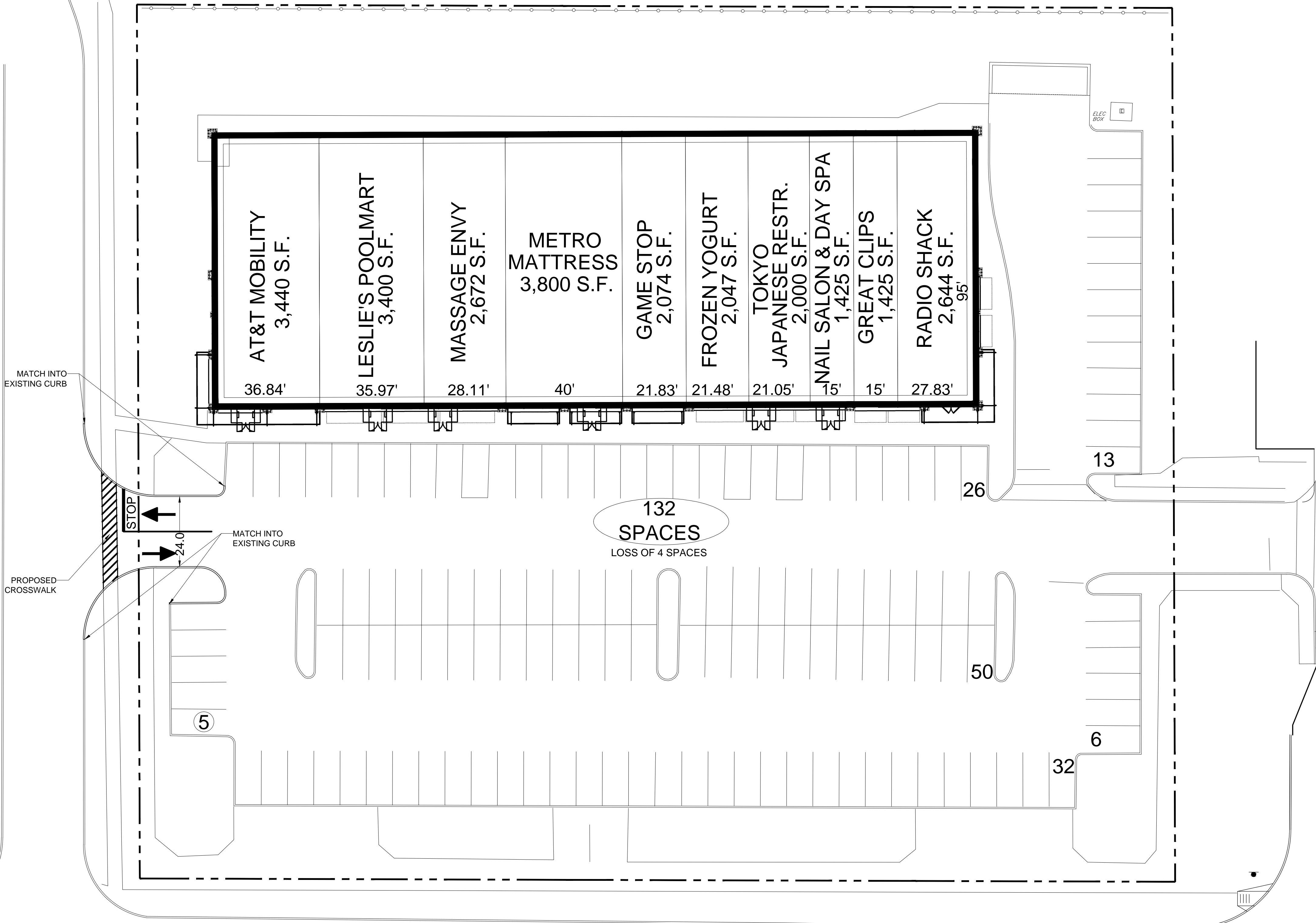
Motion by Supervisor Holtz; Seconded by Councilmember Kaminski to adjourn the meeting in Memory of David Nestico, Cheektowaga Girls Fast Pitch Coach.

Time: 7:50 PM

Alice Magierski, Town Clerk

MADEIRA DRIVE

TRANSIT ROAD



TO: TARGET, TACO BELL

| | | | |
|---|-------------|------------|------------|
| PARKING ANALYSIS: | | | |
| SHOPPING CENTER: <ul style="list-style-type: none">5 SPACES / 1000 SF OF NET FLOOR AREA | BUILDING SF | REQUIRED | PROVIDED |
| | 24,280 SF | 104 SPACES | 132 SPACES |
| | | | |

TRANSIT MADEIRA

4900 TRANSIT RD
CHEEKTOWAGA, NY

4175 PROPOSED ENTRANCE 10-15-2014

OCTOBER 15, 2014

BENDERSON

DEVELOPMENT COMPANY, LLC

570 DELAWARE AVE. BUFFALO, NY 14202

PHONE (716) 856-5211 FAX (716) 856-7791

WWW.BENDERSON.COM

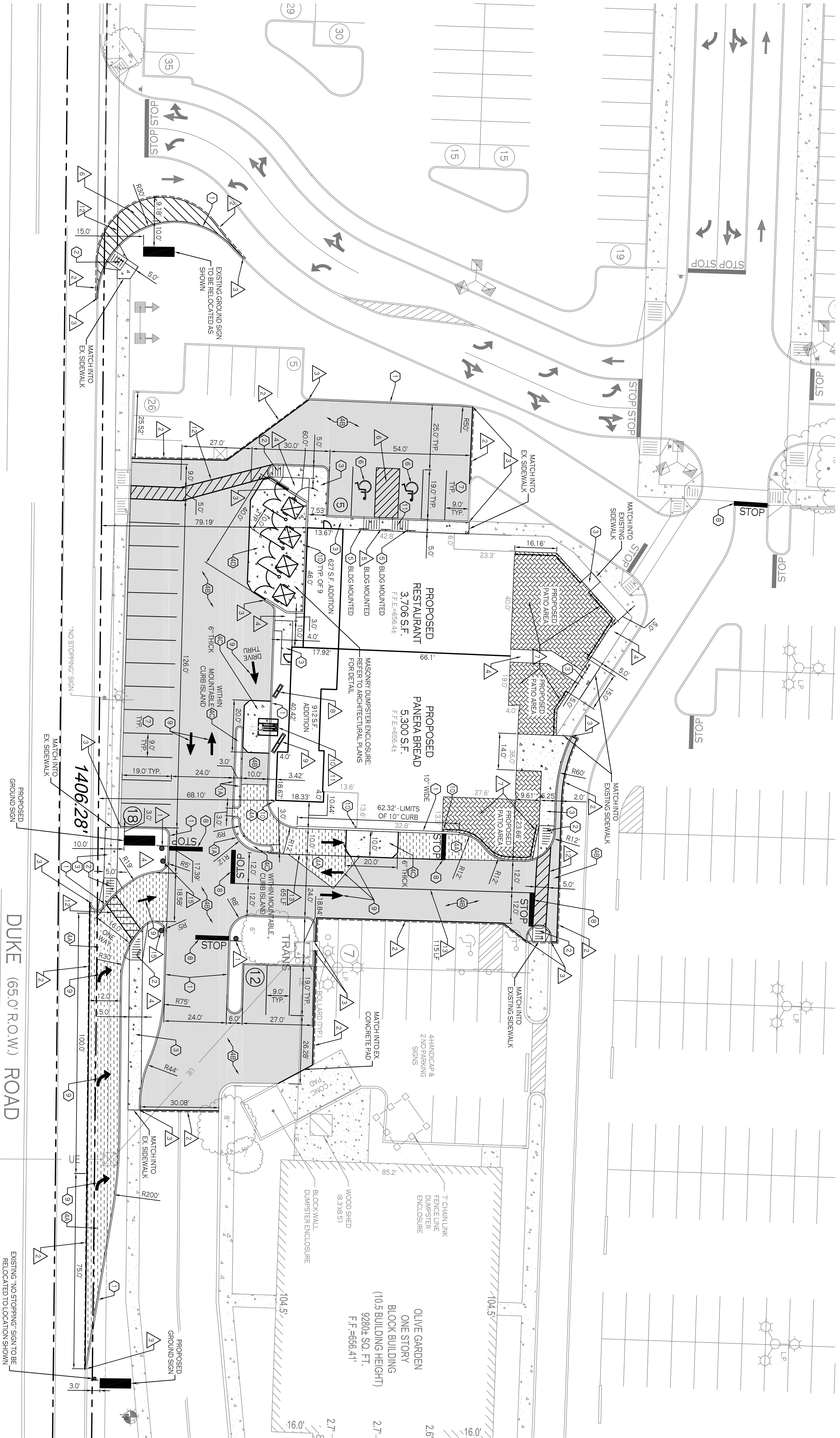
DRAWN BY: DMN

CHECKED BY: MAO

SCALE: 1:20

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N
SITE PLAN
SCALE: 1"=20'

DETAIL LEGEND

- 1 CONCRETE CURB
- 2 MOUNTABLE CONCRETE CURB
- 3 SIDEWALK CURB RAMP
- 4 CONCRETE SIDEWALK
- 5 STANDARD DUTY ASPHALT FULL DEPTH PAVEMENT REPLACE
- 6 STANDARD DUTY ASPHALT REUSE OF STONE BASE
- 7 EXTERIOR CONCRETE SLAB ON GRADE FOR RAMP/PAD
- 8 HANDICAPPED PARKING SIGN
- 9 HANDICAPPED PAVEMENT MARKINGS & SIGNAGE
- 10 90° PARKING STALL
- 11 STOP BAR
- 12 PAINTED TRAFFIC ARROWS
- 13 PIPE BOLLARDS
- 14 HANDICAP PAVEMENT RAMP

NOTE LEGEND

- 1 INSTALL "STOP" SIGN, MULTICD SIGN NO. R1-1B
- 2 APPROX. LOCATION OF SAWCUT LINE
- 3 MATCH EXISTING EDGE OF PAVEMENT
- 4 ROUNDOFF CURB IN 2' OR MATCH EXISTING CURB
- 5 LANDSCAPE AREA - SEE LANDSCAPE PLAN, IF
- 6 NO PLANTINGS, INSTALL TOPSOIL & SEED
- 7 INSTALL "NO PARKING" SIGN, MULTICD SIGN NO. P1-1C
- 8 INFILL WITH 4" WIDE YELLOW PAINT
- 9 STRIPES @ 2' O.C. & 45° TO PARKING LINES
- 10 PROPOSED PAVEMENT BOARD, REFER TO SMART DESIGN ARCH. PLANS
- 11 PROPOSED VEHICLE DETECTION LOOP & CLEARANCE
- 12 BAR, REFER TO SMART DESIGN ARCH. PLANS
- 13 PROPOSED SPOKER/ORDER BOX, REFER TO SMART DESIGN ARCH. PLANS
- 14 1" WIDE WHITE PAVEMENT STRIPES @ 1' SPACING
- 15 BETWEEN 4" WIDE WHITE CROSSWALK LINES
- 16 4" WIDE WHITE PAVEMENT STRIPE
- 17 4" WIDE DOUBLE YELLOW PAVEMENT STRIPE @ 4' SPACING
- 18 INSTALL "DO NOT ENTER" SIGN, MULTICD SIGN NO. E1

SITE LEGEND

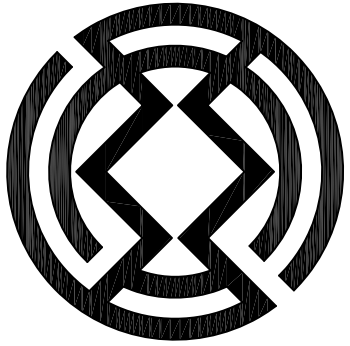
- PROPERTY LINE
- PROPOSED CURB
- PROPOSED ASPHALT PAVEMENT - FULL DEPTH PAVE
- PROPOSED ASPHALT PAVEMENT - REUSE OF STONE BASE
- PROPOSED SIDEWALK / CONCRETE PAD
- NUMBER OF PARKING SPACES
- PROPOSED SIGN

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY THE CLIENT. CARMINA WOOD MORRIS PC ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

REVISIONS:

| No. | Description | Date |
|-----|------------------------------------|----------|
| 1 | Revised Plan per BDC comments | 01/16/15 |
| 2 | Revised Plan per BDC comments | 01/20/15 |
| 3 | Revised Plan per BDC comments | 02/02/15 |
| 4 | Revised Plan per BDC comments | 02/06/15 |
| 5 | Revised Plan per BDC comments | 03/11/15 |
| 6 | Revised Plan per BDC/Town comments | 04/07/15 |

Carmina Wood Morris LLC
487 Main Street, Suite 600
Buffalo, New York 14203
F: 716.842.0283



PROJECT NAME:

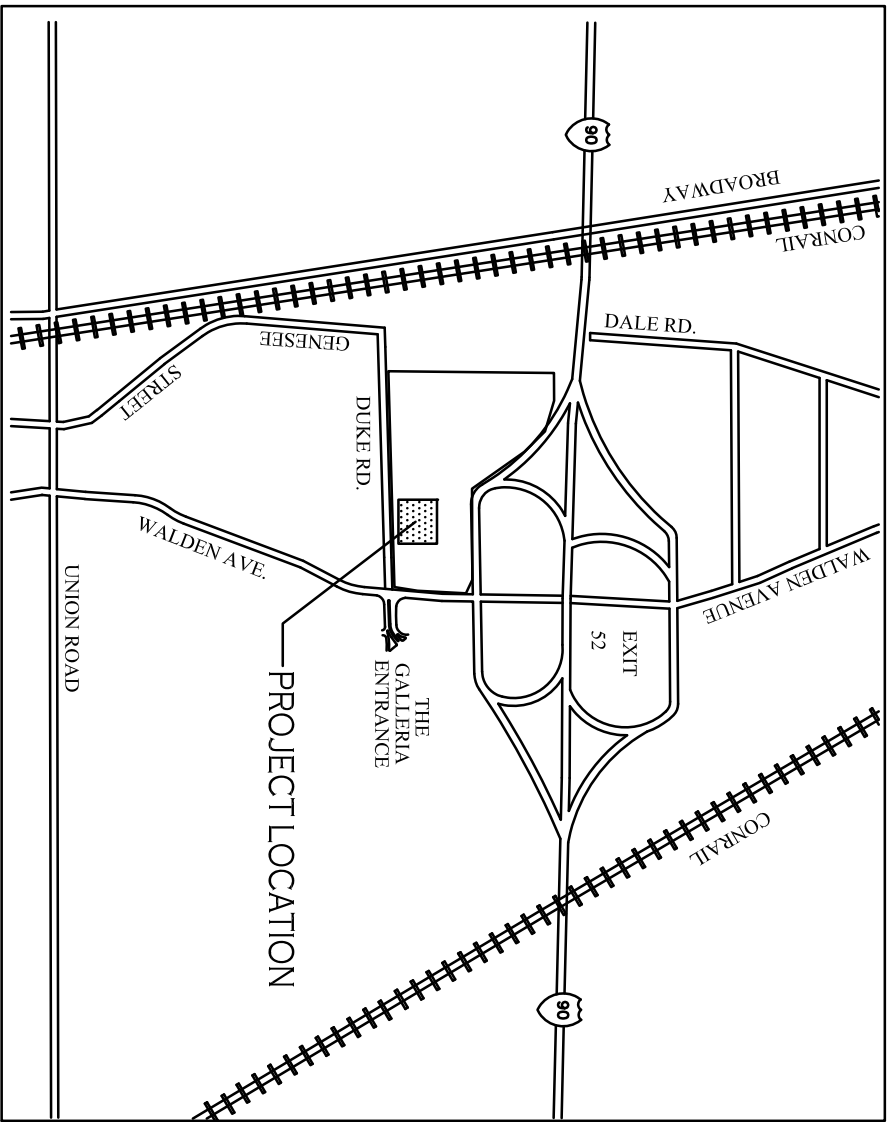
Site Modifications for
Panera Bread
2001 Walden Avenue
Cheektowaga, NY 14225
BDC Property #4910

Date: 10/20/14
Drawn by: ANB
Scale: As Noted
DRAWING NAME: Site Plan

DRAWING NO.

C-4

Project no.: 14.099



LOCATION MAP

NOT TO SCALE





Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, May 4, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on May 4, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Jeffrey Whiting, Deputy Town Attorney

II. Public Comment Period

III. Public Hearings

1. Rezoning Request - West of 700 Aero Drive

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Rezoning Request - Rezoning Request South of 4972 Transit Road

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: **CLOSED [UNANIMOUS]**

MOVER: Timothy J. Meyers, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

3. Rezoning Request and Special Use Permit - 3601 Union Road

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: **CLOSED [UNANIMOUS]**

MOVER: Timothy J. Meyers, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

4. Local Law Intro No. 2015-3 of the Year 2015 To Amend the Taxicabs Law

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: **CLOSED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Gerald Kaminski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-246

Transfer of Funds-2014

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|---------------|----------------------------|----------------|
| FROM: | 100.1910.2799 | Appropriated Fund Balance | \$2,250,000.00 |
| TO: | 100.9902.9703 | Transfer to Risk Retention | \$1,200,000.00 |
| | 100.9950.8729 | Transfer to Capital | 1,050,000.00 |

RISK

| | | | |
|-------|---------------|-------------------------------|---------------|
| FROM: | 101.1710.4101 | Insurance Premiums | \$12,345.00 |
| | 101.1910.5031 | Interfund Transfers in | 2,000,000.00 |
| | 101.1910.5032 | Health Insurance Transfers in | 10,063,868.00 |
| TO: | 101.1722.4519 | W/C Excess Insurance | \$4,664.00 |
| | 101.1930.4703 | Workers Compensation Expenses | 1,816,057.00 |
| | 101.1932.4703 | General Liability Claims | 191,624.00 |
| | 101.1933.4703 | Self-Insurance Health Claims | 10,063,868.00 |

SPECIAL DISTRICTS

| | | | |
|-------|---------------|--------------------------------------|----------------|
| FROM: | 150.8160.2501 | Misc. Equipment | \$1,300,295.00 |
| | 255.8135.4356 | Buffalo Sewer Authority Expense | 796,554.00 |
| | 255.8125.4353 | Erie County Sewer District 4 Expense | 173,393.00 |
| | 255.8125.4438 | Sewer Repairs | 3,053.00 |
| TO: | 150.9902.9703 | Transfer to Risk Retention | \$291,000.00 |
| | 150.1910.2701 | Refund of Prior Years Expense | 1,009,295.00 |
| | 255.8125.9703 | Transfer to Risk Retention | 231,000.00 |
| | 255.8125.9990 | Transfer to Capital | 742,000.00 |

HIGHWAY

| | | | |
|-------|---------------|----------------------------|--------------|
| FROM: | 300.1910.1120 | Sales Tax Revenue | \$457,335.00 |
| TO: | 300.9902.9703 | Transfer to Risk Retention | \$247,000.00 |
| | 300.9950.8000 | Transfer to Capital | 210,335.00 |

PART TOWN

| | | | |
|-------|---------------|----------------------------|-------------|
| FROM: | 800.1910.2799 | Appropriated Fund Balance | \$68,020.00 |
| TO: | 800.9010.8143 | Retiree Medical | \$20.00 |
| | 800.9501.9901 | Transfer to Capital | 37,000.00 |
| | 800.9902.9703 | Transfer to Risk Retention | 31,000.00 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-247

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to May 4, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$531,920.57 |
| RISK RETENTION FUND | 72,201.00 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 17,127.00 |
| SPECIAL DISTRICTS FUND | 822,595.90 |
| HIGHWAY FUND | 431,563.00 |
| CAPITAL FUND | 497,718.50 |
| TRUST & AGENCY FUND | 841.99 |
| HUD CDBG FUND | 24,831.94 |
| PART TOWN FUND | 87,695.78 |
| NYS AFFORDABLE HOUSING | 990.00 |
| | <hr/> |
| | \$2,487,485.68 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-248

Negative SEQR Declaration - 3601 Union Road

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by DiDonato Associates on behalf of the land owner, Union Road Plaza, LLC for a special use permit and the rezoning of 3601 Union Road from C- Retail Business to CM- General Commercial to permit the conversion of an existing restaurant to a "drive-in" style restaurant with and accessory drive thru window, 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, the Town of Cheektowaga Planning Board recommended approval of the rezoning request and special use permit at their meeting of April 9, 2015, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is recommending that its approval, subject to revision of the existing access driveway with the land owner to the south, as indicated in their attached comments dated April 21, 2015, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on April 15, 2015 recommended a determination of non-significance and recommended that the Town Board obtain an operational plan from the restaurant owner which could limit hours of operation for the exterior dining areas or other exterior features to mitigate for potential noise nuisances, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, the Planning Board and the Traffic Safety Commission, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

Attachments:

Traffic Safety Commission Comments (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-249

Approve Rezoning, Special Use Permit & Variance - 3601 Union Road

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, Union Road Plaza, LLC has made application and requested a rezoning of 3601 Union Road from C-Retail Business District to CM-General Commercial District, as well as a Special Use Permit, for the conversion of an existing full-service restaurant into a drive-in restaurant with an accessory drive through window pursuant to Sections 260-47 and 260-48.2 of the Code of the Town of Cheektowaga ("Zoning Law"); and

WHEREAS, Union Road Plaza, LLC also requested a variance to reduce the distance of a drive through lane from a residentially used property from 75 feet to 40.5 feet, and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 4th day of May, 2015 at 6:45 P.M. of said day for the purpose of considering said applications for the Rezoning, Special Permit and variance, after publication and service of the notices required by the provisions of the 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 recommended approval of this Rezoning and Special Permit; and

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

RESOLVED, that the application of Union Road Plaza, LLC for the rezoning from C-Retail Business District to CM-General Commercial District for the property described in the attached legal description for a drive-in restaurant with accessory drive through window be and hereby is approved subject to the following condition:

1. Any future additions to the development or site plan must be resubmitted to the Town Board to determine whether the addition is substantially in agreement with the intent of this rezoning and site plan approval.

, and BE IT FURTHER

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

RESOLVED, that the aforesaid Special Use Permit be and hereby is granted, and BE IT FURTHER

RESOLVED, that this Town Board hereby grants the aforementioned variance to reduce the distance of a drive through lane from a residentially used property from 75 feet to 40.5 feet.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-250

Adopt Local Law No. 3 of the Year 2015 - A Local Law to Amend the Taxicabs Law

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, Chapter 23 of the Code of the Town of Cheektowaga, entitled "Taxicabs" was adopted by the Town Board on October 21, 1985, and

WHEREAS, said law requires anyone who operates a taxicab or similar vehicle-for-hire to obtain a permit from the Town Clerk and to otherwise comply with the other provisions of said law, and

WHEREAS, by Local Law No. 2 of the Year 2014, this Town Board made changes to said law, and

WHEREAS, the Town Clerk and Police Department have recommended that amendments to this revised law be enacted, and

WHEREAS, the Town Attorney's Office has drafted the recommended amendments to this law, and

WHEREAS, a public hearing was held on the 4th day of May, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-3, entitled "A Local Law to Amend the Taxicabs Law", and

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 3 of the Year 2015, entitled "A Local Law to Amend the Taxicabs Law", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 3 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



Local Law No. 3 of the Year 2015

A Local Law to Amend the Taxicabs Law

1. Section 223-4.B. of the Town Code (Taxicabs Law), shall be amended to read as follows:

B. Every owner's permit issued hereunder shall be issued for one calendar year, from July 1 through June 30 each year. There will be no pro-rating of the yearly fee should an owner apply for an owner's permit after July 1.

2. Section 223-5.A.(2) of the Town Code (Taxicabs Law) shall be amended to read as follows:

A.(2) A description of each vehicle, including the make, model, color, license plate number, passenger capacity, year of vehicle and proof of inspection.

3. Section 223-5.A.(3) shall be deleted.

4. Section 223-6 of the Town Code (Taxicabs Law) shall be amended to read as follows:

§223-6. Fees for owner's permit.

The fee for a taxicab owner's permit and a livery owner's permit shall be the sum of \$25 per year for each vehicle and/or \$200 for a fleet of up to 10 vehicles. For replacing a lost permit, the fee shall be \$10. In case of the sale or disuse for taxicab and/or livery purposes of any permitted taxicab and/or livery, the holder of the taxicab and/or livery permit may, with the approval of the Town Clerk, have the same transferred to another vehicle owned by him/her without fee.

5. Section 223-7.F. of the Town Code (Taxicabs Law) shall be amended to read as follows:

F. Every driver's permit license issued hereunder shall be issued for one calendar year from July 1 through June 30 each year. There will be no pro-rating of the yearly fee should a driver apply for a driver's permit after July 1.

6. A new subsection G shall be added to Section 223-7 of the Town Code (Taxicabs Law), and shall read as follows:

G. Driver's permits that are being renewed will not require another Cheektowaga Police background check. The license information previously provided by the driver will be used to obtain a license report from the Department of Motor Vehicles. Any driver who fails to renew a driver's permit within thirty (30) days of expiration will be required to have a full and complete Cheektowaga Police Department check at a cost of \$10.00.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-251

Award of Bid - 2016 Ford F-450 Truck with 14' Stake Body & Lift Gate (Bid #2015-17)

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 2015, or newer, Ford F-450 Truck with 14' Stake Body and Lift Gate for the Sanitation Department, which bids were duly received and opened at a public bid opening on April 1, 2015 for that purpose, AND

WHEREAS, said bids were referred to the Engineering Department for analysis, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of one (1) new and unused 2016 Ford F-450 Truck with 14' Stake Body and Lift Gate be awarded to:

C. Basil Ford, Inc.
1540 Walden Avenue
Cheektowaga, New York 14225

for their total bid in the amount of \$42,796.00, said bid being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds are available in Account #150-8160-2306.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-252

Award of Bid - 2015 Pipeline Television Inspection Van (Bid #2015-18)

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, bids were duly received and opened at a public bid opening on April 22, 2015 for the purchase of one (1) new and unused 2015 Pipeline Television Inspection Van for use by the Sewer Maintenance Department, AND

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

RESOLVED, that the contract for the purchase of one (1) new and unused 2015 Pipeline Television Inspection Van be and hereby is awarded to:

J & J Equipment, LLC
9055 Brewerton Road
Brewerton, New York 13029

for their bid in the amount of \$208,743.00, said bid being the lowest meeting all of the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds have been budgeted for the purchase of one (1) 2015 Pipeline Television Inspection Van in Account #255-8125-2550.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-253

Award Summer Camp Busing

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, in accordance with the policies and procedures adopted by the Cheektowaga Town Board for the procurement of goods and services, the Department of Youth and Recreational Services solicited proposals for transportation for its 2015 summer camp programs, AND

WHEREAS, proposals were received for the provision of said bus transportation services, AND

WHEREAS, First Student, Inc. has submitted the lowest responsible quotation for the provision of bus transportation services, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby awards the contract for the provision of bus transportation at a cost of \$9,966.50 for the Department of Youth & Recreational Services' day camp programs to:

--First Student Inc.
45 Anderson Road
Cheektowaga, New York 14225

Line Item Nos.: 7140.4517
7140.4518

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-254

Authorize Town Clerk to Issue New/Renewal Ambulance Drivers/Attendants Licenses

Sponsored By: Supervisor Holtz, Councilmember Kaminski

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

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

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

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

| <u>Name</u> | <u>Expiration Date</u> |
|-------------------------------|------------------------|
| Atwill, William C | 1/31/2018 |
| Brammer, Eric G | 6/30/2017 |
| Brodnicki, Kyle R | 9/30/2017 |
| Cleveland, Robert E | 1/31/2018 |
| Cobane, Ed T | 10/31/2017 |
| Collins, Amy L | 6/30/2017 |
| Collins, Jordan E | 6/30/2014 |
| Courteau, Ryan C | 7/31/2017 |
| Cuillo, Denise M | 1/31/2018 |
| Fisher, Patrick J | 9/30/2017 |
| Frank, Rebecca E | 7/31/2017 |
| Galas, Jacob P , , | 7/31/2017 |
| Garcia-Casillas, Daniel B , , | 7/31/2017 |
| Guttadauro, Nicholas J. | 9/30/2017 |
| Harkins, Joshua | 9/30/2017 |
| Harris, Tiffany E. | 5/31/2017 |

| | |
|---------------------------|------------|
| Hartman, Matthew J | 7/31/2017 |
| Hoch, Norine M | 2/28/2018 |
| Hoffman, Frederick H | 2/28/2018 |
| Hycner, Alexander J | 1/31/2016 |
| James, Danielle N | 2/28/2018 |
| Kanutsu, James N | 1/31/2018 |
| Klever, Jeremy H | 6/30/2017 |
| Kranz, Joshua A | 1/31/2018 |
| Kranz, Justin A | 1/31/2018 |
| Krieger, Jessica E | 6/30/2017 |
| Kuebler, Kevin M | 2/29/2016 |
| Lewis, Joseph R | 2/28/2018 |
| Malicki, Robert P | 12/31/2016 |
| Manning, Miranda M | 10/31/2017 |
| Martin, Adam J. | 10/31/2017 |
| Massi, Stephen P | 9/30/2016 |
| Mergi, Michael C | 2/28/2018 |
| Minich, Shaun M | 1/31/2018 |
| Moseley, Dara R | 6/30/2017 |
| Natalzia, Peter J | 9/30/2017 |
| Newbrgging, Brian H | 3/31/2016 |
| Null, III, Daniel E | 2/28/2018 |
| Outting, Jr., Kevin | 6/30/2017 |
| Peebles, Kevin W | 2/28/2018 |
| Probst, Colton P | 2/28/2017 |
| Pytlik, Sr, David P | 6/30/2017 |
| Reformat, Joshua M | 12/31/2017 |
| Rosenberg, Michael A | 1/31/2018 |
| Rossi, Jonathan | 6/30/2016 |
| Schieber, Lawrence S | 12/31/2017 |
| Schultz, Jacob D | 1/31/2017 |
| Silvestri, Matthew J | 1/31/2018 |
| Sullivan, Kevin J | 9/30/2017 |
| Szabad, Marisa A | 1/31/2018 |
| Szczepaniak, Timothy K | 2/28/2018 |
| Tessey-Wallrath, Jennifer | 6/30/2015 |
| Thurston, Aaron | 6/30/2017 |

Williams, Alicia M

1/31/2018

Wirfel, Thomas J

3/31/2015

XU, Chenqin

9/30/2017

RESULT: **ADOPTED [UNANIMOUS]****MOVER:** Mary Holtz, Supervisor**SECONDER:** Gerald Kaminski, Councilmember**AYES:** Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



10. RESOLUTION 2015-255

Authorize Town Clerk to Issue Ambulance Vehicle Licenses

Sponsored By: Supervisor Holtz, Councilmember Kaminski

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 below, providing such ambulance(s) so listed meet(s) the insurance requirements set forth in the Ambulance Ordinance.

| <u>VEHICLE MAKE & YEAR</u> | <u>LICENSE NO.</u> | <u>CALL NO.</u> |
|--------------------------------|--------------------|-----------------|
| 2007 Chevrolet | 12539EV | 543 |
| 2003 Ford | 10267EV | 543 |
| 2005 Ford | 10213EV | 213 |
| 2006 Ford | 10212EV | 214 |
| 2013 Chevrolet | 12525EV | 215 |
| 2014 Chevrolet | 12529EV | 257 |
| 2013 GMC | 10274EV | 258 |
| 2010 Chevrolet | 12518ET | 259 |
| 2010 Chevrolet | 12519ET | 260 |
| 2010 Chevrolet | 12517ET | 261 |
| 2010 Chevrolet | 12793ET | 262 |
| 2010 Chevrolet | 12779ET | 263 |
| 2010 Chevrolet | 12776ET | 264 |
| 2010 Chevrolet | 12775ET | 265 |
| 2011 GMC | 10202EV | 266 |
| 2011 GMC | 10201EV | 267 |
| 2011 GMC | 10204EV | 269 |
| 2011 GMC | 10205EV | 270 |
| 2011 GMC | 10206EV | 271 |
| 2010 Ford | 10243EV | 273 |
| 2010 Ford | 10244EV | 274 |
| 2010 Ford | 10242EV | 275 |
| 2011 Chevrolet | 10253EV | 276 |
| 2011 Chevrolet | 10255EV | 277 |
| 2004 Ford | 10250EV | 280 |
| 2005 Ford | 10245EV | 282 |
| 2003 Ford | 10256EV | 283 |
| 2006 Ford | 10246EV | 500 |

| | | |
|----------------|---------|----------|
| 2005 Ford | 59009JT | 501 |
| 2008 Chevrolet | 10664ET | 506 |
| 2008 Chevrolet | 12500ET | 508 |
| 2007 Chevrolet | 10617ET | 512 |
| 2007 Chevrolet | 10615ET | 514 |
| 2007 Chevrolet | 10649ET | 515 |
| 2007 Chevrolet | 10618ET | 516 |
| 2008 Chevrolet | 12791ET | 527 |
| 208 Chevrolet | 12790ET | 528 |
| 1999 Ford | 12508ET | 530 |
| 1999 Ford | 12509ET | 531 |
| 2008 Ford | 12532EV | 534 |
| 1999 Ford | 10663ET | 536 |
| 2012 GMC | 10249EV | 537 |
| 2012 GMC | 10265EV | 539 |
| 2008 GMC | 10248EV | 540 |
| 2007 Chevrolet | 12540EV | 542 |
| 2003 Ford | 10608ET | 547 |
| 2012 Chevrolet | 10269EV | 554 |
| 2012 Chevrolet | 10270EV | 555 |
| 2013 Chevrolet | 10271EV | 556 |
| 2013 Chevrolet | 10272EV | 557 |
| 2010 Chevrolet | 10210EV | 558 |
| 2010 Chevrolet | 10211EV | 559 |
| 2013 Chevrolet | 10273EV | 560 |
| 2005 Ford | 10629ET | 570 |
| 2005 Ford | 10628ET | 571 |
| 2006 Ford | 10614ET | 574 |
| 2006 Ford | 10613ET | 575 |
| 2007 Chevrolet | 12713ET | 770 |
| 2004 Chevrolet | GAZ9431 | Medic 11 |
| 2010 Chevrolet | FAF1834 | Medic 21 |
| 2010 Chevrolet | FAF1833 | Medic 20 |
| 2010 Chevrolet | FAF1832 | Medic 19 |
| 2010 Chevrolet | FAF1831 | Medic 18 |
| 2007 Chevrolet | 10944ET | 760 |
| 1999 Ford | 10268EV | 548 |
| 2013 Chevrolet | 12526EV | 216 |
| 2005 Ford | 10627ET | 573 |
| 2007 Chevrolet | 12709ET | 769 |
| 2008 Ford | 53245HI | 200 |
| 2003 Ford | 11243ET | 535 |
| 2005 Ford | 10266EV | 538 |
| 2008 Chevrolet | 10619ET | 507 |
| 1997 Ford | 10705ET | 505 |
| 2005 Ford | 10668ET | 502 |
| 2007 Chevrolet | 12541EV | 541 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-256

Execute Final Contract Acceptance Documents with Hunting Valley Construction, Inc.

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, the contract for the Rehabilitation of the Rein Road Bridge Spanning Ellicott Creek, PIN 5758.38, BIN 2212970 was awarded to Hunting Valley Construction, Inc. by Town Board Resolution dated July 21, 2014, AND

WHEREAS, Greenman-Pedersen, Inc. (Project Engineer) and the Town Engineer have advised that work under the aforesaid contract has been substantially completed in accordance with the contract documents, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board accepts the completed project and directs the Supervisor to execute final contract acceptance documents with Hunting Valley Construction, Inc., 825 Rein Road, Cheektowaga, New York 14225.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-257

Require Assistant Field Assessor to File Financial Disclosure Statement

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the Code of Ethics of the Town of Cheektowaga (Chapter 18 of the Town Code) provides, in part, that certain Town employees must annually file a Financial Disclosure Statement with the Town Board of Ethics, and

WHEREAS, by resolution dated April 4, 2011, the Town Board listed certain individuals who must file this Financial Disclosure Statement, and

WHEREAS, by resolution dated May 20, 2014, this Town Board created the position of Assistant Field Assessor and filled same by resolution dated July 7, 2014, and

WHEREAS, this Board feels that the Assistant Field Assessor should be required to annually file a Financial Disclosure Statement with the Town Board of Ethics, NOW, THEREFORE BE IT

RESOLVED, that, effective immediately, the employee with the job title of Assistant Field Assessor be and hereby is required to annually file a Financial Disclosure Statement with the Town of Cheektowaga Board of Ethics.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-258

Approve Cultural Group Funding for Cheektowaga Patriotic Commission

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town, in its 2015 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2014 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves agreement(s) with the cultural and not-for-profit organization(s) listed below for the amount(s) listed, and BE IT FURTHER

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

| <u>Cultural/Not-For-Profit Organization</u> | <u>Funding Approved</u> |
|---|-------------------------|
| Cheektowaga Patriotic Commission | \$20,500.00 |

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2015 Town budget, subject to audit and approval of a properly signed Town voucher.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-259

Over the Edge Program 2015

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Department of Youth and Recreational Services is desirous of holding its Summer Youth Theater Program July 6, 2015 thru July 30, 2015 at Villa Maria College, and

WHEREAS, the College has offered use of its recital hall and auditorium for the above mentioned program, NOW, THEREFORE BE IT

RESOLVED, that upon approval by the Town Attorney, the Supervisor be and hereby is authorized and directed to execute a rental agreement with Villa Maria College for the Youth & Recreational Services Department "Over the Edge" Summer Theater Program, at a cost not to exceed \$200.00.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-260

Authorization to Purchase Baffling - Outdoor Range

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Cheektowaga Police Department utilizes an outdoor firing range for the firearms training of its police officers, AND

WHEREAS, police officers are required to train and qualify yearly with the three (3) weapons systems that they use in the performance of their duties, AND

WHEREAS, the Police Department needs to purchase bullet deflecting baffles to stop potentially stray bullets from leaving the outdoor range area, AND

WHEREAS, Action Target, 3411 South Mountain Vista Parkway, P.O. Box 636, Provo, Utah 84503-0535, is the only company to have bid to complete the baffling project and have supplied their GSA Contract # GS-07F-0482Y, AND

WHEREAS money has been appropriated for this purchase out of Police Asset Forfeiture line #600-0600-0881, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the purchase of the bullet deflecting baffles at a total cost of \$111,092.84 from:

Action Target
3411 South Mountain Vista Parkway
P.O. Box 636
Provo, Utah 84603

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-261

Authorization for Purchase - Ammunition

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Cheektowaga Police Department, in an effort to best prepare our police officers to serve the public while insulating the Town from liability, AND

WHEREAS, police officers are required to train and qualify yearly with the three (3) weapons systems that they use in the performance of their duties, AND

WHEREAS, the Police Department is in need of replenishing their ammunition supply for the SWAT and Patrol Divisions, AND

WHEREAS, Eagle Point Gun/TJ Morris & Son offers ammunition under New York State Contract #PC66334, AND

WHEREAS, money has been appropriated for this purchase out of budget line #100-3120-4091, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the purchase of ammunition at a total cost of \$33,306.82 From:

Eagle Point Gun/TJ Morris & Son
1707 Third Street
Thorofare, New Jersey 08086

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-262

SPECIAL EVENT - Energy for Life Walk-a-thon

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, the United Mitochondrial Disease Foundation has made application to hold its "Energy for Life Walk-a-thon" at Cheektowaga Town Park on Saturday, September 12, 2015 from 8:30 a.m. to 3:00 p.m., and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, Parks Department and Youth and Recreational Services Department, and has no objection to same, and

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

- . Submittal of plan for sanitary facilities;
- . Submittal of site plan;
- . Submittal of Security Plan;
- . Submittal of Fire Prevention/Emergency Services Plan.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the United Mitochondrial Disease Foundation for the aforementioned "Energy for Life Walk-a-thon" in Cheektowaga Town Park to be held on Saturday, September 12, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-263

SPECIAL EVENT - Southline Little League Baseball Parade

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, the Southline Little League Association has made application to hold its annual "Baseball Parade" on Monday, May 25, 2015, commencing at 9:30 A.M.; said parade route to start at the Garden Village Plaza, then down French Road to Towers Boulevard, then to North Seine Drive, and ending at the Southline Little League baseball diamonds; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the application of Southline Little League Association for the aforementioned "Baseball Parade", to be held on Monday, May 25, 2015; and BE IT FURTHER

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-264

SPECIAL EVENT - WNY Perinatal Bereavement Network "Walk to Remember"

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, the Perinatal Bereavement Network, Inc., has made application to hold a "Walk to Remember" for families who have gone through the tragedy of perinatal loss, miscarriage, still birth or early infant death, on Sunday, October 11, 2015 at the Lions Pavilion in Cheektowaga Town Park from 8:00 A.M. to 2:00 P.M.; and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, Facilities Department and Youth and Recreational Services Department, and has no objection to same, and

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

- . Submittal of plan for sanitary facilities;
- . Submittal of site plan;
- . Submittal of Security Plan;
- . Submittal of Fire Prevention/Emergency Services Plan.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Perinatal Bereavement Network Inc., for the aforementioned "Walk to Remember" to be held in Cheektowaga Town Park on Sunday, October 11, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-265

SPECIAL EVENT - Cheektowaga Firefighters Recognition Day

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

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

WHEREAS, Councilmember James Rogowski has made application to hold the annual Firefighters Recognition Day in the Town of Cheektowaga on Sunday, June 28th, 2015; and

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

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

- Submittal of plan for sanitary facilities;
- Submittal of site plan;
- Submittal of Security Plan;
- Submittal of Fire Prevention/Emergency Services Plan;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Councilmember James Rogowski for the aforementioned annual Firefighters Recognition Day in the Town of Cheektowaga to be held on Sunday, June 28, 2015, at Cheektowaga Town Park from dawn to dusk.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-266

SPECIAL EVENT - Cheektowaga Girls Fastpitch Softball Parade

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, the Cheektowaga Girls Fastpitch Softball League has made application to hold a parade on Saturday, June 6, 2015, from 10:30 a.m. to approximately 11:30 a.m., said parade to begin at ball diamonds (George Urban Blvd at McNaughton), west onto George Urban Boulevard, right on E. Grand, left on West Grand, left on George Urban back to softball diamonds; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the application of the Cheektowaga Girls Fastpitch Softball League for the aforementioned parade, to be held on Saturday, June 6, 2015 ; BE IT FURTHER

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-267

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

Josh Graser

8/15/14

14212

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the reading of names for the following three (3) resolutions: 2015-267; 2015-268 and 2015-269. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Diane Benczkowski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



23. RESOLUTION 2015-268

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired/transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Laborer - "Level I Participant" - 7310.1816 - \$8.75 - Seasonal

| | |
|----------------------------|-------|
| Kyle J. Kaminski | 14227 |
| Connor J. Mages | 14225 |
| Ryan M. Skowron | 14227 |
| Drew A. Stachewicz | 14227 |
| Robert F. Staniszewski III | 14043 |
| Andrew J. Matyjakowski | 14212 |

Laborer - "Level II Participant" - 7310.1816 - \$8.90 - Seasonal

| | |
|----------------------|-------|
| Lukas I. Baumgart | 14225 |
| Logan B. Brunner | 14043 |
| Tyler A. Diebold | 14225 |
| Matthew L. Hencinski | 14227 |
| Ronald T. Jerozal | 14227 |
| Maurice L. Lee II | 14225 |
| Steven J. Nichy | 14043 |
| Leah P. Polvinale | 14043 |
| Tyler J. Suchan | 14227 |
| James R. Urshel | 14043 |

Laborer - "Level III Participant" - 7310.1816 - \$9.00 - Seasonal

| | |
|------------------|-------|
| Rocco Fumerelle | 14227 |
| Kaylee M. Sandel | 14227 |
| Maryann Glab | 14227 |

Laborer - "Level V Participant" - 7310.1816 - \$9.50 - Seasonal

| | |
|--------------------|-------|
| Christopher Kelley | 14215 |
|--------------------|-------|

Laborer - "Level I Supervisor Trainee" - 7310.1811- \$9.75 - Seasonal

| | |
|-------------------|-------|
| Eric D. Nash | 14206 |
| Daniel M. Wierzba | 14212 |

Laborer - "Level II Supervisor Trainee" - 7310.1811- \$9.95 - Seasonal

| | |
|-----------------|-------|
| Zachary J. Uzar | 14227 |
| Alex S. Lenhard | 14227 |

Laborer - "Level I Youth Leader" - 7310.1811- \$10.15 - Seasonal

| | |
|-----------------------|-------|
| James R. Hanners | 14225 |
| Christopher S. Suchan | 14227 |

Laborer - "Level II Youth Leader" - 7310.1811- \$10.40 - Seasonal

| | |
|----------------------|-------|
| Keith R. Kwiatkowski | 14227 |
|----------------------|-------|

Laborer - "Level III Youth Leader" - 7310.1811- \$10.65 - Seasonal

| | |
|-------------------|-------|
| Joshua M. Galante | 14206 |
|-------------------|-------|

Laborer - "Level I Crew Supervisor" - 7310.1811- \$13.00 - Seasonal

| | |
|---------------|-------|
| Daniel S. Eye | 14225 |
|---------------|-------|

| | |
|------------------|-------|
| Matthew J. Eckle | 14225 |
|------------------|-------|

Laborer - "Level IV Crew Supervisor" - 7310.1811- \$13.75 - Seasonal

| | |
|--------------------|-------|
| Stephen R. Pfalzer | 14043 |
|--------------------|-------|

| | |
|-----------------|-------|
| Andrew G. Samer | 14227 |
|-----------------|-------|

Laborer - "Level I Participant" - 7310.1816 - \$8.75 - Seasonal - Alternates

| | |
|--------------|-------|
| Karly Glowny | 14206 |
|--------------|-------|

| | |
|--------------------|-------|
| Benjamin Blackhall | 14206 |
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| Amber L. Napierski | 14227 |
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|---------------------|-------|
| Ashley M. Napierski | 14227 |
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|-----------------|-------|
| Thomas Isbrandt | 14206 |
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| Rodger M. Gabryszak | 14227 |
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| Meaghan F. Gosciak | 14225 |
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| David M. Kovatchev | 14225 |
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| | |
|-----------------|-------|
| Tyler D. Inseon | 14212 |
|-----------------|-------|

| | |
|-------------------------|-------|
| Krystyanna L. Woodworth | 14225 |
|-------------------------|-------|

Recreation Aide - 7310.1801 Alexander Day Camp - \$8.75 - Part-time

| | |
|----------------|-------|
| Matthew Carney | 14225 |
|----------------|-------|

| | |
|---------------|-------|
| Paige Casillo | 14227 |
|---------------|-------|

| | |
|-----------------|-------|
| Julie Karpinski | 14225 |
|-----------------|-------|

| | |
|----------------|-------|
| Alexis Krueger | 14215 |
|----------------|-------|

Recreation Attendant - 7310.1801 Alexander Day Camp - \$8.75 - Seasonal

| | |
|---------------------|-------|
| Chelsey Balistrieri | 14225 |
|---------------------|-------|

| | |
|-------------------|-------|
| Cassandra Connors | 14225 |
|-------------------|-------|

| | |
|-----------------|-------|
| Trevor Krzemien | 14227 |
|-----------------|-------|

| | |
|------------------|-------|
| Charles McGregor | 14227 |
|------------------|-------|

| | |
|----------------------|-------|
| Morgan Miecznikowski | 14225 |
|----------------------|-------|

| | |
|-----------------|-------|
| Samantha Poules | 14227 |
|-----------------|-------|

| | |
|----------------|-------|
| Brianna Poules | 14227 |
|----------------|-------|

| | |
|------------------|-------|
| Robert Pulkownik | 14227 |
|------------------|-------|

| | |
|-----------------|-------|
| Ashley Schrader | 14225 |
|-----------------|-------|

| | |
|-------------|-------|
| Maria Serio | 14225 |
|-------------|-------|

| | |
|------------------|-------|
| Jennifer Gaffney | 14225 |
|------------------|-------|

| | |
|-----------------|-------|
| Keileigh Pecyne | 14227 |
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| | |
|----------|-------|
| Din Tran | 14225 |
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| | |
|---------------|-------|
| Alexis Whelan | 14225 |
|---------------|-------|

Recreation Attendant - 7310.1801 Alexander Day Camp - \$8.75 - Regular Part-time

| | |
|--------------|-------|
| Emily Ferber | 14225 |
|--------------|-------|

Recreation Attendant - 7310.1801 Alexander Day Camp - \$8.90 - Seasonal

| | |
|---------------|-------|
| Robyn Stanley | 14225 |
|---------------|-------|

Recreation Instructor - 7310.1801 - Alexander Day Camp - \$9.00 - Seasonal

| | |
|-----------------|-------|
| Jennifer Buczek | 14227 |
|-----------------|-------|

Recreation Attendant - 7140.1632 - Dartwood Day Camp - \$8.75 - Seasonal

| | |
|-----------------|-------|
| Jessica Beutler | 14227 |
| Amanda Goble | 14227 |
| Alexe Wodowski | 14227 |

Recreation Attendant - 7310.1814 - \$8.75 - Seasonal

| | |
|----------------|-------|
| Jayson Schultz | 14211 |
|----------------|-------|

Recreation Attendant - 7140.1633 - \$9.20 - Regular Part-time

| | |
|----------------|-------|
| Hilary Peacock | 14043 |
|----------------|-------|

| | |
|------------------|--|
| RESULT: | ADOPTED [5 TO 0] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Benczkowski, Meyers, Adamczyk |
| ABSTAIN: | Gerald Kaminski |



24. RESOLUTION 2015-269

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

FACILITIES DEPARTMENT (Parks Division) Laborer \$9.00/hour
Joshua E. Sikorski, Cheektowaga, New York effective 5/10/15
Randy J. Walker, Jr., Cheektowaga, New York effective 5/5/15
Michael F. Sciabarrasi, Depew, New York effective 5/5/15
Noah A. McGhee, Cheektowaga, New York effective 5/5/15

FACILITIES DEPARTMENT (Parks Division) Laborer \$10.25/hour
Michael W. Kowal, Cheektowaga, New York effective 4/21/15
Ryan J. Kowal, Cheektowaga, New York effective 5/9/15

FACILITIES DEPARTMENT (Parks Division) Laborer \$9.25/hour
Tyler M. Elis, Cheektowaga, New York effective 5/20/15
Michael P. Wierzba, Sloan, New York effective 5/19/15

SANITATION DEPARTMENT Laborer \$9.25/hour effective 4/20/15
Kyle J. Kehoe, Cheektowaga, New York
Justin L. Struzik, Sloan, New York

SEWER MAINTENANCE DEPARTMENT Laborer \$9.25/hour effective 5/18/15
Christopher D. Gentile, Cheektowaga, New York
Kobe J. Walenka, Cheektowaga, New York

BE IT RESOLVED, that the following individual be and hereby is hired as a **PART-TIME EMPLOYEE** in the department listed, not to exceed nineteen (19) hours on a weekly basis, in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

JUSTICE COURT Clerk \$15.00/hour effective 5/5/15
Mary Anne Nawrocki, Cheektowaga, New York

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

JUSTICE COURT
June M. Bosworth effective 4/24/15
Gloria J. Grant-Dalfonso effective 3/27/15

SENIOR SERVICES

Catherine M. Albee effective 3/6/15

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-270

Termination of Employee (David Orlikowski)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that pursuant to New York State Civil Service Law Section 71 David Orlikowski be and hereby is terminated effective March 28, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Suspension of Rules

| |
|--|
| Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to Suspend the Rules to Include the following resolution: 2015-271. Motion Carried. |
|--|



1. RESOLUTION 2015-271

Renew Contract with Grant Consulting Firm

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, by resolution dated April 3, 2014 (Resolution 2014-190), the Town of Cheektowaga retained KHEOPS Architecture and Engineering, DPC to provide grant consulting services to assist the Town with obtaining grants from various sources, and

WHEREAS, said contract expired on April 7, 2015, and

WHEREAS, there is a need to renew said contract for a six (6) month term, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains KHEOPS Architecture and Engineering, DPC to perform grant consulting services for the Town of Cheektowaga for six (6) months at a total cost of \$12,000.00 (\$2,000.00 per month), and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute an agreement amendment with KHEOPS Architecture and Engineering, DPC for these services for an additional six (6) months, commencing on April 8, 2015 and terminating on October 7, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

VI. Communications

A. Departmental Communications

1. Town of Cheektowaga Emergency Services - Quarterly Report for January to March 2015
2. Building Permit List - March 2015
3. Minutes: Cheektowaga Planning Board - April 9, 2015

B. General Communications

1. Summons & Complaint: Marilyn Y. Hubbard vs. Town of Cheektowaga

2. **Summons: Key Bank National Association vs. Jodi Harding, Town of Cheektowaga Etal Premises - 281 Griffith Street**
3. **Summons: US Bank National Association vs. Brenda L. Pawl, Town of Cheektowaga Etal - Premises 1301 George Urban Blvd.**
4. **Summons: Wells Fargo Bank, NA vs. Daniel A. Dombkiewicz, Town of Cheektowaga Etal Premises - 38 Jane Drive**
5. **Notice of Claim: Steven Busch vs. Town of Cheektowaga**
6. **Notice of Claim: Suzanne Howard vs. Town of Cheektowaga**
7. **Notice of Claim: Jennifer Maltin vs. Town of Cheektowaga**
8. **Notice of Claim: Progressive Casualty Ins. Co a/s/o James Woodruff vs. Town of Cheektowaga**
9. **Notice of Claim: Safeco Insurance a/s/o Diane & Richard Aiken vs. Town of Cheektowaga**
10. **Notice of Claim: Second Look, Inc. a/s/o National General Insurance Co. vs. Town of Cheektowaga**
11. **Notice of Claim: Gertrude H. Wardak vs. Town of Cheektowaga**

VII. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. Adjournment

Motion by Supervisor Holtz; Seconded by Councilmember Rogowski to adjourn the meeting at 8:08 PM

Alice Magierski, Town Clerk

Town of Cheektowaga Development Review Comments

Project Address: 3601 Union Rd

Agency Responsible for Comments

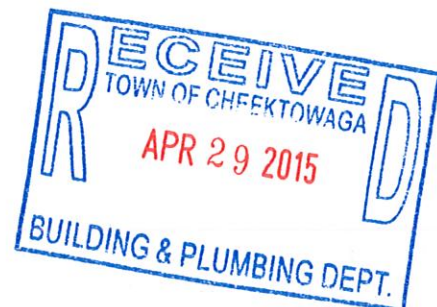
- | | | | |
|-----------------------------------|--|--|-------------------------------|
| <input type="checkbox"/> Building | <input type="checkbox"/> CCAC | <input type="checkbox"/> Engineering | <input type="checkbox"/> Fire |
| <input type="checkbox"/> Highway | <input checked="" type="checkbox"/> Traffic Safety | <input type="checkbox"/> Planning/Zoning | <input type="checkbox"/> |

Comments

- | | |
|---|---|
| <input type="checkbox"/> Project does not affect agency | <input type="checkbox"/> Plans are unreviewable |
| <input type="checkbox"/> Additional information is needed | <input type="checkbox"/> Submission is acceptable |

Specific Comments:

Original plan shows a joint driveway with the property to the south. Applicant proposes it to be a one way exit. Since this is a shared driveway the other party needs to approve the one way use. The proposed exit to the adjoining property would not be a good idea as the property has limited driving space to accommodate the anticipated traffic thru it. At the April EAC meeting both property owners were present and agreed to close the connection between the properties in the front along Union Rd. They proposed a 24 ft. two way connection in the rear of the adjoining property. Pedestrian access along Union Rd. is shown as well as access from the Union Rd. Sidewalk to the building. The plan indicates sufficient parking and handicap parking. Pending submittal of a revised traffic plan showing the changes in cross access and fire-lane access to the Easterly building this plan would be recommended.



Prepared by: Mark E. Nacke

date: 04/21/2015

print



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227

<http://www.town.cheektowaga.ny.us>

Alice Magierski

716-686-3400

Monday, May 18, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on May 18, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Absent | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer

Brian Krause, Director of Finance and Administration

Karen Marchese, Coordinator of Employee Relations

Kevin Schenk, Town Attorney

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-272

Transfer of Funds-2015

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;
SPECIAL DISTRICTS

| | | | |
|-------|---------------|--------------------------|------------|
| FROM: | 255.8125.4543 | Contracted Sewer Repairs | \$8,743.00 |
|-------|---------------|--------------------------|------------|

| | | | |
|-----|---------------|----------|------------|
| TO: | 255.8125.2550 | Vehicles | \$8,743.00 |
|-----|---------------|----------|------------|

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



2. RESOLUTION 2015-273

Warrant

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to May 18, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|-----------------|
| GENERAL FUND | \$6,508,031.74 |
| RISK RETENTION FUND | 992,065.35 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 6,685.00 |
| SPECIAL DISTRICTS FUND | 976,824.76 |
| HIGHWAY FUND | 742,027.18 |
| CAPITAL FUND | 272,105.83 |
| TRUST & AGENCY FUND | 573,728.48 |
| HUD CDBG FUND | 15,235.02 |
| PART TOWN FUND | 129,757.25 |
| NYS AFFORDABLE HOUSING | 10,028.00 |
| | <hr/> |
| | \$10,226,488.61 |

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



3. RESOLUTION 2015-274

Award of Bid - 2015 Contract Grass Cutting for Privately-Owned Properties in the Town of Cheektowaga (BID 2015-21)

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, in order to enforce New York State and Local Property Maintenance Codes, the Town of Cheektowaga Office of Neighborhood Preservation has been requested to procure grass cutting and trimming, removal of the accumulated debris on various privately-owned parcels in the Town of Cheektowaga (Bid 2015-21); and

WHEREAS, in accordance with the Procurement Policy of the Town of Cheektowaga, the Office of Neighborhood Preservation issued a Notice to Bidders for Furnishing Equipment and Operators for Grass Cutting and Related Landscaping Services for Various Properties in the Town of Cheektowaga for the Calendar Year 2015; and

WHEREAS, responses to said bid request were referred to the Director of Community Development for analysis, tabulation and report; and

WHEREAS, based on the proposals submitted, the Director of Community Development has recommended that this Town Board award the contract for Furnishing Equipment and Operators for Grass Cutting and Related Landscaping Services for Various Properties in the Town of Cheektowaga for the Year 2015 to Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping, for its submission of a proposal to perform said services; NOW, THEREFORE, BE IT

RESOLVED, that the contract for Furnishing Equipment and Operators for the Grass Cutting and Trimming, Removal of the Accumulated Debris on Select Parcels in the Town of Cheektowaga for the Calendar Year 2015 be awarded to Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping, 7768 Lewis Road, Holland, New York, 14080, for the prices listed in its proposal, said amount being the lowest responsible bid meeting the requirements of the specifications for said services; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed and authorized to execute a contract with Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping for the aforesaid services, subject to approval by the Town Attorney.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



4. RESOLUTION 2015-275

Award of Bid - One (1) New and Unused 2016 Model Crew Cab Truck with an 11 Foot Utility Body and an Underdeck Mounted, PTO Drive 185 CFM Air Compressor (Bid 2015-22)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening held on May 6, 2015, for One (1) New and Unused Model Crew Cab Truck with an 11 Foot Utility Body and an Underdeck Mounted, PTO Drive 185 CFM Air Compressor for use by the Town of Cheektowaga Highway Department (Bid 2015-22) as a result of advertisement thereof, and such bid was referred to the Superintendent of Highway for analysis, tabulation and reports, AND

WHEREAS, bids were analyzed and completed, NOW THEREFORE BE IT

RESOLVED, the responsible bidder meeting bid specs for One (1) New and Unused 2016 Model Crew Cab Truck with an 11 Foot Utility Body and an Underdeck Mounted, PTO Drive, 185 CFM Air Compressor be awarded to Fleet Maintenance, Inc., 67 Ransier Drive, West Seneca, NY 14224 at a total bid price of \$109,969.00 said bidder meeting specifications of bid. AND, BE IT FURTHER

RESOLVED, that monies be charged to line 300.5130.2407.

TABULATION FOR ONE (1) NEW AND UNUSED 2016 CREW CAB TRUCK WITH AN 11 FOOT UTILITY BODY AND AN UNDERDECK MOUNTED, PTO DRIVE, 185 CFM AIR COMPRESSOR.

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|--|--------------|
| Fleet Maintenance, Inc. 67 Ransier Drive West Seneca, NY 14224 716-675-9220 | \$109,969.00 |
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| Regional International of WNY 2425 Walden Ave. Cheektowaga, NY 14225 716-681-9500 Ext. 3310 | \$113,204.00 |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



5. RESOLUTION 2015-276

Award 2015 Contract Grass Cutting for Mt. Hope Cemetery

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga Office of Neighborhood Preservation has been requested to procure grass cutting and debris removal services for Mt. Hope Cemetery, 484 Pine Ridge Heritage, Town of Cheektowaga; and

WHEREAS, in accordance with the Procurement Policy of the Town of Cheektowaga, the Office of Neighborhood Preservation issued a Request for Proposals for Furnishing Equipment and Operators for the Grass Cutting and Removal of Accumulated Debris for Mt. Hope Cemetery, 484 Pine Ridge Heritage, Town of Cheektowaga for the Year 2015; and

WHEREAS, responses to said request were referred to the Director of Community Development and for analysis, tabulation and report; and

WHEREAS, based on the proposals submitted, the Director of Community Development has recommended that this Town Board award the contract for Furnishing Equipment and Operators for the Grass Cutting and Removal of Accumulated Debris for Mt. Hope Cemetery, 484 Pine Ridge Heritage, Town of Cheektowaga for the Year 2015 to Cintron Contractors, for its submission of a proposal to perform said services; NOW, THEREFORE, BE IT

RESOLVED, that the contract for Furnishing Equipment and Operators for the Grass Cutting and Removal of Accumulated Debris for Mt. Hope Cemetery, 484 Pine Ridge Heritage, Town of Cheektowaga for the Year 2015 be awarded to Cintron Contractors, 3069 Clinton Street, West Seneca, New York, 14224, for the prices listed in its proposal, said amount being the lowest responsible bid meeting the requirements of the specifications for said services; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed and authorized to execute a contract with Cintron Contractors for the aforesaid services, subject to approval by the Town Attorney.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



6. RESOLUTION 2015-277

Award 2015 Contract for Board-Up of Various Properties

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, in order to enforce New York State and Local Property Maintenance Codes, the Town of Cheektowaga Office of Neighborhood Preservation has been requested to procure services for the board-up and removal of the accumulated debris on various privately-owned parcels in the Town of Cheektowaga; and

WHEREAS, in accordance with the Procurement Policy of the Town of Cheektowaga, the Office of Neighborhood Preservation issued a Request for Proposals for Furnishing Equipment and Operators for the Board-Up of Various Properties in the Town of Cheektowaga for the Year 2015; and

WHEREAS, responses to said bid request were referred to the Director of Community Development for analysis, tabulation and report; and

WHEREAS, based on the proposals submitted, the Director of Community Development has recommended that this Town Board award the contract for Furnishing Equipment and Operators for the Board-Up of Various Properties in the Town of Cheektowaga for the Year 2015 to Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping, for its submission of a proposal to perform said services; NOW, THEREFORE, BE IT

RESOLVED, that the contract for Furnishing Equipment and Operators for the Board-Up of Various Properties in the Town of Cheektowaga for the Year 2015 be awarded to Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping, 7768 Lewis Road, Holland, New York, 14080, for the prices listed in its proposal, said amount being the lowest responsible bid meeting the requirements of the specifications for said services; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed and authorized to execute a contract with Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping for the aforesaid services, subject to approval by the Town Attorney.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



7. RESOLUTION 2015-278

Award 2015 Contract for Clean-Up of Various Properties

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, in order to enforce New York State and Local Property Maintenance Codes, the Town of Cheektowaga Office of Neighborhood Preservation has been requested to procure services for the clean-up and removal of the accumulated debris on various privately-owned parcels in the Town of Cheektowaga; and

WHEREAS, in accordance with the Procurement Policy of the Town of Cheektowaga, the Office of Neighborhood Preservation issued a Request for Proposals for Furnishing Equipment and Operators for the Clean-Up of Various Properties in the Town of Cheektowaga for the Year 2015; and

WHEREAS, responses to said bid request were referred to the Director of Community Development for analysis, tabulation and report; and

WHEREAS, based on the proposals submitted, the Director of Community Development has recommended that this Town Board award the contract for Furnishing Equipment and Operators for the Clean-Up of Various Properties in the Town of Cheektowaga for the Year 2015 to Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping, for its submission of a proposal to perform said services; NOW, THEREFORE, BE IT

RESOLVED, that the contract for Furnishing Equipment and Operators for the Clean-Up of Various Properties in the Town of Cheektowaga for the Year 2015 be awarded to Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping, 7768 Lewis Road, Holland, New York, 14080, for the prices listed in its proposal, said amount being the lowest responsible bid meeting the requirements of the specifications for said services; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed and authorized to execute a contract with Vincent J. Mancuso, Jr., d/b/a Mancuso Landscaping for the aforesaid services, subject to approval by the Town Attorney.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



8. RESOLUTION 2015-279

Negative SEQR Declaration - West of 700 Aero Drive Park and Fly

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by TBD Properties, LLC for the rezoning of 5.04 +/- acres of vacant land west of 700 Aero Drive, identified as SBL No. 81.04-1-12.11, from M1- Light Manufacturing to MS- Motor Services to permit the construction of an exterior automobile parking area, 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, the Town of Cheektowaga Planning Board recommended approval of the rezoning request at their meeting of February 12, 2015, AND

WHEREAS, the Town of Cheektowaga Conservation Advisory Council has reviewed the subject project and is recommending the preservation of as many trees as practicable, and that all trees displaced be replaced on a 1 to 1 basis and /or monies in lieu be offered to the Town consistent with section 229-5 of the Town Code, for re-forestation efforts elsewhere within the Town, AND

WHEREAS, the subject property has been previously disturbed, and the applicant has performed a wetland delineation of the entire premises, AND

WHEREAS, on October 20, 2010, the US Army Corps of Engineers has accepted the findings of the wetland delineation and has issued a Preliminary Jurisdictional Determination as shown on the attached correspondence dated October 20, 2010, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is recommending its approval, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on May 6, 2015 recommended a determination of non-significance, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, the Planning Board, the CCAC and the Traffic Safety Commission NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

Attachments:

USACOE PJD (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



9. RESOLUTION 2015-280

Negative SEQR Declaration - South of 4972 Transit Road City Mattress

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by Gold Seal Equity Partnership for the rezoning of 2.2 +/- acres of vacant land south of 4972 Transit Road, being part of SBL No. 114.04-5-27.1, from NS- Neighborhood Services to C-Retail Business to permit the construction of a 15,700 s.f. retail building, 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, the Town of Cheektowaga Planning Board recommended approval of the rezoning request at their meeting of April 9, 2015, AND

WHEREAS, the Town of Cheektowaga Conservation Advisory Committee has reviewed the subject project and is recommending the preservation of as many trees as practicable, and that all trees displaced be replaced on a 1 to 1 basis and /or monies in lieu be offered to the Town consistent with section 229-5 of the Town Code, for re-forestation efforts elsewhere within the Town , AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is recommending its approval, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on May 6, 2015 recommended a determination of non-significance, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, the Planning Board, the CCAC and the Traffic Safety Commission the NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



10. RESOLUTION 2015-281

Accept Site Plan- West of 700 Aero Drive Park and Fly

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, TBD Properties, LLC submitted a development review application for the construction of an exterior automobile parking area on a vacant 5.04 +/- acre parcel west of 700 Aero Drive, known as SBL No. 81.04-1-12.11, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of May 14, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The Town Engineering Department accepting the drainage/grading plan.
2. The Town Planner reviewing/approving a photometric plan for the exterior lighting, and a final landscaping plan with fencing details.
3. The applicant providing compensatory trees pursuant to section 229-5 of the Town Code.
4. The applicant confirming with the US Army Corps of Engineers that the Preliminary Jurisdictional Determination dated October 20, 2010 for the Federal Wetlands on the premises is still valid.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



11. RESOLUTION 2015-282

Accept Site Plan- South of 4972 Transit Road City Mattress

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Gold Seal Equity Partnership submitted a development review application for the construction of a 15,700 s.f. retail building on a vacant 2.2 +/- acre parcel south of 4972 Transit Road, being part of SBL No. 114.04-5-27.1, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of May 14, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The Town Engineering Department accepting the drainage/grading plan.
2. The Town Planner reviewing/approving a photometric plan for the exterior lighting.
3. The applicant providing compensatory trees and /or monies in lieu pursuant to section 229-5 of the Town Code.

Attachments:
Site Plan (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



12. RESOLUTION 2015-283

Accept Site Plan- 3601 Union Road Sonic

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Union Road Plaza, LLC submitted a development review application for the conversion of an existing restaurant into a "drive-in" restaurant with an accessory drive thru window at 3601 Union Road, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of May 14, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The applicant providing the Town Board with a commitment letter detailing any limitations on exterior activities in the late evening hours.
2. The applicant providing evidence from the adjacent neighbor to the south that the existing perpetual vehicular access easement has been satisfactorily modified and agreed upon by both parties.



Motion by Councilmember Rogowski; Seconded by Councilmember Kaminski to amend this resolution as follows:



WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the

Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Union Road Plaza, LLC submitted a development review application for the conversion of an existing restaurant into a "drive-in" restaurant with an accessory drive thru window at 3601 Union Road, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of May 14, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The applicant providing the Town Board with a commitment letter detailing any limitations on exterior activities in the late evening hours.
2. The applicant providing evidence from the adjacent neighbor to the south that the existing perpetual vehicular access easement has been satisfactorily modified and agreed upon by both parties.
3. The front driveway connection with the property immediately south shall not be closed until the rear driveway connection to this property is installed by the applicant at its cost.

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| RESULT: | ADOPTED AS AMENDED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



13. RESOLUTION 2015-284

Approve Rezoning of Vacant Land West of 700 Aero Drive

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, H. Christopher Streng petitioned for a rezoning from M1-Light Manufacturing District to MS-Motor Services District for a portion of the vacant land owned by TDB Properties, LLC and located west of 700 Aero Drive, Cheektowaga, New York, which property is described in the attached legal description, for the establishment of an automobile parking facility, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 4th day of May, 2015 at 6:45 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 H. Christopher Streng for the rezoning from M1-Light Manufacturing 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 following condition:

1. Any future additions to the development or site plan must be resubmitted to the Town Board to determine that the addition is substantially in agreement with the intent of this rezoning

, and BE IT FURTHER

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



LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 81, Township 11 and Range 7 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at a point being the southwest corner of said Lot No. 81; RUNNING THENCE NORTHERLY and along the westerly line of said Lot No. 81, a distance of 572.00 feet to the southerly line of premises conveyed by Joseph Foisset and Mary Foisset, his wife, to Albert Ryley by deed recorded June 16, 1952 in Erie County Clerk's Office in Liber 5134 of Deeds at

page 34;RUNNING THENCE EASTERLY and parallel with the northerly line of said Lot No. 81 and along the southerly line of said premises conveyed to Albert Ryley, a distance of 313.85 feet to a point; RUNNING THENCE SOUTHERLY at an exterior angle of 90°24'53", a distance of 720.48 to a point on the centerline of Aero Drive (formerly known as Ellicott Creek Road); RUNNING THENCE SOUTHWESTERLY along said centerline of Aero Drive, a distance of 179.40 feet to the point of intersection of said centerline with the westerly line of Lot No. 81;

RUNNING THENCE NORTHWESTERLY and along said westerly line of Lot No. 81, being also the centerline of Ellicott Creek, a distance of 250 feet, more or less, to the point or place of beginning. Said premises containing an area of 5.04 acres, more or less.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



14. RESOLUTION 2015-285

Approve Rezoning of Vacant Land South of 4972 Transit Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, Gold Seal Equity Partnership petitioned for a rezoning from NS-Neighborhood Services District to C-Retail Business District for a portion of the property owned by 4968 Transit Road LLC and located south of 4972 Transit Road, Cheektowaga, New York, which property is described in the attached legal description, for the construction of a 15,700 square foot retain plaza, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 4th day of May, 2015 at 6:45 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 Gold Seal Equity Partnership for the rezoning from NS-Neighborhood Services District to C-Retail Business District of the property described in the attached legal description be and the same is hereby approved, subject to the following condition:

1. Any future additions to the development or site plan must be resubmitted to the Town Board to determine that the addition is substantially in agreement with the intent of this rezoning

, and BE IT FURTHER

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



LEGAL DESCRIPTION

All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, being part of Lot No, 46, Township 10, Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

Beginning at the point of intersection of the south line of Strasmer Road (66 feet wide) with the

line of Transit Road (100 feet wide); running thence south along said west line of Transit Road, 400 feet to a point or place of beginning, said point of beginning also being the southeast corner of lands conveyed to NY Chiropractic College by deed recorded in the Erie County Clerk's Office in Liber 10945 of Deeds at page 5613; thence south and continuing along said west line of Transit Road, a distance of 353.64 feet more or less to the northeast corner of lands conveyed to Pay A. Josefiak and Pearl A. his wife by deed recorded in the Erie County Clerk's Office in Liber 3684 of Deeds at page 218; and which point is the principal place or point of beginning, thence west along said Josefiak's north line a distance of 383 feet to a point in the east line of lands conveyed to Ludwig Zellner and Grace his wife by deed recorded in the Erie County Clerk's Office in Liber 3243 of Deeds at page 161; thence north along said Zellner's east line, a distance of 254.46 feet more or less to a point, thence east along a line parallel to the south property of the NY Chiropractic College's south line, a distance of 383 feet to a point, then southerly along the west line of Transit Road a distance of 248.64 feet to the point and the principal point of beginning.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



15. RESOLUTION 2015-286

Notice to Bidders - Demolition with Asbestos Abatement of 36 Peachrow Lane and 274 Cherokee Drive (BID 2015-15 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, it is in order that bids be advertised for the demolition and asbestos abatement of structures located at 36 Peachrow Lane and 274 Cherokee Drive, Cheektowaga, New York; and

WHEREAS, specifications for same have been prepared by the Town Attorney's Office with the assistance of Nussbaumer & Clarke, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders (BID 2015-15 LAW) for the demolition and asbestos abatement of structures located at 36 Peachrow Lane and 274 Cherokee Drive, Cheektowaga, New York, said notice to be published in the CHEEKTOWAGA BEE, and BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on Wednesday, June 3, 2015 at 11:00 A.M.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk of the Town of Cheektowaga on **WEDNESDAY, JUNE 3, 2015, at 11:00 A.M.** at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, for the demolition and asbestos abatement of **36 Peachrow Lane and 274 Cherokee Drive, situate in the Town of Cheektowaga, New York.**

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

**Alice Magierski
Town Clerk**

Dated: 18 May 2015

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



16. RESOLUTION 2015-287

Establish Accounts for Consolidated Local Streets and Highway Improvement Program (CHIPS)

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, in 1991, the State Legislature Restructured the Consolidated Local Street and Highway Improvement program (CHIPS), creating a new payment mechanism for the capital project portions of the program, AND

WHEREAS, before the Town can avail itself of the CHIPS funding for capital project portion the Town must first spend the money and then seek reimbursement for CHIPS, AND

WHEREAS, a capital account must be established, moneys must be transferred into such account, and then money from such account will be spent, to be reimbursed later, NOW THEREFORE, BE IT

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

#500.5132.0002.5714 - \$433,985.65

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



17. RESOLUTION 2015-288

Establish Accounts for Winter Recovery Program

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, due to the extreme weather conditions of this past winter season, New York State has approved a \$50 million Extreme Winter Recovery fund for the repair of roadways, AND

WHEREAS, the Town has received notification that New York State has appropriated \$62,759.96 of said fund to the Town, AND

WHEREAS, New York State Department of Transportation (NYSDOT) has been deemed the administering office for New York State, AND

WHEREAS, before the Town can avail itself to said funding for the repair of roadways the Town must first spend the money and seek reimbursement from (NYSDOT), AND

WHEREAS, a capital account must be established, moneys must be transferred into such account, and then money from such account will be spent, to be reimbursed later, NOW THEREFORE, BE IT

RESOLVED that the following accounts be and hereby are established:

500.5132.4650.5714 - \$62,759.96

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



18. RESOLUTION 2015-289

Authorize Municipal Cooperation Agreement with Village of Sloan

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Village of Sloan requested that the Town of Cheektowaga Highway Department assist them in the paving of certain streets in said municipalities, and

WHEREAS, the Town of Cheektowaga Superintendent of Highways is willing to assist said municipalities as requested, AND

WHEREAS, before the Town Superintendent of Highways can provide said services outside of the jurisdiction of the Town Highway District, the Town Board must authorize same, AND

WHEREAS, Article 5-G of the General Municipal Law and Section 142-d of the Highway Law authorize this Town Board to enter into agreements with other municipalities to perform this work, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute municipal cooperation agreements with the Village of Sloan to pave designated streets in said municipalities, and BE IT FURTHER

RESOLVED, that moneys received from said municipalities for the provision of the requested services shall be deposited into the proper accounts as determined by the Director of Administration and Finance.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



19. RESOLUTION 2015-290

Authorize Supervisor to Execute License Agreement with True Vine Christian Center Church

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga is the owner of a vacant lot at 2289 Genesee Street (corner of Genesee Street and Avery Place) in the Town of Cheektowaga; and

WHEREAS, True Vine Christian Center Church has requested use of said vacant lot, which is across the street from the church, on Sunday, June 14, 2015 from 1:00 p.m. to 5:00 p.m. for their Children's Day Celebration; and

WHEREAS, True Vine Christian Center Church has offered to mow the grass on the vacant lot in order to accommodate the church festivities on June 14, 2015, and to clean up the property after the event; and

WHEREAS, the Town Attorney's Office has prepared a License Agreement with True Vine Christian Center Church, setting forth the terms and conditions under which the church may use said Town property; NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a License Agreement with True Vine Christian Center Church on behalf of the Town of Cheektowaga.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



20. RESOLUTION 2015-291

Memorialize New York State Senate and Assembly to Enact "New York State Abandoned Property Relief Act of 2015"

Sponsored By: Holtz, Rogowski, Benczkowski, Kaminski, Meyers, Adamczyk

WHEREAS, throughout New York State, there are numerous vacant and abandoned homes, many of which are secured with delinquent mortgages (a/k/a "Zombie Properties"), and

WHEREAS, these properties are a blight on neighborhoods and are oftentimes inhabited by squatters or used for criminal purposes, and

WHEREAS, this also results in a decline in real estate values and a loss of property tax revenues to local governments, and

WHEREAS, existing laws in New York State do not require lenders to maintain these properties until and unless the lenders obtain a judgment of foreclosure; at times, lenders do not pursue judgments of foreclosure so they can avoid maintaining the properties, and

WHEREAS, New York Attorney General Eric Schneiderman has proposed a bill ("Abandoned Property Neighborhood Relief Act of 2015") to take action to reduce the number of Zombie properties in the State and to make lenders maintain these vacant and abandoned properties prior to foreclosure, and

WHEREAS, such legislation is pending in the State Senate (Senate Bill 4781) and Assembly (Assembly Bill 6932) to establish the New York State Abandoned Property Neighborhood Relief Act of 2015, which would:

1. Require mortgage companies to maintain vacant and abandoned residential real properties in pre-foreclosure stages;
2. Establish a periodic inspection requirement for mortgagees and loan servicing agents to determine if the residential real property is occupied;
3. Make it unlawful for a mortgagee or loan servicing agent to enter residential real property that is not vacant for the purpose of forcing or intimidating a lawful occupant thereof to vacate the property;
4. Require the Attorney General to establish and maintain a statewide electronic Vacant and Abandoned Property Registry; and to require mortgagees or their agents to submit information to such Registry information such as the name, address and contact information for the lender;
5. Authorize a municipality to intervene in a foreclosure action and to request injunctive relief;
6. Require that a part of the State Supreme Court be devoted to foreclosure actions involving vacant and abandoned real property;
7. Create an Abandoned Property Relief Fund comprised of civil penalties collected by the Attorney General to establish a procedure for the disbursement to local governments of Enforcement Assistance Grants to aid localities.

, and

WHEREAS, there are a number of vacant and abandoned residential properties in the Town of Cheektowaga which are controlled by lenders, and these homes fall into disrepair and become a blight on the neighborhood, and

WHEREAS, this Board feels that the Town of Cheektowaga and its taxpayers would benefit greatly by the passage of this Abandoned Property Neighborhood Relief Act of 2015, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate and Assembly, and Governor Cuomo to enact the aforementioned Abandoned Property Neighborhood Relief Act of 2015 as quickly as possible, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to State Senator Timothy Kennedy, Assembly Member Angela Wozniak and Governor Andrew Cuomo.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



21. RESOLUTION 2015-292

NYSDEC Year 12 Annual Report

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, a SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4's) was issued to the Town of Cheektowaga by the New York State Department of Environmental Conservation (NYSDEC), which permit requires the Town to conduct a Stormwater Management Program designed to reduce the discharge of pollutants from storm sewer systems, AND

WHEREAS, the Year 12 Annual Report of activities completed to achieve measurable goals is required to be submitted to the NYSDEC following the receipt of public comment not later than June 1, 2015, AND

WHEREAS, the Annual Report has been prepared by the Town Engineer and is available for review and comment in the Office of the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED, that public comment on the subject Annual Report shall be received until May 29, 2015 for inclusion in the final report to be submitted to the NYSDEC, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute the Municipal Compliance Certification Form for submission to the NYSDEC with the Year 12 Annual Report.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



22. RESOLUTION 2015-293

Fitness in the Park - YMCA

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Department of Youth and Recreational Services is desirous of holding a "Fitness in the Park" program in partnership with the YMCA Buffalo Niagara from June 23rd thru August 27th, 2015 and

WHEREAS, said program will be held in Cheektowaga Town Park each Tuesday and Thursday during the summer for people of all ages and at no cost to the Town, NOW,
THEREFORE BE IT

RESOLVED, that upon approval by the Town Attorney, the Supervisor be and hereby is authorized and directed to execute an agreement with the YMCA Buffalo Niagara.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



23. RESOLUTION 2015-294

SPECIAL EVENT - Shooting Starz Co-Ed Softball Tournament

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

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

WHEREAS, the Shooting Starz Charity Softball Association has made application to hold its "Co-Ed Charity Softball Tournament" for Make-A-Wish Foundation in Stiglmeier Park on Saturday, July 25th, 2015 from 8:00 a.m. - 7:00 p.m. (Rain Date: Sunday, July 26th, 2015); and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, Facilities Department and Youth & Recreational Services Department, and

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

- . Submittal of plan for sanitary facilities;
- . Submittal of site plan;
- . Submittal of Security Plan;
- . Submittal of Fire Prevention/Emergency Services Plan;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Shooting Starz Charity Softball Association for the aforementioned "Co-Ed Charity Softball Tournament" for Make-A-Wish Foundation in Stiglmeier Park on Saturday, July 25th, 2015 (Rain Date: Sunday, July 26th, 2015).

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



24. RESOLUTION 2015-295

SPECIAL EVENT - Cheektowaga Oldtimers Softball Playoffs

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

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

WHEREAS, the Cheektowaga Oldtimers Softball League has made application to hold its annual "Super Sunday Softball Playoffs" at Stiglmeier Park (Diamond 1) on Sunday, August 16th, 2015 from 11:00 a.m. - 5:00 p.m.; AND

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Oldtimers Softball League for its annual "Super Sunday Softball Playoffs" at Stiglmeier Park (Diamond 1) on Sunday, August 16th, 2015.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



25. RESOLUTION 2015-296

SPECIAL EVENT - Polish American Arts Festival

Sponsored By: Supervisor Holtz, Councilmember Kaminski

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

WHEREAS, the Cheektowaga Polish-American Arts Festival Committee has made application to hold its annual Polish-American Cultural Festival in Cheektowaga Town Park on Thursday, July 16th (7:00pm-10:00pm); Friday, July 17th (4:00pm-11:00pm); Saturday, July 18th (12:00pm-11:00pm); and Sunday, July 19th (12:00pm-9:00pm); and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Polish-American Arts Festival Committee for the aforementioned Polish-American Cultural Festival to be held in Cheektowaga Town Park from July 16th thru July 19th , 2015.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



26. RESOLUTION 2015-297

Unsafe-Unsecured Garage Door/51 East End Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 51 East End Avenue, Cheektowaga, New York SBL# 90.84-1-18 That is a danger to the safety of others, and records kept by the Assessors Office identify Valerie Bates, 215 Burke Drive, Cheektowaga, New York 14215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 51 East End Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



27. RESOLUTION 2015-298

Unsafe-Unsecured/53 Euclid

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 53 Euclid Avenue, Cheektowaga, New York SBL# 101.60-3-38 that is a danger to the safety of others, and records kept by the Assessors Office identify Kysha Shaw, Sylus LLC, 295 Greenwich Street, Ste 188, New York, New York 10007, as the owner AND

WHEREAS, an inspection of such premises was conducted at 53 Euclid Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



28. RESOLUTION 2015-299

Unsafe-Unsecured/32 Lyman Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 32 Lyman Avenue, Cheektowaga, New York SBL# 102.38-3-22 that is a danger to the safety of others, and records kept by the Assessors Office identify Marcy Reamsnyder, 15 Lloyd Drive, Upper, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 32 Lyman Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



29. RESOLUTION 2015-300

Unsafe-Unsecured Pool/213 Maryvale Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 213 Maryvale Drive, Cheektowaga, New York SBL# 91.09-6-14 that is a danger to the safety of others, and records kept by the Assessors Office identify Wendy Wheeler, 213 Maryvale Drive, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 213 Maryvale Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



30. RESOLUTION 2015-301

Unsafe-Unsecured Fence/99 Princeton Court

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 99 Princeton Court, Cheektowaga, New York SBL# 92.05-3-21 that is a danger to the safety of others, and records kept by the Assessors Office identify Wells Fargo Bank, N.A., 1 Home Campus, Des Moines, IA 50328, as the owner AND

WHEREAS, an inspection of such premises was conducted at 99 Princeton Court, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



31. RESOLUTION 2015-302

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and herby are terminated in the Department of Youth & Recreational Services effective as indicated:

Meggan Empric

3/14/15

14043

Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to waive the reading of names for the following four resolutions: 2015-302; 2015-303; 2015-304 and 2015-305. Motion Carried.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



32. RESOLUTION 2015-303

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide to Recreation Attendant - 7140.1636 - \$8.90 - Regular Part-time

Eric Wilson

Recreation Attendant - 7140.1614 - \$9.25 - Regular Part-time

Daniel Golinski

Brittany Talani

Gillian Wittig

Recreation Attendant - 7140.1614 - \$9.50 - Regular Part-time

Brandon Koszuta

Recreation Attendant - 7140.1614 - \$10.15 - Regular Part-time

Matthew Koszuta

Samantha Sieg

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



33. RESOLUTION 2015-304

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired/transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide - 7140.1640, 7140.1613 & 7140.1815 - \$8.75 - Part-time

Anthony Wanat 14043

Recreation Attendant - 7140.1636 - \$10.00 - Regular Part-time

Andrew Evenhouse 14225

Recreation Attendant - 7140.1640- \$8.75 - Regular Part-time

Austin Junik 14206

Recreation Attendant - 7140.1636 - \$8.90 - Regular Part-time

Alexa Scharf 14225

Recreation Attendant - 7140.1636 - \$9.10 - Regular Part-time - Retro to April 21, 2015

Andrew Deeds 14211

Recreation Attendant - 7140.1646 - \$9.00 - Regular Part-time

Samantha Wayne 14227

Recreation Aide - 7140.1613 - \$8.75 - Part-time

Catherine Rogers 14206

Kira Herkey 14225

Recreation Aide - 7310.1804 - \$8.75 - Part-time

Julie Pijacki 14227

Recreation Attendant - 7140.1632 - \$8.75 - Seasonal

Meaghan Gosciak 14225

Recreation Aide - 7310.1801- \$8.75 - Part-time

Taylor Wilson 14227

Recreation Aide - 7140.1632 - \$8.75 - Part-time

Kayla Bosworth 14227

Recreation Aide - 7140.1648 - \$8.75 - Part-time

Alexis Lewandowski 14206

Michaela Richter 14043

Recreation Aide - 7140.1645 - \$8.75 - Part-time

Nicholas Gamble 14225

Nathan Obstarczyk 14211

Recreation Attendant - 7140.1642 - \$8.75 - Seasonal

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|-------------|-------|
| Sara Keller | 14043 |
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Recreation Attendant - 7140.1645 - \$8.75 - Regular Part-time

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| Lisa Hoffman | 14227 |
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Recreation Attendant - 7140.1645 - \$9.25 - Seasonal

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| Zoe Obstarczyk | 14211 |
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Recreation Attendant - 7140.1645 - \$8.75 - Regular Part-time

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| Lancelot Melin | 14206 |
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Recreation Attendant - 7140.1648 - \$9.25 - Regular Part-time

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| Paige Melin | 14206 |
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Lifeguard "Level III" - 7180.1903 - \$10.13 - Seasonal

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| Ross Bauman | 14227 |
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| Katie Gramlich | 14225 |
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| Amanda Kiripolsky | 14215 |
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| Shelby Metzger | 14043 |
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| Kyle Tobin | 14215 |
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| Joseph Weber | 14225 |
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| Kelsey Weigert | 14211 |
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| Alexandria Wnuk | 14043 |
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Lifeguard "Level II" - 7180.1903 - \$9.94 - Seasonal

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| Justin Brackna | 14225 |
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| Kristina Doetterl | 14227 |
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| Lindsey Fritsch | 14215 |
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| Adrianna Johnson | 14225 |
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| Connor Karek | 14225 |
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| Kevin Lopez Rodriguez | 14225 |
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| Brandon Seifert | 14225 |
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| Colleen Wilkie | 14043 |
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Lifeguard "Level IV" - 7180.1903 - \$10.33 - Seasonal

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| Julianne Doetterl | 14227 |
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| Margaret Drzewiecki | 14225 |
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| Dakota Grantham | 14225 |
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| Zachary Hermanski | 14225 |
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| Samantha Johnston | 14227 |
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| Katelin Petranchuk | 14227 |
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| Stephanie Reesor | 14211 |
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| Chelsea Wartinger | 14043 |
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Lifeguard "Level II" - 7180.1903 - \$9.94 - Regular Part-time

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| Bryce Bielani | 14215 |
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| Jessie Cecere | 14225 |
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| Shelby Gennocro | 14225 |
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| Robert Love | 14225 |
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| Noah Radlich | 14225 |
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| Alyssa Reesor | 14211 |
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|-------------------|-------|
| Benjamin Sullivan | 14225 |
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Lifeguard "Level III" - 7180.1903 - \$10.13 - Regular Part-time
Natalie Lane 14215

Lifeguard "Level IV" - 7180.1903 - \$10.33 - Regular Part-time
Dylan Bajer 14225
Tyler Bajer 14225

Lifeguard "Level IV" - 7180.1903 - \$10.33 - Regular Part-time - Effective 5/26/15
Bradley Bauman 14227

Recreation Instructor "Dingens Pool Supervisor- Level IV" - 7180.1902 - \$12.54 - Regular Part-time
Ashley Bajer 14225

Recreation Instructor "Maryvale Pool Supervisor - Level II" - 7180.1902 - \$12.06 - Seasonal
Joshua Atzrott 14215

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



34. RESOLUTION 2015-305

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SEWER MAINTENANCE Laborer \$9.25/hour effective 5/19/15
Eric R. Cartenuto, Cheektowaga, New York

SEWER MAINTENANCE Laborer \$9.00/hour effective 6/1/15
Nicholas B. Kotarski, Cheektowaga, New York

FACILITIES DEPARTMENT (Parks Division) Laborer \$9.25/hour effective 5/23/15
Michael P. Tomczak, Cheektowaga, New York

SANITATION DEPARTMENT Laborer \$9.25/hour effective 5/11/15
Mark S. Urbanski, Cheektowaga, New York
Nicholas A. Ruberto, Jr., Depew, New York
Sabino J. Scarpone, Cheektowaga, New York

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

SENIOR SERVICES Recreation Attendant \$11.00/hour effective 5/19/15
Camille A. Zielinski, Cheektowaga, New York

SENIOR SERVICES Recreation Attendant \$11.00/hour effective 3/6/15
Catherine M. Albee, Cheektowaga, New York

SENIOR SERVICES Recreation Attendant \$9.00/hour effective 5/19/15
Colette G. Romano, Cheektowaga, New York

FACILITIES DEPARTMENT (Parks Division) Laborer \$9.25/hour effective 5/19/15
William W. Lauber, Cheektowaga, New York

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

FACILITIES DEPARTMENT
Michael P. Wierzba effective 5/19/15

SENIOR SERVICES

Nancy A. Stepnick effective 5/23/15

POLICE DEPARTMENT

Brad J. Bauman effective 5/25/15

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



35. RESOLUTION 2015-306

Amend Termination Date of Employee (David Orlikowski)

Sponsored By: Adamczyk, Benczkowski, Kaminski, Rogowski, Holtz, Meyers

WHEREAS, David Orlikowski was terminated from employment with the Town of Cheektowaga pursuant to New York State Civil Service Law Section 71; AND

WHEREAS, the effective date of termination was erroneously listed as March 28, 2015; AND

WHEREAS, the effective date of termination should be April 28, 2015; NOW, THEREFORE, BE IT

RESOLVED, that pursuant to New York State Civil Service Law Section 71, David Orlikowski be and hereby is terminated from employment with the Town of Cheektowaga effective April 28, 2015.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



36. RESOLUTION 2015-307

Travel Authorization Information Technology and Records Management Systems/Mark Orzechowski

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Systems Security Seminar is being held on June 29, 2015 through July 3, 2015 in Amherst, New York; AND

WHEREAS, Network Coordinator Mark Orzechowski has been recommended to attend said seminar; AND

WHEREAS, Director of the Department of Information Technology and Records Management Lisa-Marie Bolognese has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,495; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Network Coordinator Mark Orzechowski be and hereby is authorized to attend a Systems Security Seminar being held on June 29, 2015 through July 3, 2015 in Amherst, New York.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |

IV. Communications

A. Departmental Communications

1. Supervisor's Statement of Funds - April 2015
2. Building Permit List - April 2015
3. Minutes: Town of Cheektowaga Environmental Advisory Committee - April 15, 2015

B. General Communications

1. **Drescher & Malecki: Annual Financial Report Update Document for the Town of Cheektowaga, County of Erie for the Fiscal Year Ended 12/31/2014**
2. **Notice of Claim: Malgorzata Gryczman vs. Town of Cheektowaga**
3. **Notice of Claim: Jennifer Purpura vs. Town of Cheektowaga**
4. **Notice of Claim: Mr. & Mrs. Ronald E. Rucki vs. Town of Cheektowaga**
5. **Notice of Claim: Arlene Zdrojewski vs. Town of Cheektowaga**

V. Comments***A. Supervisor's Comments******B. Councilmember's Comments******C. Public Comments*****VI. Adjournment**

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to adjourn the meeting at 7:46 PM.

Alice Magierski, Town Clerk



DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

REPLY TO

October 20, 2010

Regulatory Branch

SUBJECT: Preliminary Jurisdictional Determination for Department of the Army Application
No. 2010-00913

Mr. David Kulback
Kulback's Construction, Inc
2 Wendling Court
Lancaster, New York 14086

Dear Mr. Kulback:

I have reviewed the wetland delineation map you submitted for your request for a wetland boundary verification, located on Aero Drive, Town of Cheektowaga, Erie County, New York.

I have evaluated your submitted wetland delineation map and have determined that the wetland and water boundaries shown on the map accurately represent on-site conditions. Please note that this is a Preliminary Jurisdictional Determination (JD). Preliminary JDs are non-binding written indications that there may be waters of the United States on your parcel and approximate locations of those waters. Preliminary JDs are advisory in nature and may not be appealed.

Pursuant to Regulatory Guidance Letter 08-02, any permit application made in reliance on this Preliminary JD will be evaluated as though all wetlands or waters on the site are regulated by the Corps. Further, all waters, including wetlands will be used for purposes of assessing the area of project related impacts and compensatory mitigation. If you require a definitive response regarding Department of the Army jurisdiction for any or all of the waters identified on the submitted drawings, you may request an approved jurisdictional determination from this office. If an approved jurisdictional determination is requested, please be aware that this is often a lengthy process and we may require the submittal of additional information.

I have enclosed the Preliminary JD Form with this letter. The form and attached table identifies the extent of waters on the site and specific terms and conditions of the Preliminary JD. Please sign and return a copy of this form to my attention so that I may complete my evaluation of your file. If you do not respond within fifteen days of this letter, I will assume you no longer wish to pursue the jurisdictional determination and will withdraw your application.

Attachment: USACOE PJD (RES-2015-279 : Negative SEQOR Declaration- West of 700 Aero Drive)

-2-

Regulatory Branch

SUBJECT: Preliminary Jurisdictional Determination for Department of the Army Application
No. 2010-00913

In accordance with Regulatory Guidance Letter 05-02, "Preliminary jurisdictional determinations are not definitive determinations of areas within regulatory jurisdiction and do not have expiration dates." However, I strongly recommend that the boundaries of waters of the United States be re-evaluated by a qualified wetland biologist after five years of the date of this letter. This will ensure that any changes are appropriately identified and you do not inadvertently incur a violation of Federal law while constructing your project or working on your project site.

Lastly, this determination has been conducted only to identify the limits of waters that may be subject to Corps Clean Water Act or Rivers and Harbors Act jurisdiction. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resource Conservation Service prior to starting work.

A copy of this correspondence has been forwarded to Mr. Eric Krull of Wetlands Investigation CO.

Questions pertaining to this matter should be directed to me at (716) 879-4279, by writing to the following address: U.S. Army Corps of Engineers, 1776 Niagara Street, Buffalo, New York 14207, or by e-mail at: joseph.m.rowley@usace.army.mil

Sincerely,



Joseph Rowley
Physical Scientist

Enclosures

Attachment: USACOE PJD (RES-2015-279 : Negative SEQR Declaration- West of 700 Aero Drive)

PREPARED FOR

KULBACKS CONSTR. INC.
2 WENDLING COURT
LANCASTER, NY 14086CITY MATTRESS PLAZA
4968 TRANSIT ROAD
TOWN OF CHEEKTOWAGA, NEW YORK
DRAWING NAME
SITE LAYOUT PLAN

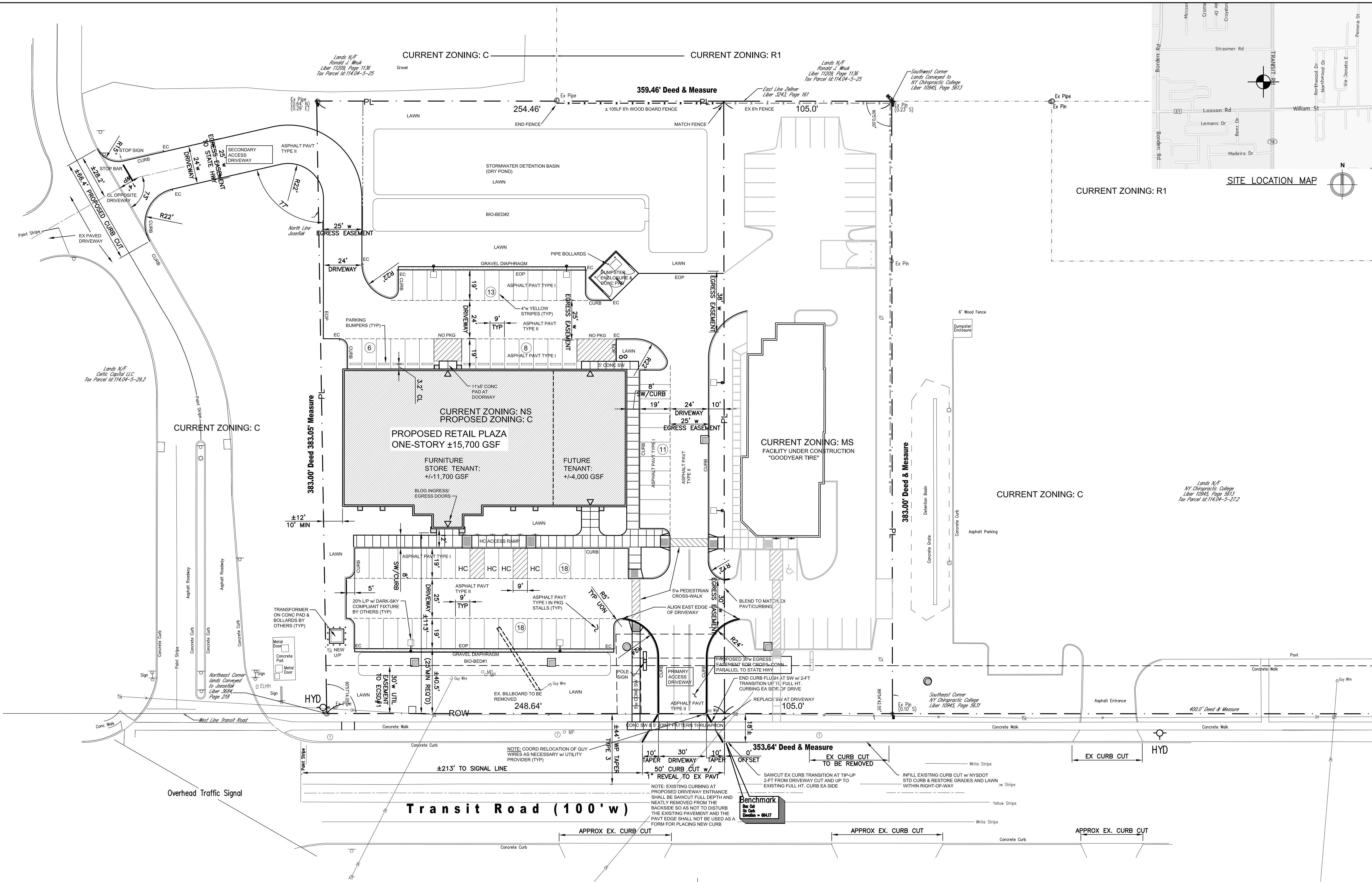
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| DATE | 5.7.15 |
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| DRAWN BY | avm |

DRAWING No

SP101



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- SITE LIGHTING, POWER AND GAS LINES ARE SHOWN FOR INFORMATION ONLY, AND ARE NOT DESIGNED BY TREDO ENGINEERS.

- EXTERIOR LIGHTING SHALL UTILIZE DARK SKY COMPLIANT LIGHT FIXTURES.
- BUILDING DOES NOT CONTAIN A FIRE-SUPPRESSION SPRINKLER SYSTEM.
 - HIGHWAY WORK PERMIT REQUIRED FOR CURB CUT, DRIVEWAY, CURB RAMPS AND SIDEWALKS WITHIN THE RIGHT-OF-WAY PER NYSDOT HDM DETAIL SHT. 608-03. REFER TO SHT SP101A & NYSDOT 619 FOR WORK ZONE TRAFFIC CONTROL STANDARDS FOR TEMPORARY LANE/SHOULDER/SIDEWALK CLOSURE(S).

SITE LAYOUT PLAN

1" = 30'

SITE AREA: ±2.2 ACRES
CURRENT ZONING: NS
PROPOSED ZONING: C
PROPOSED USE: RETAIL (FURNITURE STORE)
SETBACKS BLDG:
FRONT: 50'
SIDE: 10' (or 30' w/ 24' DRIVEWAY)
REAR: 10' at C ZONE; 20' at R ZONE
SETBACKS PAVT:
ROADSIDE (FRONT): 25'
SIDE: 0' at C ZONE; 10' at R ZONE
REAR: 0' at C ZONE; 10' at R ZONE
MAX BLDG HT: 30'
PARKING REQ'D:
RETAIL: 1/300 GSF x 11,700 GSF = 39 or
USE: FURNITURE STORE: 1/700 NSF x (11,700 GSF x 85%) = 4
(17 EMPLOYEE x 10 EMPLOYEES) = 25
FUTURE TENANT: 2/5 SEATS x 120 = 48
TOTAL PARKING REQ'D: 73 SPACES

PARKING PROVIDED:
REG CAR-PARKS = 70
HC SPACES = 4
TOTAL PARKING: 74

tredo
ENGINEERS

755 Seneca Street
Suite 202
Buffalo, New York 14210
716.876.7147 ph

PREPARED FOR

KULBACKS CONSTR. INC.
2 WENDLING COURT
LANCASTER, NY 14086

CITY MATTRESS PLAZA
4968 TRANSIT ROAD
TOWN OF CHEEKTOWAGA, NEW YORK

WORK ZONE TRAFFIC CONTROL PLAN

PROJECT NAME

DRAWING NAME

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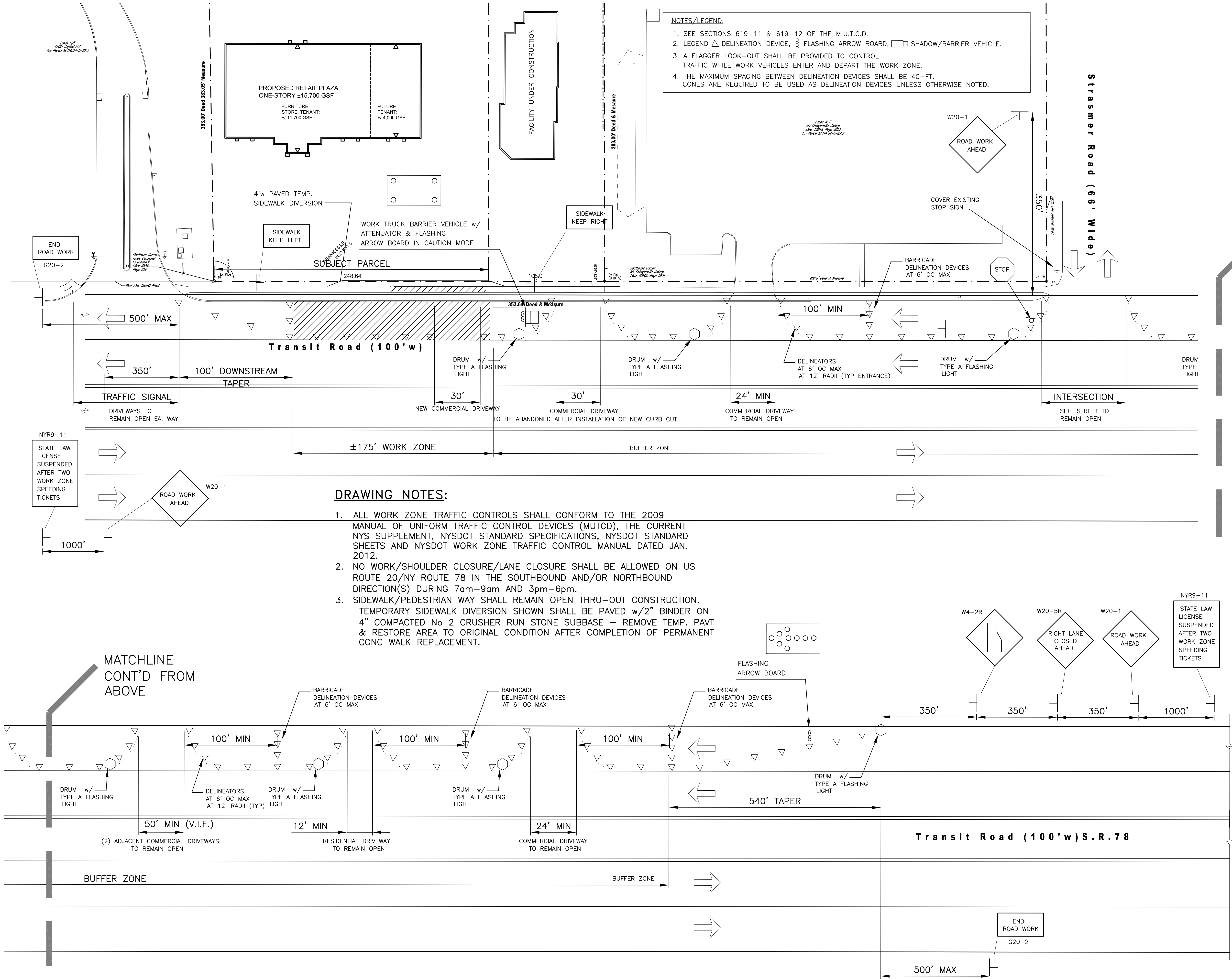
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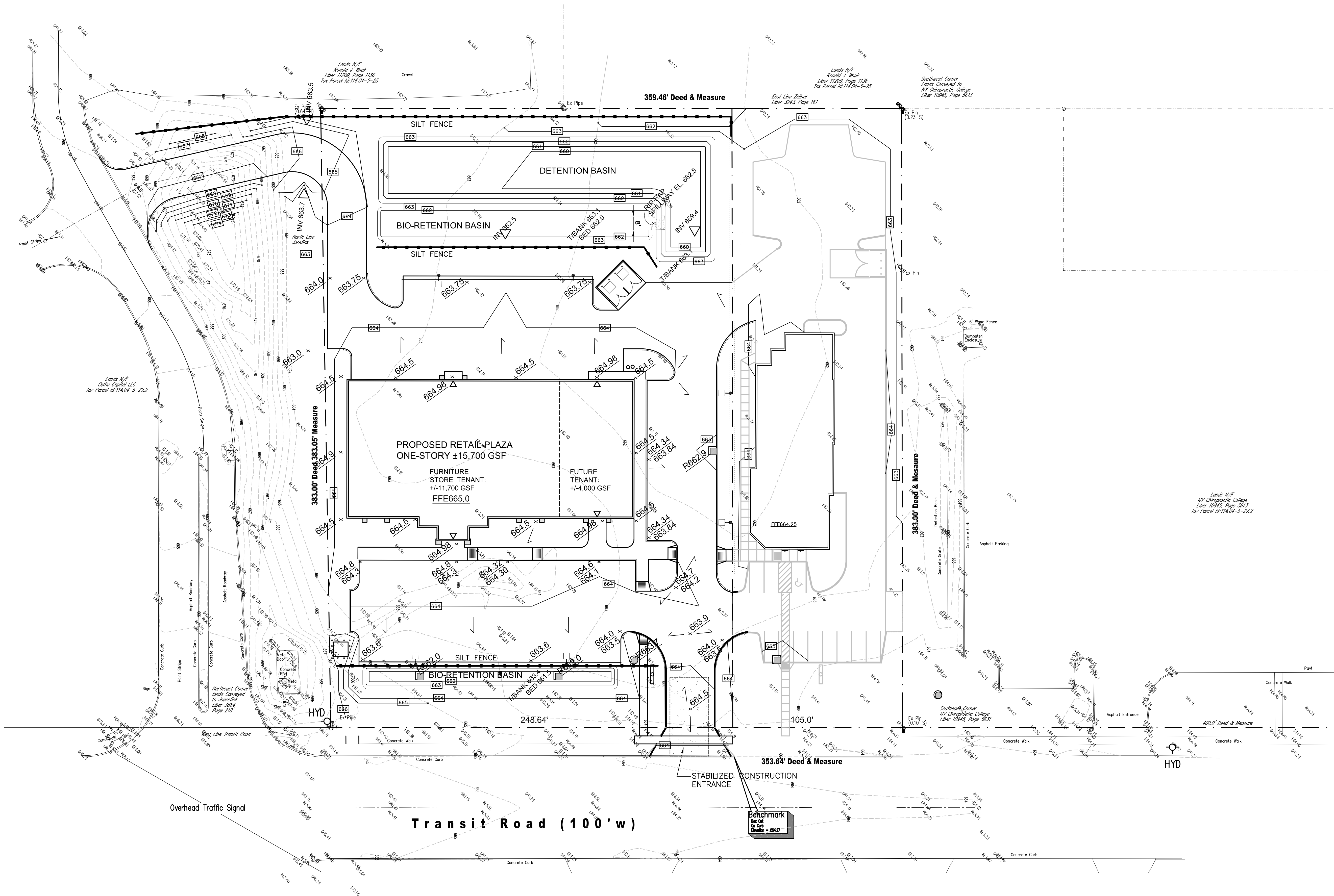
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SITE GRADING PLAN

1" = 30'

LEGEND:

- ELEV +**

○ DENOTES PROPOSED SPOT ELEVATIONS

○ DENOTES PROPOSED CATCH BASIN/MANHOLE

○ DENOTES PROPOSED CLEANOUT

○ DENOTES CONNECTION TO EXISTING UTILITY

○ DENOTES PROPOSED LIGHT POLE

○ DENOTES PROPOSED ROOF DRAIN

— ELEV — DENOTES NEW CONTOURS
- ELEV**

○ DENOTES EXISTING SPOT ELEVATIONS

○ DENOTES EXISTING STORM SEWER DROP INLET

○ DENOTES EXISTING STORM SEWER MANHOLE

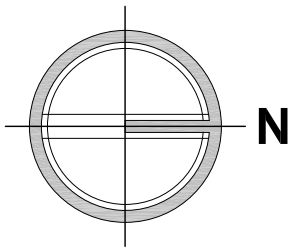
○ DENOTES EXISTING SANITARY SEWER MANHOLE

○ DENOTES EXISTING HYDRANT

○ DENOTES EXISTING LIGHT POLE

○ DENOTES EXISTING WATER VALVE

— ELEV — DENOTES EXISTING CONTOURS



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755 Seneca Street
Suite 202
Buffalo, New York 14210
716.876.7147 ph

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KULBACKS CONSTR. INC.
2 WENDLING COURT
LANCASTER, NY 14086

CITY MATTRESS PLAZA
4968 TRANSIT ROAD
TOWN OF CHEEKTOWAGA, NEW YORK
SITING AND
EROSION CONTROL PLAN

PROJECT NAME

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Suite 202
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2 WENDLING COURT
LANCASTER, NY 14086

CITY MATTRESS PLAZA
4968 TRANSIT ROAD
TOWN OF CHEEKTOWAGA, NEW YORK

SITE UTILITY PLAN

PROJECT NAME

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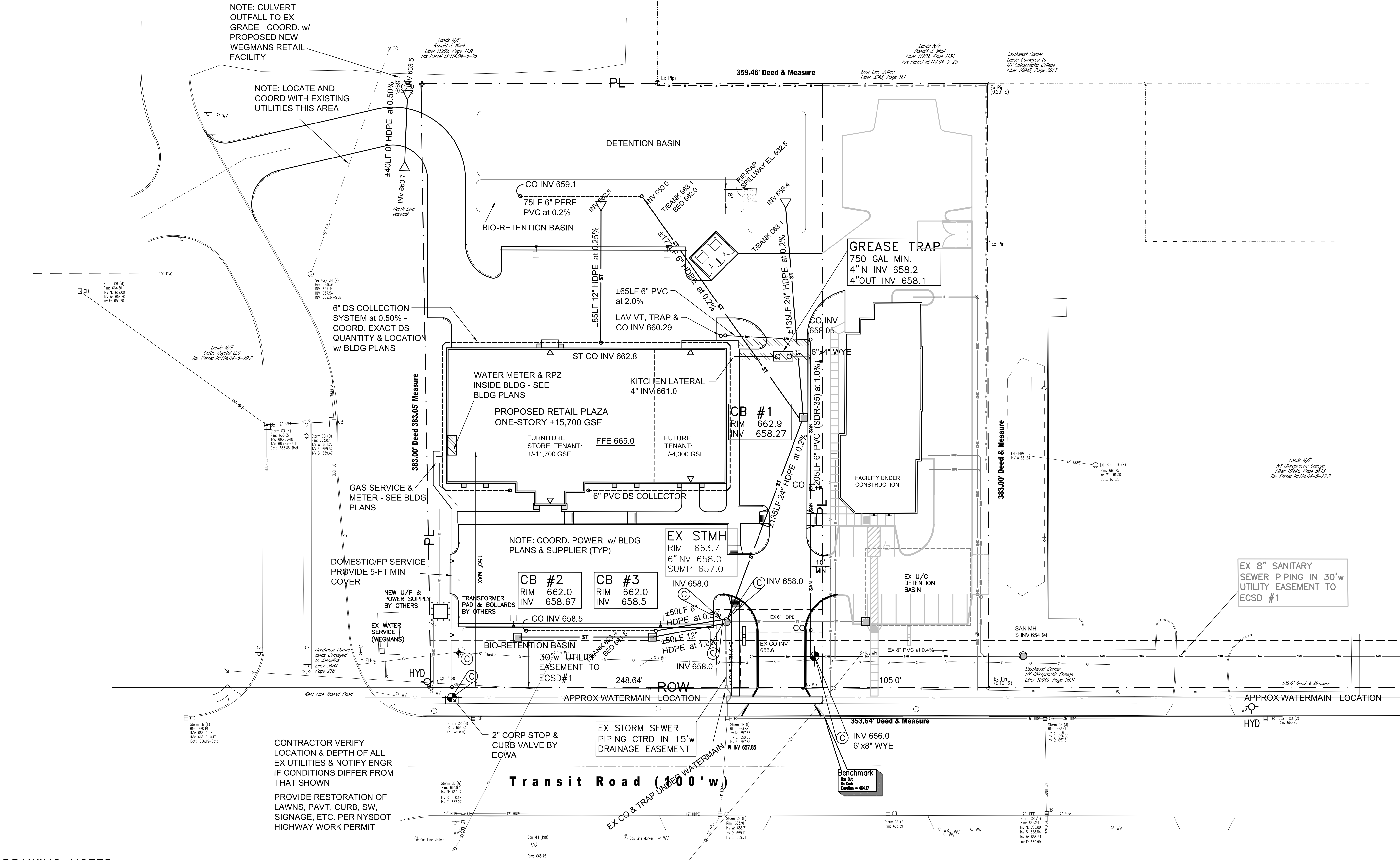
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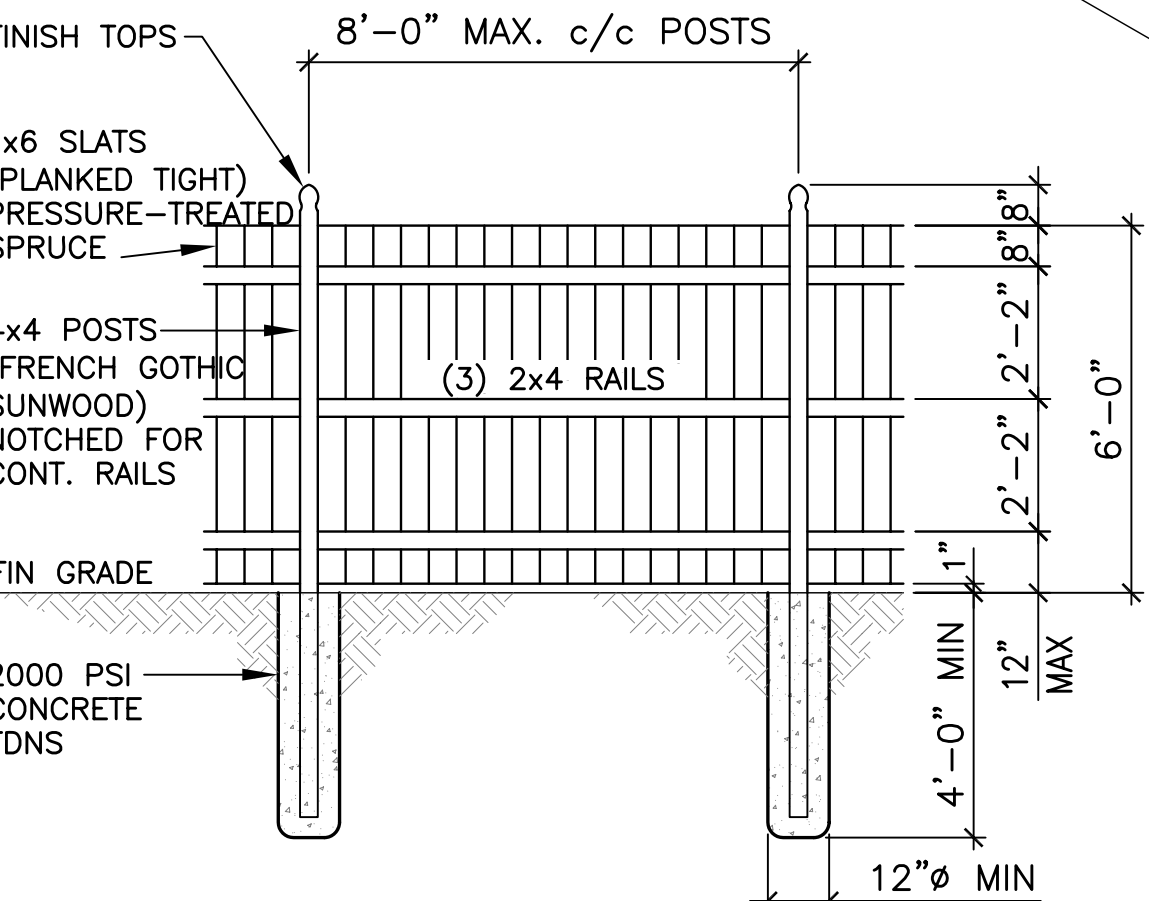
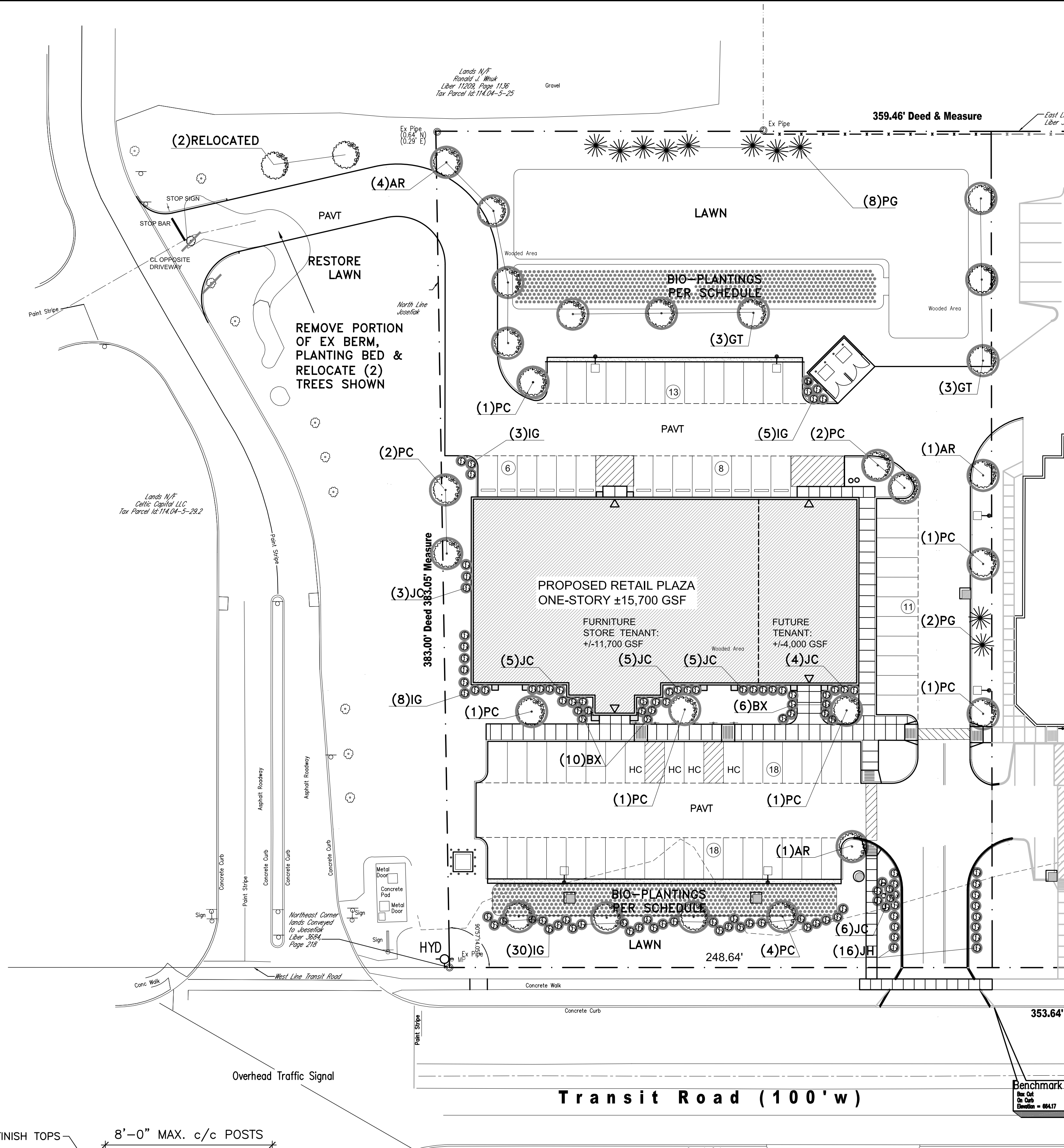
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- ENGR ASSUMES NO LIABILITY FOR SURVEY INFO SHOWN AND/OR UNFORESEEN UNDERGROUND CONDITIONS.
- SELECT BACKFILL REQUIRED AT ALL UTILITY TRENCHES BENEATH PAVEMENT AND SIDEWALKS (TYP)

SITE DRAINAGE AND UTILITY PLAN

1" = 30'

LEGEND:

- | | | | |
|--|---|--|--|
| | DENOTES PROPOSED CATCH BASIN/MANHOLE | | DENOTES EXISTING STORM SEWER DROP INLET |
| | DENOTES PROPOSED CLEANOUT | | DENOTES EXISTING STORM SEWER MANHOLE |
| | DENOTES CONNECTION TO EXISTING UTILITY | | DENOTES EXISTING SANITARY SEWER MANHOLE |
| | DENOTES PROPOSED LIGHT POLE (BY OTHERS) | | DENOTES EXISTING HYDRANT |
| | DENOTES PROPOSED ROOF DRAIN | | DENOTES EXISTING LIGHT POLE |
| | DENOTES EXISTING WATER VALVE | | DENOTES EXISTING UTILITY POLE AND OVERHEAD UTILITIES |
| | DENOTES EXISTING STORM SEWER LINE | | DENOTES EXISTING SANITARY SEWER LINE |
| | DENOTES EXISTING WATER LINE | | DENOTES PROPOSED STORM SEWER LINE |
| | DENOTES EXISTING ELECTRIC LINE | | DENOTES PROPOSED SANITARY SEWER LINE |
| | DENOTES EXISTING GAS LINE | | DENOTES PROPOSED WATER LINE |



LANDSCAPE PLAN

1" = 30'

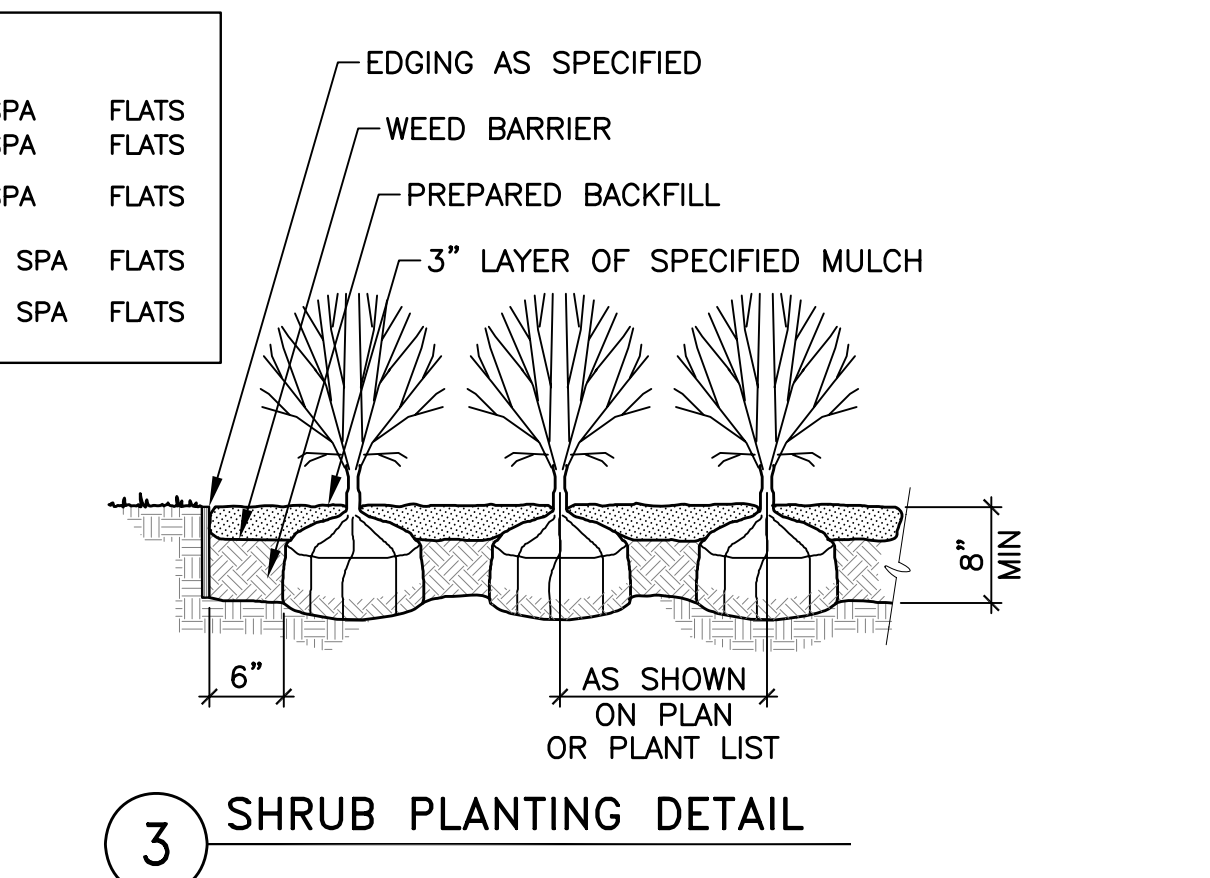
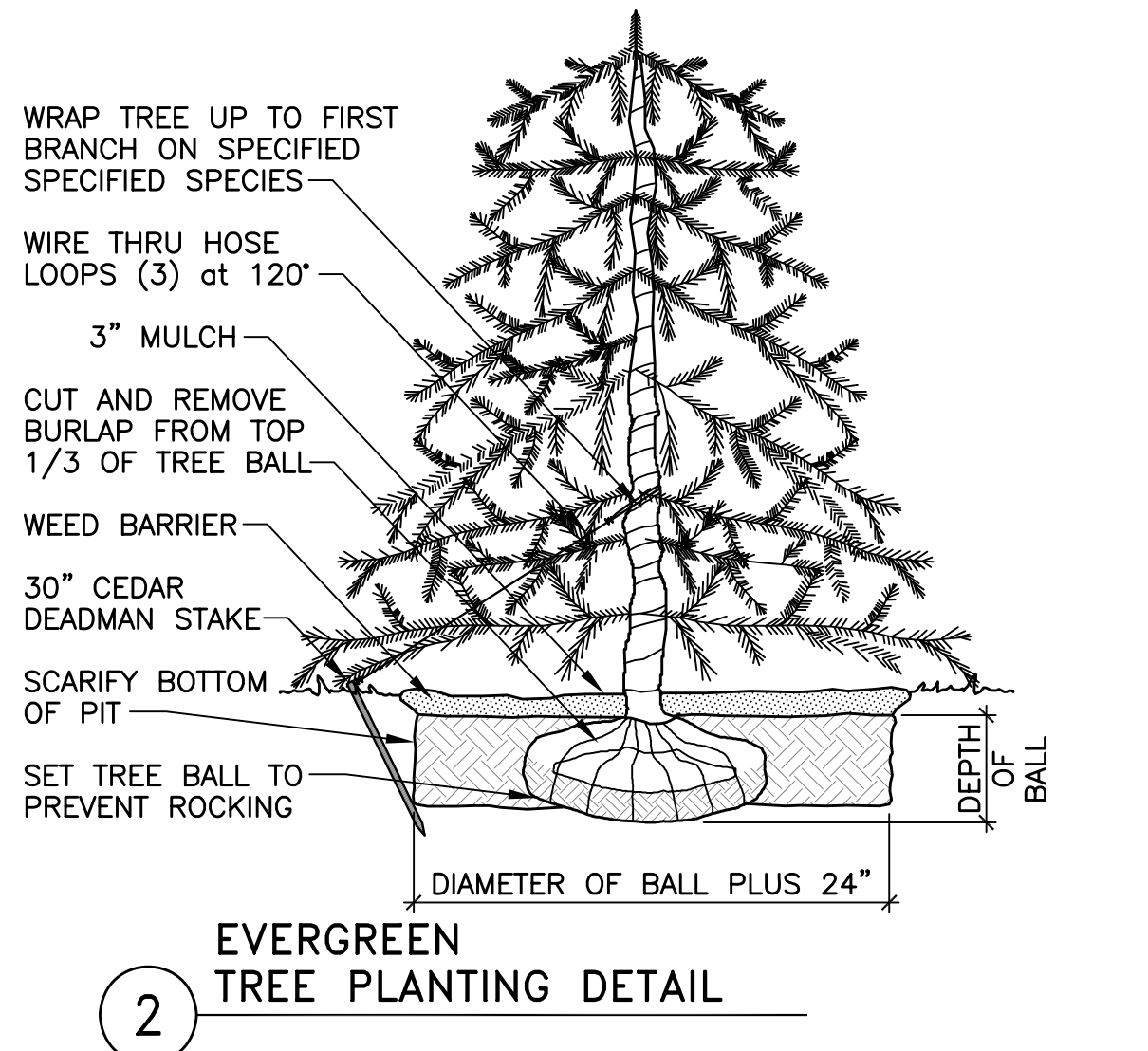
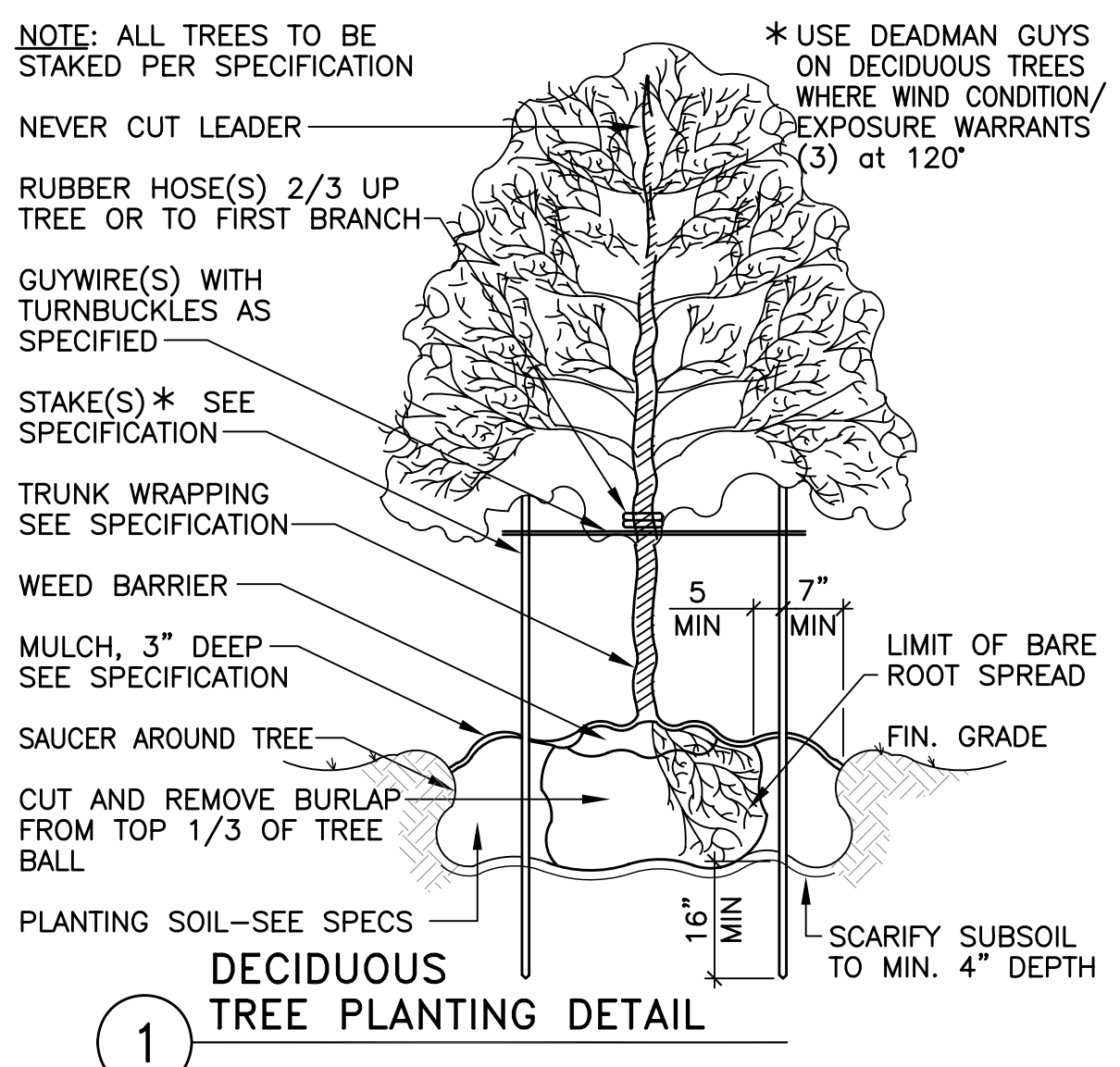
PLANTING SCHEDULE

| MARK | QUANTITY | BOTANICAL NAME | COMMON NAME | SIZE | ROOT |
|------|----------|--|---------------------|------------|------|
| PG | 10 | PICEA GLAUCA | WHITE SPRUCE | 6'h MIN | B&B |
| JC | 28 | JUNIPERUS CHINENSIS | GOLD COAST JUNIPER | 18"-24" | CONT |
| JH | 16 | JUNIPERUS HORIZONTALIS | ANDORRA JUNIPER | 12"sp | CONT |
| IG | 16 | ILEX GLABRA 'SHAMROCK' | INKBERRY HOLLY | 24"h MIN | CONT |
| PC | 12 | PYRUS CALLERYANA RED SPIRE | RED SPIRE PEAR | 2 1/2" CAL | B&B |
| GT | 6 | GLEDITSIA TRIACANTHOS INERMIS SUNBURST | SUNBURST LOCUST | 2 1/2" CAL | B&B |
| AR | 6 | ACER RUBRUM | RED SUNSET MAPLE | 2 1/2" CAL | B&B |
| BX | 16 | BUXUS 'GREEN MOUND' | GREEN MOUND BOXWOOD | 15"-18" | CONT |
| IG | 30 | ILEX GLABRA | INKBERRY HOLLY | 24"-30" | B&B |

PLAN NOTES:

- CONTRACTOR SHALL TAKE ALL REASONABLE MEASURES TO PROTECT EXISTING TREES AND PLANTINGS INDICATED TO REMAIN FROM ALL TYPES OF ROOT, TRUNK AND LIMB DAMAGE DURING DEMOLITION AND CONSTRUCTION.
- EXISTING TREES WITHIN THE DEVELOPED AREA SHALL BE REMOVED. REFER TO OWNER'S TREE SURVEY REPORT FOR ADDITIONAL INFO NOT SHOWN HEREIN.
- ALL DISTURBED AREAS SHALL RECEIVE 4" MIN. TOPSOIL AND LAWN SEED UNLESS OTHERWISE NOTED.
- TREE AND SHRUB BEDS SHALL BE COVERED WITH 3" OF HARDWOOD MULCH. ALL ROOTS AND STONES OVER 1 1/2" SHALL BE REMOVED PRIOR TO SEEDING.
- ALL TREES ADJACENT TO PARKING STALLS AND DRIVEWAYS SHALL HAVE FIRST BRANCHING AT 6-FOOT MIN.
- IF A CONFLICT EXISTS BETWEEN THE PLAN AND PLANTING SCHEDULE, THE PLAN SHALL GOVERN.
- REFER TO ARCHITECTURAL DRAWINGS FOR ALL BUILDING DIMENSIONS, FEATURES & SIGNAGE.
- REFER TO GRADING AND UTILITY PLAN(S) FOR ADDITIONAL INFORMATION NOT SHOWN HEREIN.

- A TREE SURVEY STUDY IS AVAILABLE FROM THE OWNER, AS PREPARED BY DYLAN KRULL & ERIC KRULL, DATED JUNE 2013. WITHIN THE CLEARING LIMITS SHOWN FOR THIS PROPOSED ±0.92 AC DEVELOPMENT, IT IS ANTICIPATED THAT THE REMOVAL OF (18) MATURE TREES REPORTED TO BE IN VERY GOOD TO FAIR CONDITION IS NECESSARY. EXACT LOCATIONS TO BE VERIFIED.
- SUBSTITUTIONS FOR ARTIFICIAL PLANTINGS ARE NOT ALLOWED PER THE TOWN OF CHEEKTOWAGA ZONING ORDINANCE.



tredo ENGINEERS

755 Seneca Street
Suite 202
Buffalo, New York 14210
716.876.7147 ph

PREPARED FOR

KULBACKS CONSTR. INC.
2 WENDLING COURT
LANCASTER, NY 14086

CITY MATTRESS PLAZA
4968 TRANSIT ROAD
TOWN OF CHEEKTOWAGA, NEW YORK
DRAWING NAME
SITE LANDSCAPE PLAN
& PLANTING SCHEDULE

PROJECT NAME

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EDUCATION LAW.

| REVISIONS | DATE |
|------------|--------|
| DATE | 5.7.15 |
| JOB No | 14.61 |
| CHECKED BY | AVM |
| DRAWN BY | avm |

DRAWING No

L-101

TYPICAL TYPE I (PARKING STALLS)
BITUMINOUS PAVEMENT SECTION

TYPICAL TYPE II (DRIVEWAYS)
BITUMINOUS PAVEMENT SECTION

CONCRETE PAVEMENT

EXPANSION JOINT

CONCRETE APRON and ROAD JOINT DETAILS

HANDICAP PARKING DETAIL

CONCRETE SIDEWALK
WITH INTEGRAL CURB

TYPICAL CONCRETE CURB

CURB TERMINATION DETAIL

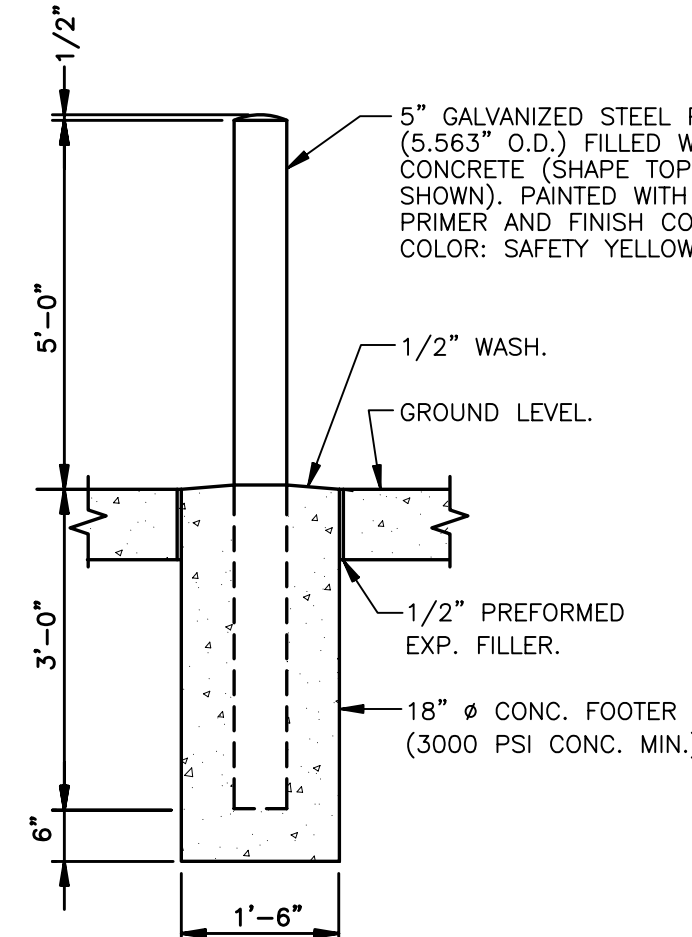
NC TRENCH FTG
#5 T & B
24" DWLS/MAS

DUMPSTER ENCLOSURE DETAILS

HANDICAP RAMP DETAILS

ACCESSIBLE PARKING SIGNS

STEEL BOLLARD



NYSDOT DRIVEWAY DETAIL

tredo
ENGINEERS

755 Seneca Street
Suite 202
Buffalo, New York 14210
716.876.7147 ph

PREPARED FOR

KULBACKS CONSTR. INC.
2 WENDLING COURT
LANCASTER, NY 14086

PROJECT NAME

CITY MATTRESS PLAZA
4968 TRANSIT ROAD
TOWN OF CHEEKTOWAGA, NEW YORK


DRAWING NAME

DRAWING NAME

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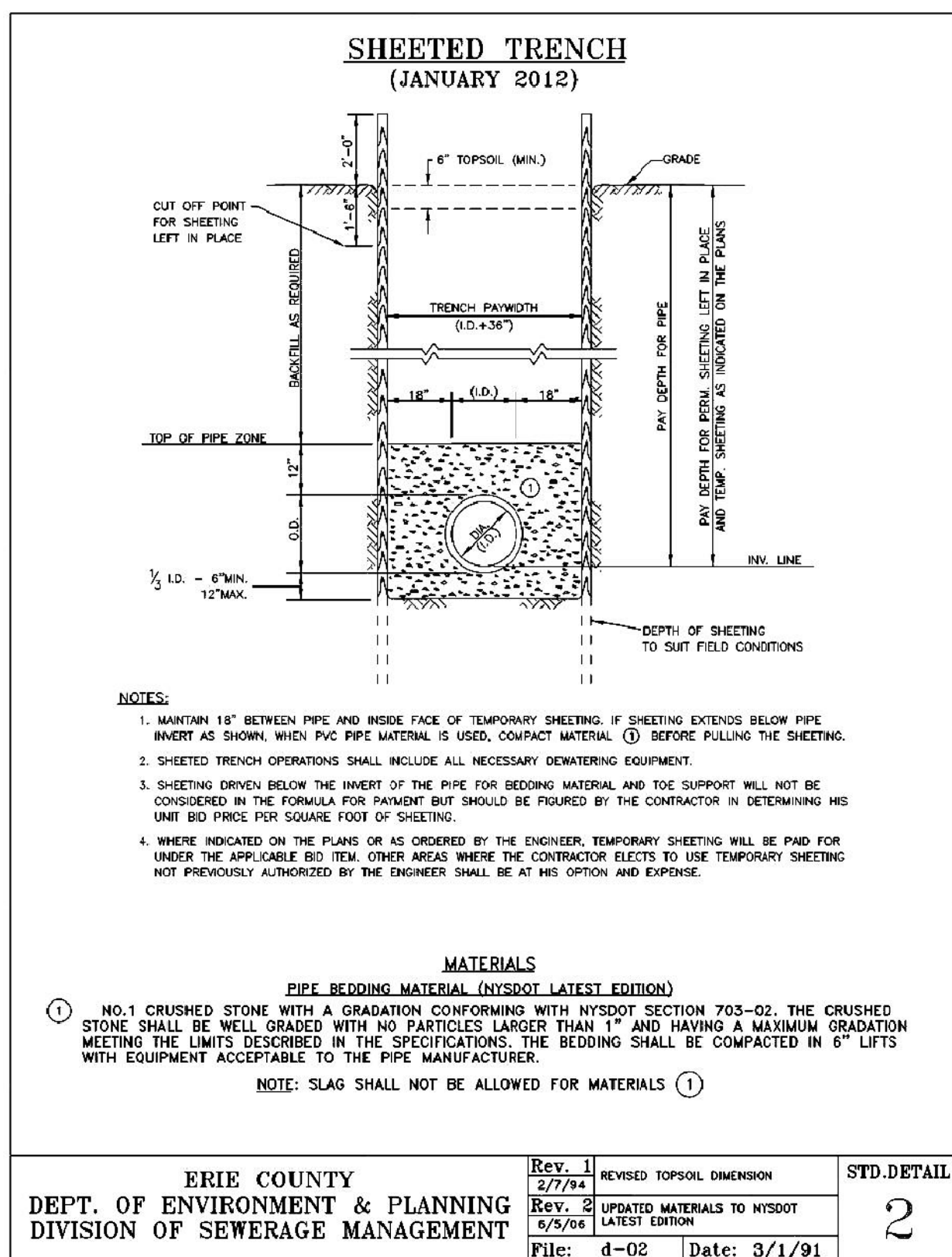
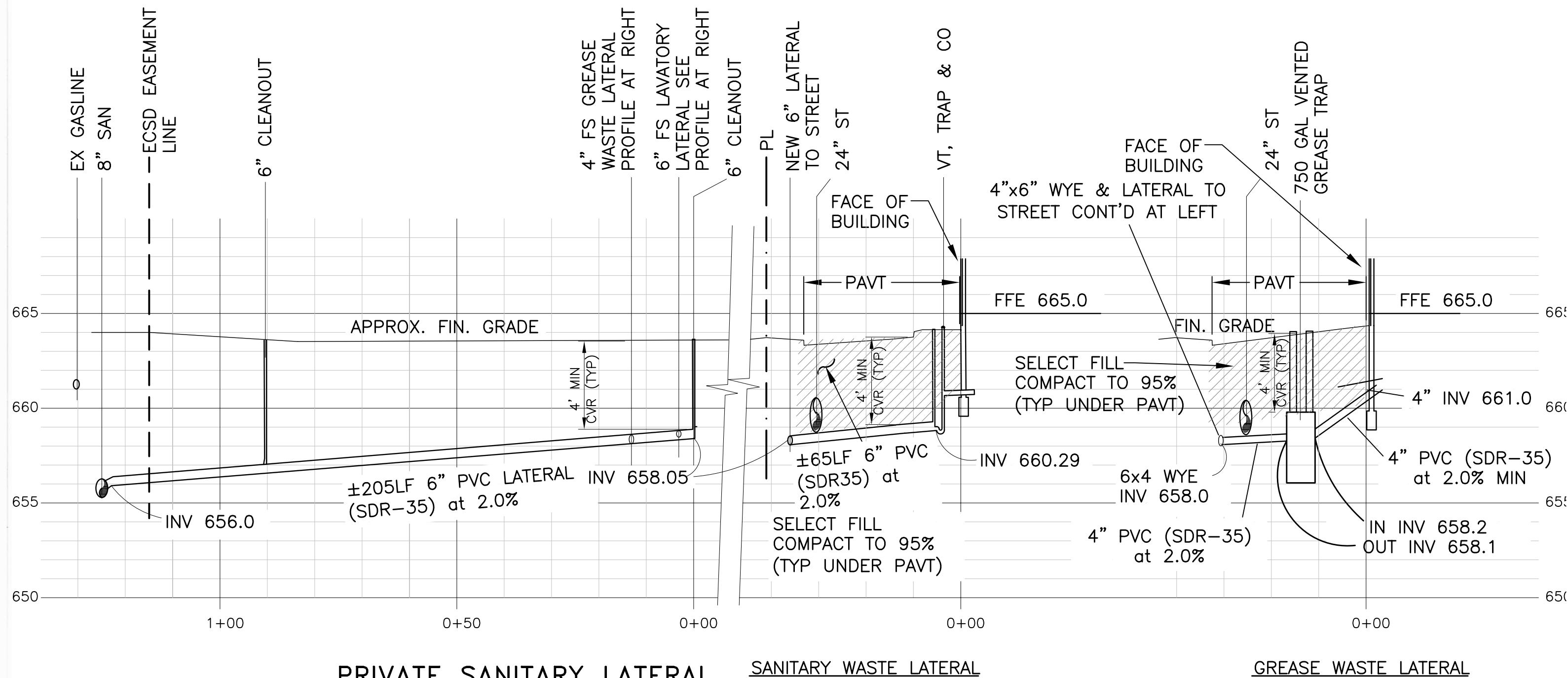
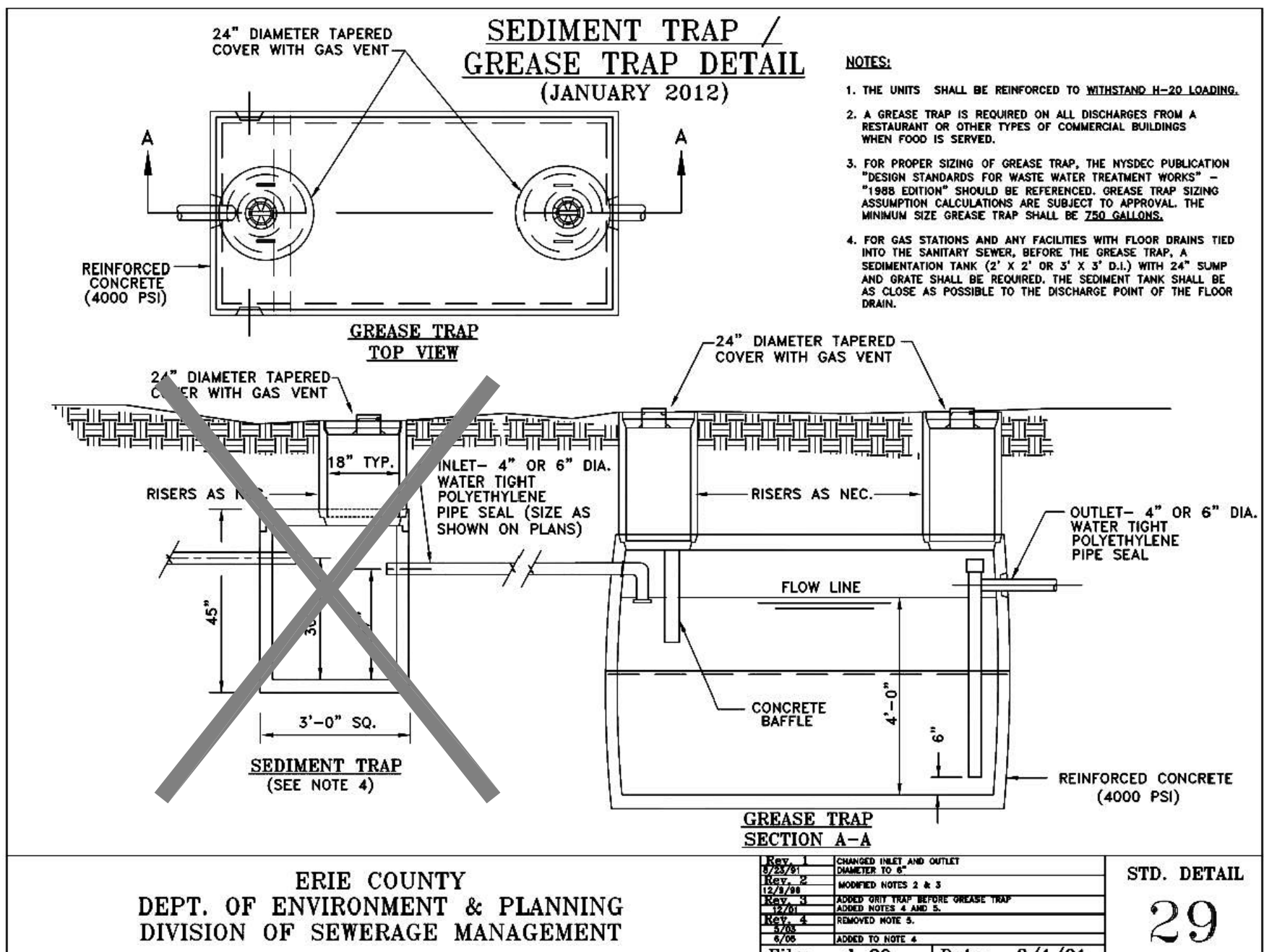
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7209, PROVISION 2, OF THE NEW YORK STATE
EDUCATION LAW.

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|  | |
| REVISIONS | DATE |
| DATE | 5.7.15 |
| JOB No | 14.61 |
| CHECKED BY | AVM |
| DRAWN BY | avm |

DRAWING No.

SP-201

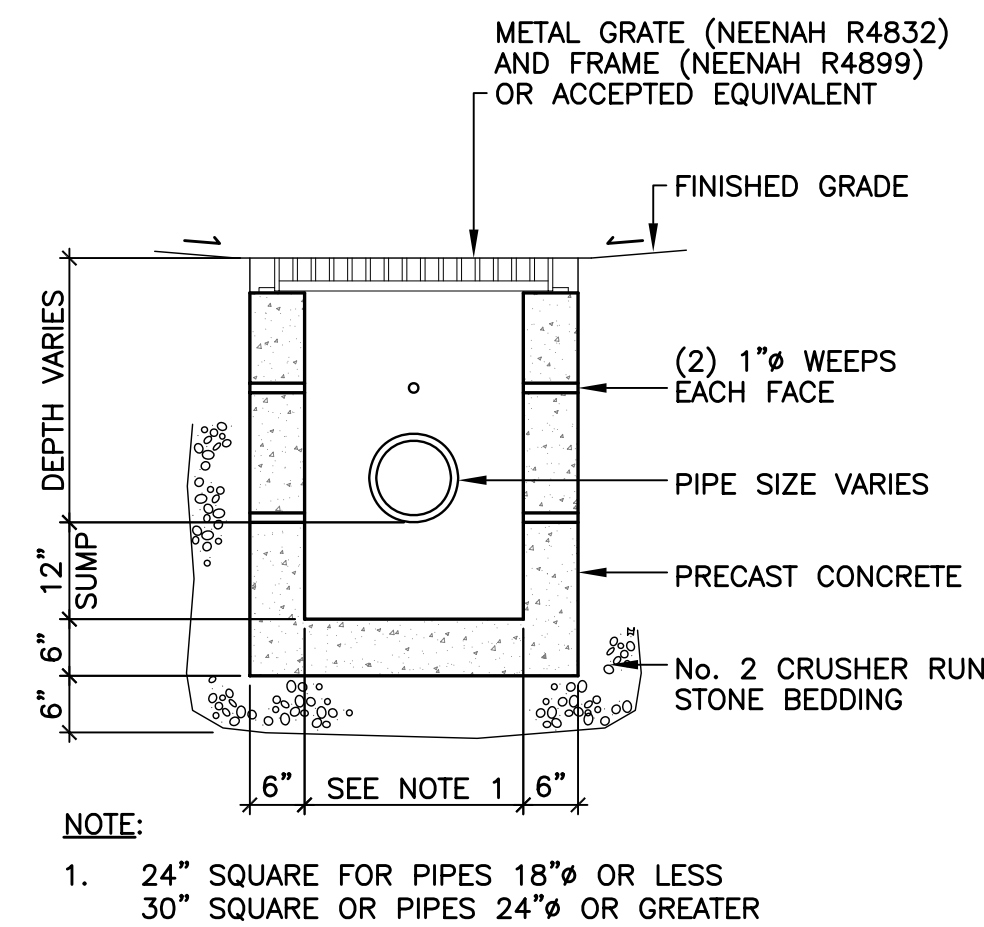


- A. "The contractor is advised a trench shield and/or shoring designed in accordance with OSHA Standards shall be used in all open trench excavations".
- B. "Any contractor and/or plumber performing work in a confined space (i.e. manholes, wetwells, chambers) owned by an Erie County Sewer District, must certify to the County that they have their own Confined Space Entry Program that meets or exceeds OSHA's regulations. Certification must be notarized by a notary public".
- C. "Construction shall conform to the Rules and Regulations for Erie County Sewer Districts".
- D. If any proposed sewer lateral runs under paved area and has less than four (4) feet of cover, then concrete encasement is required. Attach Detail No. 6 to plans. On site plan and profile hatchmark and/or label "concrete encasement" in affected areas.

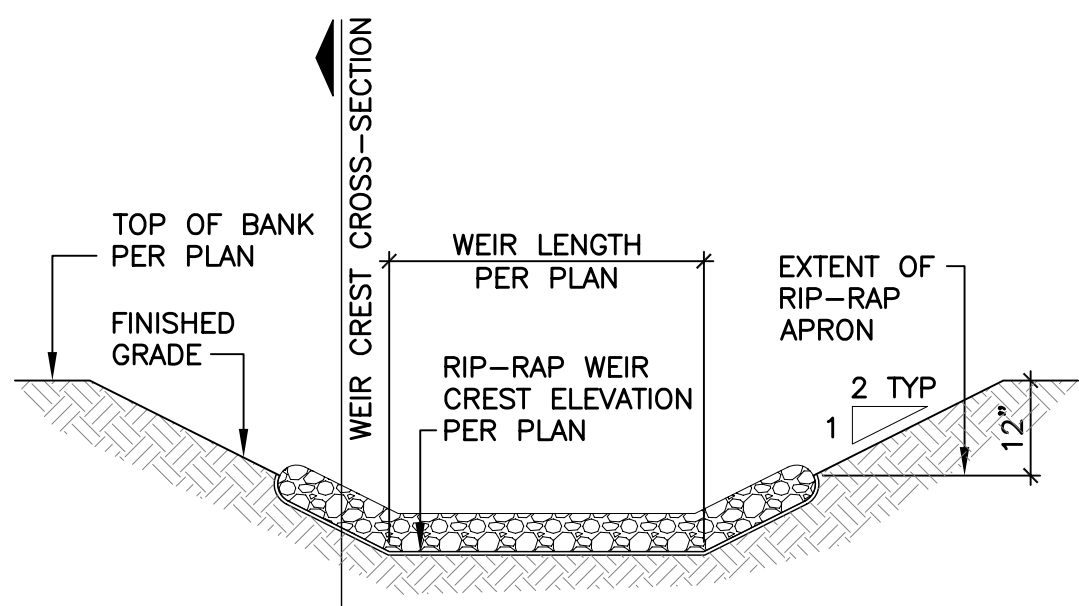
Or

- E. If any proposed sewer lateral runs under paved area and has **more** than four (4) feet of cover, then on site plan and profile hatchmark and label, "select fill required" in affected areas.

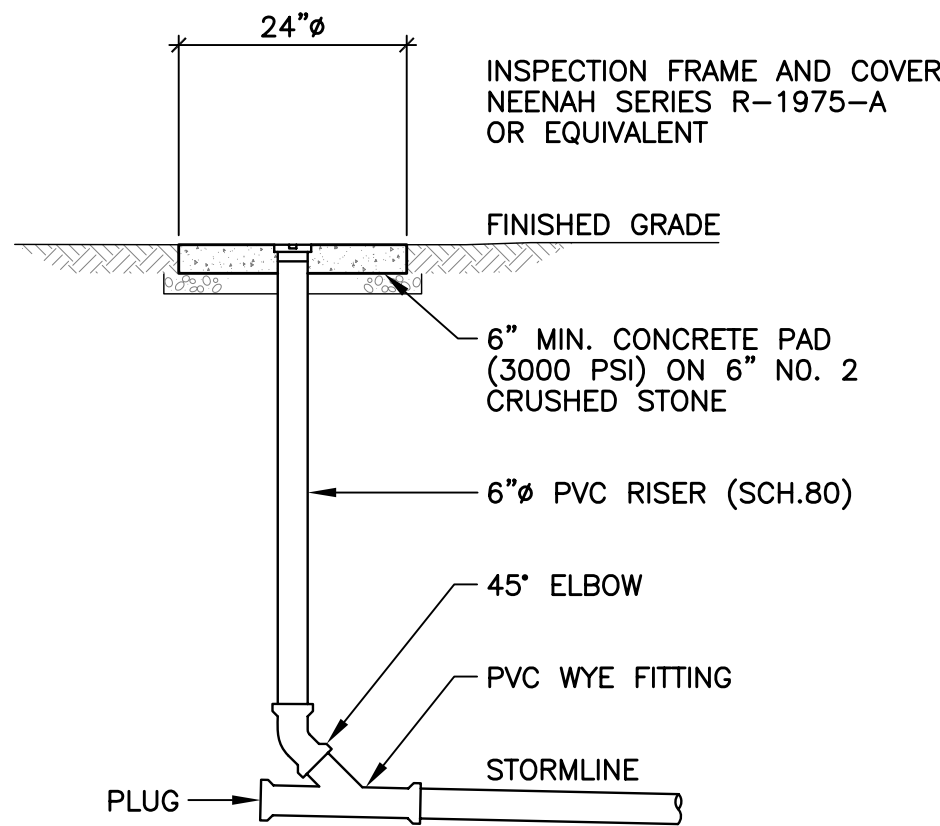
- E. The contractor must contact the District Office 48 hours in advance of construction.
- F. Vents must be installed six (6) inches above grade, in a grassy area with a mushroom cap. If the vent is in a sidewalk or paved area, then protect with bollards (3 minimum).
- G. Cleanouts (c-o) are required every one hundred feet (100') and at change of direction.
- H. Abandoned sanitary sewer connections from the site, if any, require proof of a District Permit for Disconnection prior to the new connection being made.



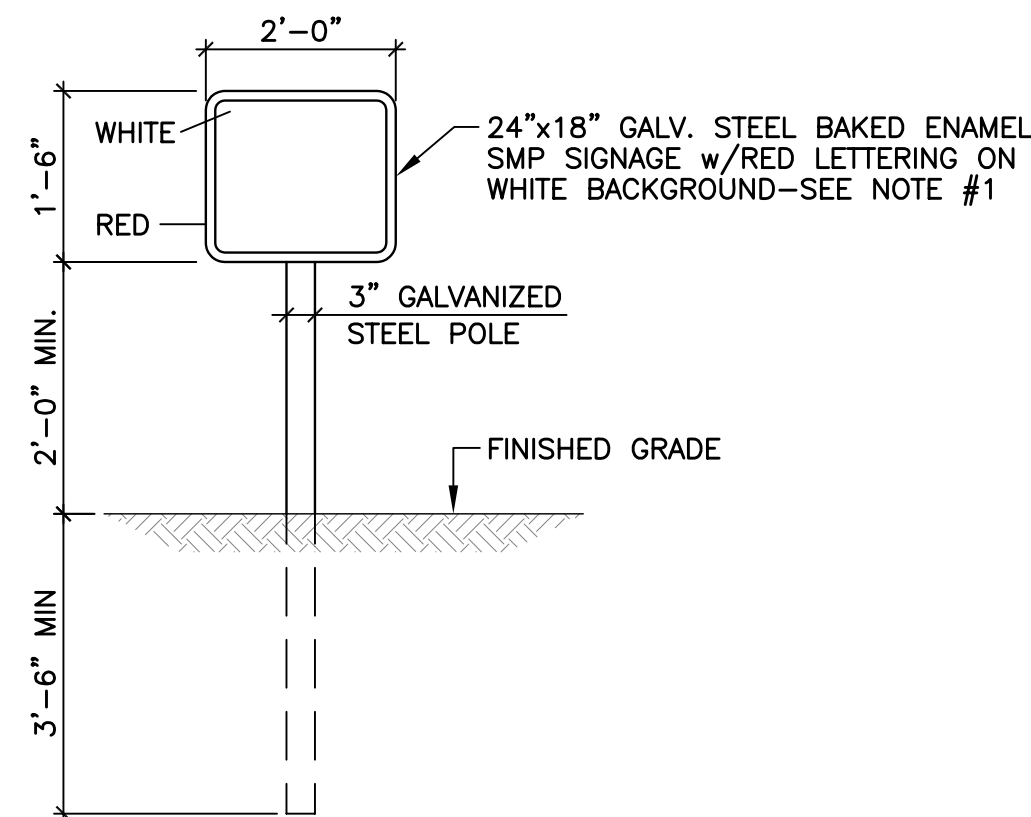
TYPICAL CATCH BASIN



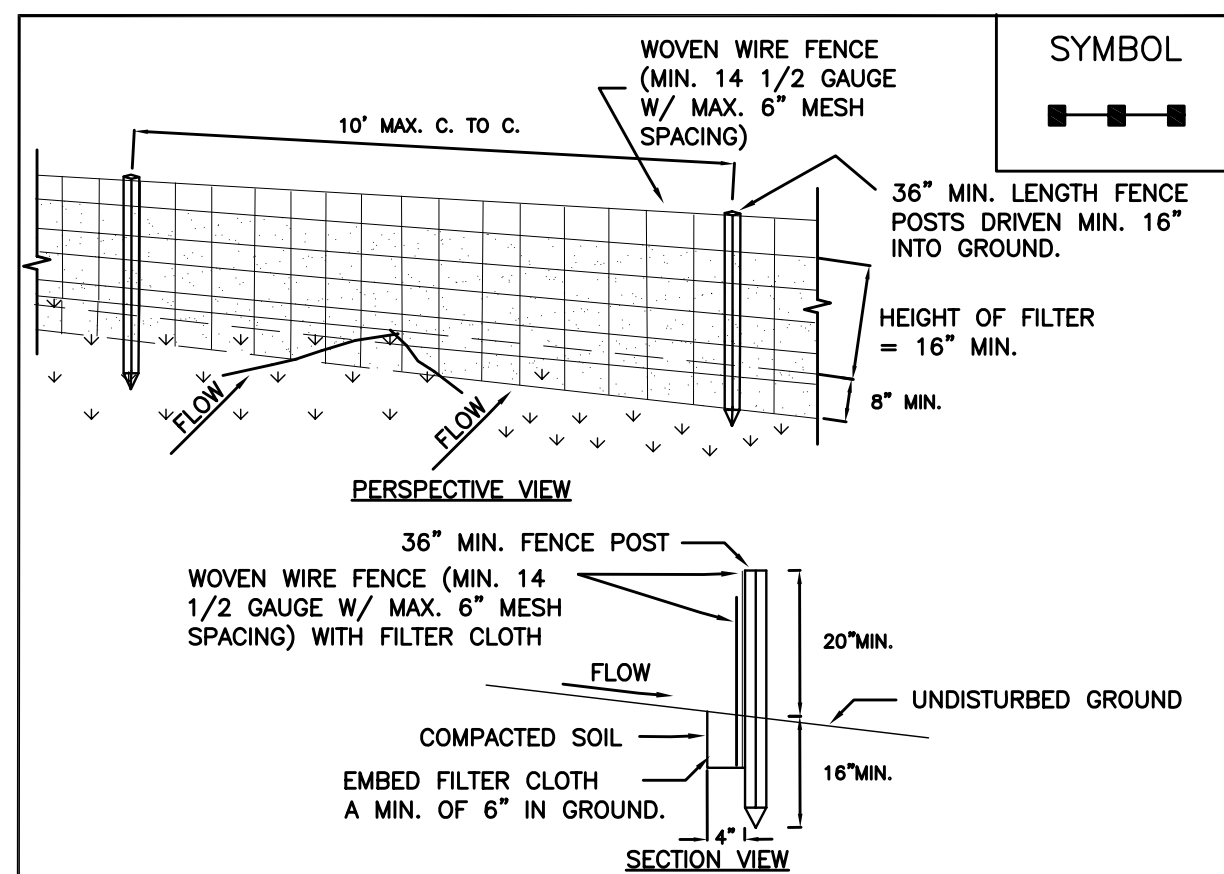
7 TYPICAL WEIR PROFILE



STORMLINE CLEANOUT AND RISER DETAIL



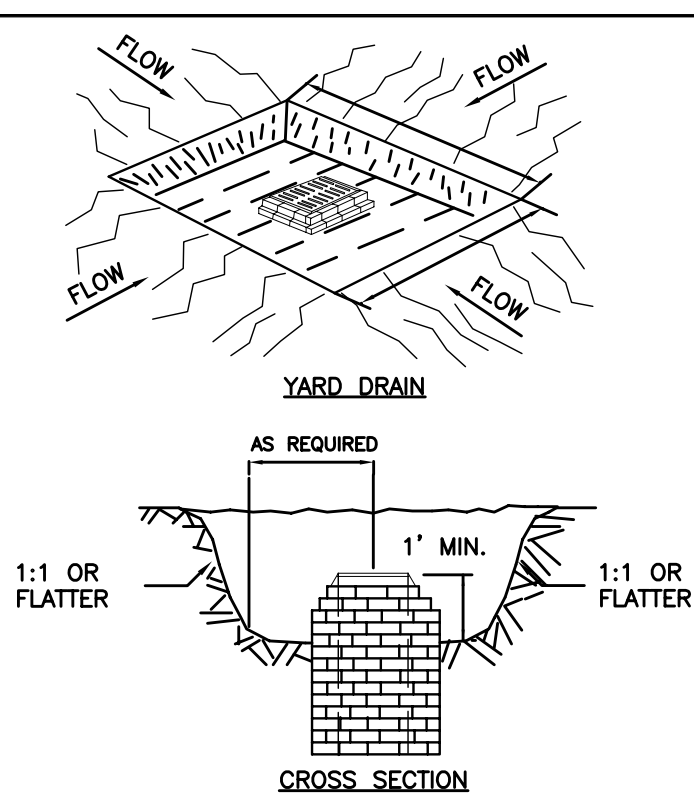
SMP SIGNAGE DETAIL



1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 12 1/2 GAUGE, 6" MAXIMUM MESH OPENING.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAP 12 INCHES AND BE SECURED TO EACH OTHER WITH WIRE TIES. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100, STABILKINA 1140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

SILT FENCE

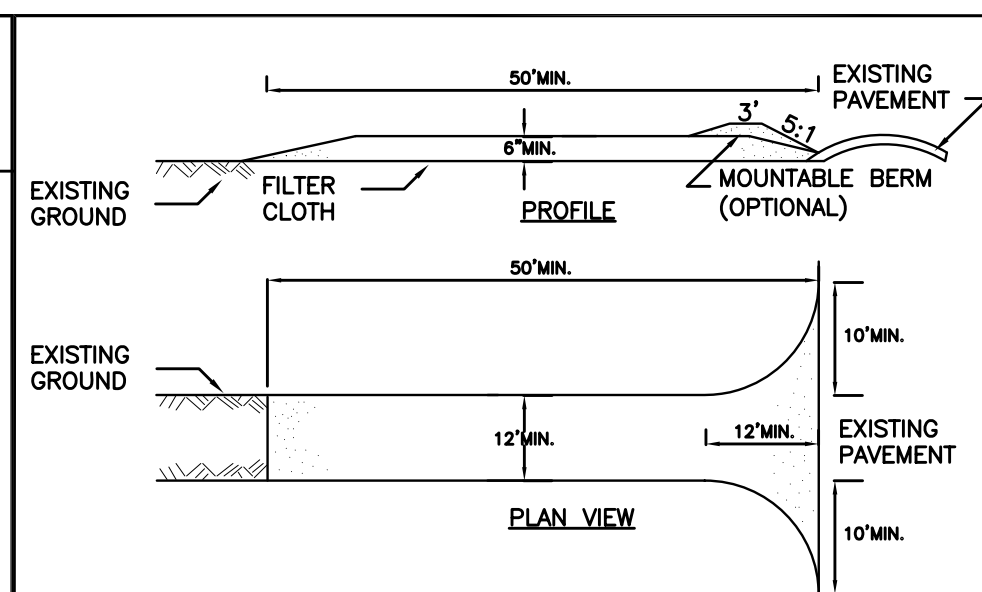


1. SEDIMENT SHALL BE REMOVED AND THE TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE TRAP. THE TRAP SHALL BE RESTORED TO BE SITUATED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.
2. THE VOLUME OF SEDIMENT STORAGE SHALL BE 1800 CUBIC FEET PER ACRE OF CONTRIBUTORY DRAINAGE.
3. THE STRUCTURE SHALL BE INSPECTED AFTER EACH RAIN AND REPAIRS MADE AS ARE NEEDED.
4. CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION SHALL BE MINIMIZED.
5. THE SEDIMENT TRAP SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE CONSTRUCTED DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.
6. ALL CUT SLOPES SHALL BE 1:1 OR FLATTER.

MAXIMUM DRAINAGE AREA: 3 ACRES

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

CATCH BASIN
SEDIMENT TRAP ST-II



1. STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS INFEASIBLE, A MOUNTAINABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY, ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACTED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH SEED AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

U.S. DEPARTMENT OF AGRICULTURE
NATURAL RESOURCES CONSERVATION SERVICE
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
NEW YORK STATE SOIL & WATER CONSERVATION COMMITTEE

STABILIZED
CONSTRUCTION
ENTRANCE

PROJECT NAME

CITY MATTRESS PLAZA
4968 TRANSIT ROAD
TOWN OF CHEEKTOWAGA, NEW YORK

DRAWING NAME

STORMWATER & EROSION CONTROL DETAILS

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| REVISIONS | DATE |
| DATE | 5.7.15 |
| JOB No | 14.61 |
| CHECKED BY | AVM |
| DRAWN BY | avm |

DRAWING No.

SP-203



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, June 1, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on June 1, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Absent | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Mark Wegner, Highway Superintendent

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-308

Warrant

Sponsored By: Councilmember Kaminski, Councilmember Meyers

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to June 1, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|--------------|
| GENERAL FUND | \$286,023.89 |
| RISK RETENTION FUND | 68,362.62 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 8,472.00 |
| SPECIAL DISTRICTS FUND | 102,376.26 |
| HIGHWAY FUND | 99,193.79 |
| CAPITAL FUND | 166,028.73 |
| TRUST & AGENCY FUND | 35,676.56 |
| HUD CDBG FUND | 1,130.00 |
| PART TOWN FUND | 33,398.37 |
| NYS AFFORDABLE HOUSING | 6,371.00 |
| | <hr/> |
| | \$807,033.22 |

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



2. RESOLUTION 2015-309

Call for Public Hearing - 3465 Broadway Special Permit Request - Blue Wireless

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, Buffalo-Lake Erie Wireless Systems with permission of the landowner has made application and requested a special use permit for the co-location of a cellular communications antenna array on an existing 151.5 foot tall monopole communications tower at 3465 Broadway, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on June 15th 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the June 15th, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Buffalo-Lake Erie Wireless Systems

for a special use permit for the co-location of a cellular communications antenna array on an existing 151.5 foot tall monopole communications tower at 3465 Broadway

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York,

Broadway Rinks LTD Partnership Property at 3465 Broadway, Cheektowaga, New York (aka Holiday Twin Rinks)

PARCEL A:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING in the south line of Broadway (as a 66 foot highway) 264 feet east of its intersection with the east line of land conveyed to Henry May by deed recorded in the Erie County Clerk's Office in Liber 66 of Deeds at page 217; running thence southerly parallel with said east line of land so conveyed to Henry May, 1299.17 feet to the northerly right of way line of the Delaware, Lackawanna & Western Railroad; thence southwesterly along said right of way line of the Delaware, Lackawanna & Western Railroad 277.78 feet to the east line of land conveyed to Henry May as aforesaid; thence northerly along the east line of said May's land 1208.48 feet to the south line of lands conveyed to Henry Rosenfeld et al by deed recorded in Liber 6746 of Deeds at page 275; thence easterly and parallel with Broadway 102.0 feet; thence northerly parallel with the east line of May's land aforesaid 170.0 feet to the south line of Broadway; and thence easterly along the south line of Broadway 162 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM that portion thereof, being shown on Map No. 30 as Parcel No. 32, and appropriated by the People of the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10943 of Deeds at page 234.

PARCEL B;

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING in the center line of Broadway, 1867.50 feet east of its intersection with the west line of Lot No. 10 (said point also being 495 feet east of the west line of the middle third of said Lot No. 10); running thence southerly parallel with the west line of the middle third of said Lot No. 10, 1394.39 feet to the north line of lands conveyed to Niagara, Lockport and Ontario Company by deed recorded in the Erie County Clerk's Office in Liber 2045 of Deeds at page 342; thence easterly along said north line 86.81 feet to the east line of land conveyed to Henry May by deed recorded in said Clerk's Office in Liber 66 of Deeds at page 217 (being also the west line of lands formerly owned by Henry W. Ratzel); thence northerly along said east line of lands conveyed to May, 1369.52 feet to the center line of Broadway; and thence westerly along the center line of Broadway 82.50 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM that portion thereof, being shown on Map No. 30 as Parcel No. 31, and appropriated by the People of the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10943 of Deeds at page 234.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



3. RESOLUTION 2015-310

Call for Public Hearing to Amend the Solid Waste Law - Local Law Intro No. 2015-4

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, by Local Law No. 5 of the Year 1992, the Cheektowaga Town Board enacted a Solid Waste Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), and

WHEREAS, by Local Law No. 5 of 2014, this Town Board amended the Solid Waste Law to permit the Police Department to enforce various provisions thereof, and

WHEREAS, the Town Solid Waste Law needs to be further amended, and

WHEREAS, Local Law Intro No. 2015-4 of the Year 2015 was drafted by the Town Attorney to so amend Chapter 206 of the Town Code, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 15th day of June, 2015, at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local law Intro No. 2015-4 of the Year 2015, entitled "A Local Law to Amend the Solid Waste Law 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 Hearing in the CHEEKTOWAGA BEE, the official Town newspaper.



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon a proposed Local Law entitled "A Local Law to Amend the Solid Waste Law of the Town of Cheektowaga". A brief summary of this local law is as follows:

Local Law Intro No. 2015-4 of the Year 2015

A Local Law To Amend the

Solid Waste Law of the Town of Cheektowaga

1. Section 206-3, Definitions, shall be amended to include a definition of "Code Inspector".
2. Subsection C of Section 206-6 of the Town Code ("Solid Waste"), shall be amended to prohibit totes and recyclable totes/containers from being in the required front yard; and to further require said totes/containers to be a minimum of 10 feet from any neighboring structure or building.
3. Subsection E of Section 206-9 of the Town Code ("Solid Waste") shall be amended to permit Police Department officers and Code Inspectors to enforce the provisions of said law and to issue summonses and appearance tickets, etc. in connection therewith.
4. Subsection A of Section 206-10 of the Town Code ("Solid Waste") shall be amended to permit Police Department officers and Code Inspectors to also issue summonses and appearance tickets to those who are accused of violating the law.
5. Subsection B of Section 206-10 of the Town Code ("Solid Waste") shall be amended to change the fine schedule for third and subsequent violations of the law.
6. Subsection D of Section 206-10 of the Town Code ("Solid Waste") shall be amended to provide for summonses and appearance tickets to be served by Code Inspectors and Sanitation Department officials.

A copy of the entire text of Local Law Intro No. 2015-4 of the Year 2015 is on file in the Town Clerk's Office where it may be viewed during regular business hours.

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

ALICE MAGIERSKI, Town Clerk

Dated: June 1, 2015

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



4. RESOLUTION 2015-311

Call for Public Hearing - Local Law Intro No. 2015-5 - A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

WHEREAS, Chapter 210 of the Code of the Town of Cheektowaga, entitled "Streets and Sidewalks" sets forth specifications for streets and sidewalks, and also lists regulations concerning the maintenance of same, and

WHEREAS, there is a need to amend Subsection B of Section 210-15 ("Penalties for offenses") to change the penalties for violations of said law, and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-5, entitled "A Local Law to Amend the Streets and Sidewalks Law 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 Hearing in the Cheektowaga Bee.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2015-5 of the Year 2015, entitled "A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga". Following is the text of the proposed Local Law Intro No. 2015-5:

Local Law Intro No. 2015-5

A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

1. **Section 210-15, entitled “Penalties for offenses”** shall be amended to read as follows:

Section 210-15. Penalties for offenses

Any violation by any person, firm or corporation of any provision of this chapter shall be deemed an offense punishable by a fine not less than \$25 nor more than \$250 or imprisonment for a period not to exceed 15 days, or both for the conviction of the first offense; for conviction of a second offense, punishable by a fine not less than \$50 nor more than \$500 or imprisonment for a period not to exceed 15 days, or both; for conviction of a third and subsequent offense, punishable by a fine not less than \$100 nor more than \$1,000 or imprisonment for a period not to exceed 15 days, or both.

Dated: June 1, 2015

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

ALICE MAGIERSKI, Town Clerk

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



5. RESOLUTION 2015-312

Call for Public Hearing - Local Law Intro No. 2015-6 - A Local Law to Amend the Snowplowing Law of the Town of Cheektowaga

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

WHEREAS, Chapter 202 of the Code of the Town of Cheektowaga, entitled "Snowplowing" sets forth permit requirement for snowplowing contractors; and also establishes regulations regarding the plowing and shoveling of snow into the streets and sidewalks, and

WHEREAS, there is a need to amend Subsection B of Section 202-6 ("Penalties for offenses") to change the penalties for violations of said law, and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-6, entitled "A Local Law to Amend the Snowplowing Law 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 Hearing in the Cheektowaga Bee.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2015-6 of the Year 2015, entitled "A Local Law to Amend the Snowplowing Law of the Town of Cheektowaga". Following is the text of the proposed Local Law Intro No. 2015-6:

Local Law Intro No. 2015-6

A Local Law to Amend the Snowplowing Law of the Town of Cheektowaga

1. **Subsection B of Section 202-6, entitled "Penalties for offenses"** shall be

amended to read as follows:

Section 202-6. Penalties for offenses

In addition to any other penalties that may be involved under this chapter, any violation by any person, firm or corporation of any provision of this chapter shall be deemed an offense punishable by a fine not less than \$25 nor more than \$250 or imprisonment for a period not to exceed 15 days, or both for the conviction of the first offense; for conviction of a second offense, punishable by a fine not less than \$50 nor more than \$500 or imprisonment for a period not to exceed 15 days, or both; for conviction of a third and subsequent offense, punishable by a fine not less than \$100 nor more than \$1,000 or imprisonment for a period not to exceed 15 days, or both.

Dated: June 1, 2015

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

ALICE MAGIERSKI, Town Clerk

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



6. RESOLUTION 2015-313

Call for Public Hearing - Local Law Intro No. 2015-7 - A Local Law to Amend the Building Construction Codes Administration Law

Sponsored By: Councilmember Adamczyk, Councilmember Kaminski

WHEREAS, Chapter 70 of the Code of the Town of Cheektowaga, entitled "Building Construction Codes Administration" provides for the administration and enforcement of the New York State Building Codes relating to construction, maintenance of buildings and structures in the Town of Cheektowaga, and

WHEREAS, there is a need to amend various sections of this law relating to licenses for plumbers, journeymen and sewer contractors, and

WHEREAS, a draft of such amendment has been prepared by the Supervising Code Enforcement Officer, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-7, entitled "A Local Law to Amend the Building Construction Codes Administration Law", and BE IT FURTHER

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



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2015-7 of the Year 2015, entitled "A Local Law to Amend the Building Construction Codes Administration Law". Following is the text of the proposed Local Law Intro No. 2015-7:

Local Law Intro No. 2015-7

A Local Law to Amend the Building Construction Codes Administration Law

1. Section 70-20, entitled "Application for Master Plumber's License" shall be amended to permit a certified Journeyman to perform plumbing work under the guidance of a Master Plumber and Sewer Contractor to perform plumbing work, and to establish procedures for obtaining licenses for said professions.

2. Section 70-21 shall be re-named "Issuance of Master Plumber's, Journeyman Plumber's or Sewer Contractor's License".

3. Subsection C. of Section 70-21 shall be amended to require licenses to be renewed within 31 days after the date of expiration.

4. Subsections A, B and C of Section 70-22 shall be amended to contain provisions to ensure that plumbing work is performed under the direction of a licensed Master Plumber or Sewer Contractor and with a permit; and to prohibit unlicensed contractors from working under the license of another.

5. A new Subsection G to Section 70-22 ("Restrictions on Master Plumber's licenses") shall be added; this new subsection shall establish fines for certain violations (i.e., working without a permit).

A copy of the entire text of proposed Local Law Intro No. 2015-7 is on file in the Town Clerk's Office where same may be viewed during regular business hours.

Dated: June 1, 2015

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

ALICE MAGIERSKI, Town Clerk

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



7. RESOLUTION 2015-314

Authorize Supervisor to Execute Agreement with Erie County Water Authority for Southcrest Avenue

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, Southcrest Avenue is a Town highway maintained by the Town Highway Department, AND

WHEREAS, in the summer of 2015 the Town Highway Department will be reconstructing Southcrest Avenue, AND

WHEREAS, the Erie County Water Authority (ECWA) was planning on installing a new waterline on Southcrest Avenue in the near future, AND

WHEREAS, rather than install the waterline itself, the ECWA has offered to remit the sum of \$161,000 to the Town if the Town or its contractor would install the waterline along Southcrest Avenue while the Town reconstructs Southcrest Avenue, AND

WHEREAS, the attorney for the ECWA has prepared a municipal cooperation agreement to accomplish this, which agreement has been approved as to form by the Town Attorney, NOW, THEREFORE, BE IT

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

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



8. RESOLUTION 2015-315

Authorize Agreement with Doyle Fire District

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, Doyle Fire District purchased and demolished a house at 113 Pleasant Parkway in order to add additional parking for the fire hall at 2199 William Street, and

WHEREAS, Doyle Fire District has requested assistance from the Town of Cheektowaga with constructing a parking lot on this property, and

WHEREAS, Doyle Fire District has agreed to pay for the cost of materials and Town force account labor for this project, and

WHEREAS, Article 5-G of the General Municipal Law and Section 142-b of the Highway Law permit the Town of Cheektowaga to authorize the use of Town equipment and manpower to assist a fire district, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the Town Highway Department to assist Doyle Fire District with the construction of a parking lot at 113 Pleasant Parkway, and BE IT FURTHER

RESOLVED, that the Supervisor/Deputy Supervisor be and hereby is directed to execute an agreement with Doyle Fire District for this project.



Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to amend the resolution as follows:



WHEREAS, Doyle Fire District purchased and demolished a house at 113 Pleasant Parkway in order to add additional parking for the fire hall at 100 Willowlawn Parkway, and

WHEREAS, Doyle Fire District has requested assistance from the Town of Cheektowaga with constructing a parking lot on this property, and

WHEREAS, Doyle Fire District has agreed to pay for the cost of materials and Town force account labor for this project, and

WHEREAS, Article 5-G of the General Municipal Law and Section 142-b of the Highway Law permit the Town of Cheektowaga to authorize the use of Town equipment and manpower to assist a fire district, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the Town Highway Department to assist Doyle Fire District with the construction of a parking lot at 113 Pleasant Parkway, and BE IT FURTHER

RESOLVED, that the Supervisor/Deputy Supervisor be and hereby is directed to execute an agreement with Doyle Fire District for this project.

| | |
|------------------|---|
| RESULT: | ADOPTED AS AMENDED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



9. RESOLUTION 2015-316

Approve Proposal for Parking Tag Project

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Cheektowaga Police Department has identified need for an electronic parking tag system that would be available in patrol cars and which would integrate with the CHARMS software presently being used and with the Town Court records system, and

WHEREAS, this electronic parking tag system would result in significant cost savings, eliminate redundant data entry and increase officer efficiency and data reliability, and

WHEREAS, a software application needs to be developed to create this electronic parking tag system, and

WHEREAS, Stuart Weissman, d/b/a Stuart Allen Software Development, has the necessary expertise to create such a software application, and

WHEREAS, Stuart Weissman, d/b/a Stuart Allen Software Development, has submitted a proposal for Phase I of the Parking Tag Project at a cost of \$18,000.00, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced proposal from Stuart Weissman, d/b/a Stuart Allen Software Development, and BE IT FURTHER

RESOLVED, that moneys for said project shall be appropriated from budget line item number 100-3120-4321, and BE IT FURTHER

RESOLVED, that the Supervisor/Deputy Supervisor be and hereby is authorized and directed to execute the aforementioned proposal on behalf of the Town of Cheektowaga.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



10. RESOLUTION 2015-317

Order Replacement of Sidewalks

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, Chapter 210 of the Code of the Town of Cheektowaga (Streets and Sidewalks) sets forth the specifications for the construction of sidewalks in the Town of Cheektowaga, and

WHEREAS, Section 200-a of the Town Law of the State of New York authorizes a town board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks in towns between the town and property owners, and

WHEREAS, this Town Board, by Local Law No. 4 of the Year 1991 and Local Law No. 5 of the Year 2008 (amended by Local Law No. 3 of the Year 2013), adopted provisions to apportion the cost of relaying or repairing sidewalks in the Town of Cheektowaga between the Town and property owners, and

WHEREAS, the Town Superintendent of Highways has supplied this Town Board with the attached list of sidewalks in the Town which are in need of repair or replacement, NOW, THEREFORE, BE IT

ORDERED, that the owners of properties on the attached list be and hereby are directed to repair/replace the sidewalks abutting such properties on or before June 29, 2015, in accordance with the Town's Streets and Sidewalks Law, and BE IT FURTHER

ORDERED, that, should such property owners neglect to or choose to not repair/replace their sidewalks as so notified before June 29, 2015, the Town will cause such sidewalks to be repaired/replaced; will pay \$47.20 - \$48.80 for each 5-foot linear block repaired/replaced; and will assess/charge the property owner the balance over a period of five (5) years on the County/Town tax bill, with interest at the rate of 6.00 % as authorized by State law; or, at the property owner's option, payment may be made in one lump sum before December 1, 2015, and BE IT FURTHER

ORDERED, that the Town Clerk be and hereby is directed to notify the owners of properties identified on the attached list of the adoption of this Order by sending the attached Notice via certified mail to each owner at his/her/their address as it appears on the Town Assessment Roll.

NOTICE OF ADOPTION OF ORDER **OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA**

TAKE NOTICE THAT, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on June 1, 2015,

YOU ARE HEREBY ORDERED to repair the sidewalk in front of your property.

Such work must be completed on or before **June 29, 2015.**

In the event you neglect or choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done. The Town will audit and pay \$47.20 - \$48.80 for each 5-foot linear block replaced; and will assess the remaining expense thereof (including interest at the rate of 6.00%) against your property in five (5) annual installments; this amount will be added to your town tax bills for the next five (5) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so on or before December 1, 2015. You will be notified of the amount you owe for sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$70.80 - \$73.20 per 5-foot linear block of sidewalk.

If you choose to perform the work yourself or have a contractor perform such work, be advised that you will be responsible for paying 100% of the cost of the sidewalk work **(the Town will not pay anything towards your cost).**

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

DATED: June 1, 2015

ALICE MAGIERSKI
Town Clerk

Attachments:

Sidewalk list 6-1-15-05272015034622 (PDF)

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



11. RESOLUTION 2015-318

SPECIAL EVENT - German Festival and Car Show

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

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

WHEREAS, the Federation of German-American Societies has made application to hold its annual German Festival & Car Show at the Cheektowaga Town Park Lions Pavilion on Saturday, September 5th and Sunday, September 6th, 2015 (1:00 p.m. to 10:00 p.m.); and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Facilities Department, Police Department, and Youth and Recreational Services, and has no objection to same, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Federation of German-American Societies for the aforementioned German Festival & Car Show to be held in Cheektowaga Town Park on Saturday, September 5th and Sunday, September 6th, 2015.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



12. RESOLUTION 2015-319

Cleveland Hill Usage of Town Park

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, The Cleveland Hill Union Free School District has requested permission to utilize a portion of Cheektowaga Town Park from August 17, 2015 to October 13, 2015 for practices and for its home cross-county track team meets, and

WHEREAS, the General Crew Chief of the Facilities Department has reviewed such request and has no objection to same, and

WHEREAS, the Cleveland Hill Union Free School District has provided the Town with the necessary insurance coverage for such track meets, and

WHEREAS, Cleveland Hill Union Free School District shall be responsible to utilize individuals to provide traffic control to monitor students crossing the roadways for their track meets and practices, and

WHEREAS, this Town Board, in the spirit of cooperation, wishes to approve this request, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approve the use of Cheektowaga Town Park from August 17, 2015 to October 13, 2015 for the Cleveland Hill Cross Country Track team practices, and BE IT FURTHER

RESOLVED, that the Director of Athletics of the Cleveland Hill School shall coordinate with the General Crew Chief of the Facilities Department concerning these track meets.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



13. RESOLUTION 2015-320

Be A Friend /Big Brother Big Sister

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Cheektowaga Department of Youth and Recreational Services is desirous of partnering with the Be-A-Friend/Big Brothers Big Sisters Program of Erie County, 85 River Rock Drive, Buffalo New York 14207 for a site based mentoring program at the Alexander Community Center, AND

WHEREAS, the goal of said program is to provide mentors to local school children to improve academic achievement, social development and the skills necessary to avoid at-risk behaviors,

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, or creed, AND

WHEREAS, all costs associated with the program including recruitment, implementation and evaluation will be assumed by the Be-A-Friend / Big Brothers Big Sisters Program, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute a Memorandum of Understanding between the Town of Cheektowaga and Be-A-Friend/Big Brothers Big Sisters, Inc. for the implementation of a site based mentoring program thru June 30, 2016.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



14. RESOLUTION 2015-321

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

Lennox Melin

4/24/15

14206

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the reading of names for the following four (4) resolutions: 2015-321; 2015-322; 2015-323 and 2015-324. Motion Carried.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



15. RESOLUTION 2015-322

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired/transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Lifeguard "Level I" - 7180.1903 - \$9.75 - Seasonal

| | |
|----------------------|-------|
| Morgan Blake | 14225 |
| Shannon Borowiak | 14227 |
| Frederick Drzewiecki | 14225 |
| Emma Eisenhardt | 14211 |
| Lilly Eisenhardt | 14211 |
| Jenna Erwin | 14212 |
| Nicholas Hahn | 14225 |
| Zachary Jones | 14225 |
| Austin Mikolajczyk | 14225 |
| Caremine Seemueller | 14215 |

Lifeguard "Level II" - 7180.1903 - \$9.94 - Seasonal

| | |
|-------------------------|-------|
| Lennon Cavanaugh-Gordon | 14215 |
|-------------------------|-------|

Lifeguard "Level IV" - 7180.1903 - \$10.33 - Seasonal

| | |
|----------------------|-------|
| John Zastempowski IV | 14227 |
|----------------------|-------|

Laborer - "Bathhouse Attendant - Level I" - 7180.1901 - \$8.75 - Seasonal

| | |
|------------------------|-------|
| Jacob Allan | 14227 |
| Maxwell Allan | 14227 |
| Tim Cultrara | 14227 |
| Kaley Durkin | 14225 |
| Daniel Farinacci | 14225 |
| Alexandria Ferrentino | 14225 |
| Nicole Frigioni | 14225 |
| Hunter Golovin | 14225 |
| Leeann Jacobs | 14215 |
| John Jaroszewski, III | 14043 |
| Joseph Leonarczyk, III | 14227 |
| Jordan Nosal | 14225 |
| Jacob Miller | 14225 |
| Kayle Wisniewski | 14206 |

Laborer - "Bathhouse Attendant - Level I" - 7180.1901 - \$8.75 - Seasonal - Effective 6/9/15

| | |
|---------------|-------|
| Madeline Pike | 14206 |
|---------------|-------|

Laborer - "Bathhouse Attendant - Level I" - 7180.1901 - \$8.75 - Seasonal - Effective 6/10/15

| | |
|-------------|-------|
| Carter Post | 14043 |
|-------------|-------|

Laborer - "Bathhouse Attendant - Level II" - 7180.1901 - \$8.90 - Seasonal

| | |
|------------------|-------|
| Anthony Albright | 14225 |
|------------------|-------|

| | |
|----------------------|-------|
| Tyler Ditta | 14211 |
| Haley Graczyk | 14225 |
| Sarah Kapanek | 14206 |
| Amanda Kraus | 14225 |
| Felicia Magnuszewski | 14043 |
| Joshua MacTarnaghan | 14043 |
| Andrew Matulich | 14225 |
| Paul A. Nazzarett | 14227 |
| Sara Piwowarski | 14043 |
| Zachery Russillo | 14227 |
| Samantha Sprada | 14206 |
| Madeline Wnuk | 14043 |

Laborer - "Bathhouse Attendant - Level I" - 7180.1901 - \$8.75 - Seasonal - Alternates

| | |
|-------------------|-------|
| Valerie Bevan | 14225 |
| Mitchell Dietl | 14225 |
| Matthew Eldridge | 14225 |
| Natalie McGill | 14211 |
| Frank Farinacci | 14225 |
| Leah Garrett | 14211 |
| Mitchell Grantham | 14225 |
| Nicholas Saddler | 14225 |
| Alexis Schrader | 14225 |

Recreation Instructor - 7180.1902 - \$10.63 - Seasonal

| | |
|----------------|-------|
| Michael Keller | 14225 |
| Allison Musial | 14225 |

Recreation Instructor - 7180.1902 - \$10.93 - Seasonal

| | |
|---------------|-------|
| Michael Zarbo | 14227 |
|---------------|-------|

Recreation Instructor - 7180.1902 - \$11.82 - Seasonal

| | |
|------------------------|-------|
| Christopher Kiripolsky | 14215 |
|------------------------|-------|

Recreation Aide - 7310.1801 - \$8.75 - Part-time

| | |
|--------------|-------|
| Melissa Wood | 14227 |
|--------------|-------|

Recreation Attendant - 7310.1801 - \$8.75 - Seasonal

| | |
|--------------|-------|
| Ashley Sokol | 14227 |
|--------------|-------|

Recreation Attendant - 7140.1632 - \$8.75 - Seasonal

| | |
|-------------|-------|
| Keri Murphy | 14227 |
|-------------|-------|

Recreation Attendant - 7310.1801 - \$8.90 - Seasonal

| | |
|--------------|-------|
| Meghan Eckle | 14225 |
|--------------|-------|

Recreation Aide - 7140.1645 - \$8.75 - Part-time

| | |
|----------------|-------|
| Gregory Gyalog | 14225 |
|----------------|-------|

Recreation Attendant - 7140.1648 - \$8.75 - Seasonal

| | |
|-----------------|-------|
| Jenna Hockwater | 14227 |
|-----------------|-------|

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



16. RESOLUTION 2015-323

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Lifeguard - Regular Part-time -7180.1903 to Recreation Instructor "Head Lifeguard Town Park Pool" - Regular Part-time - 7180.1902 - \$10.93
Tyler Kunkel

Lifeguard - Regular Part-time -7180.1903 to Recreation Instructor "Supervisor Town Park Pool" - Regular Part-time -7180.1902 - \$11.82
Katie Tomaschko

Recreation Attendant - 7180.1801 - \$8.75 - Seasonal to Recreation Instructor - 7310.1801 - \$9.00 - Seasonal
Keileigh Pecyne

BE IT FURTHER RESOLVED, the following employee information be amended as follows:

Lifeguard "Level III" - 7180.1903 - \$10.13 - Seasonal
Kelsey Wiegert

Recreation Attendant - 7140.1636 - \$8.90 - Regular Part-time - Retro to 5/4/15
Alexa Scharf

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



17. RESOLUTION 2015-324

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.25/hour effective 5/25/15

Jeffrey T. Lewis, Cheektowaga, New York

Nicolas E. Krawczyk, Cheektowaga, New York

SANITATION DEPARTMENT Laborer \$9.25/hour effective 5/18/15

Brian K. O'Connor, Sloan, New York

Sharrone M. Johnson, Cheektowaga, New York

FACILITIES DEPARTMENT (Buildings & Grounds Division) \$9.00/hour effective 6/2/15

Ben E. Nikel, Cheektowaga, New York

FACILITIES DEPARTMENT (Parks Division) \$9.00/hour

Tyler M. Measer, Cheektowaga, New York effective 6/30/15

Brandon A. Day, Cheektowaga, New York effective 6/14/15

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

FACILITIES DEPARTMENT

Michael P. Wierzba effective 5/5/15

Daniel E. Olejniczak effective 3/18/15

Justin H. Griner effective 4/28/15

Andrew J. Ping effective 4/17/15

POLICE DEPARTMENT

Eric R. Weigand effective 5/7/15

Paul R. Delano, Sr. effective 5/8/15

SANITATION DEPARTMENT

Keith M. Pignatora effective 5/13/15

Trevor D. Starzynski effective 5/23/15

Allen K. Steltermann effective 5/23/15

COMMUNITY DEVELOPMENT

Andrew J. Kistner effective 5/23/15

TOWN CLERK'S OFFICE

Melissa A. Dabb 5/2/15

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



18. RESOLUTION 2015-325

Appointment of Laborer (Labor/Permanent) Sewer Maintenance/Joseph G. Rohloff

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

WHEREAS, a vacancy exists in the title of Laborer in the Sewer Maintenance 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 bargaining unit member bid on said vacancy; AND

WHEREAS, Joseph G. Rohloff, currently employed as a temporary Laborer in the Sewer Maintenance Department, applied for said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Joseph G. Rohloff of Cheektowaga, New York, be and hereby is appointed to the position of Laborer in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective June 2, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



19. RESOLUTION 2015-326

Appointment of Working Crew Chief (Non-Competitive/Permanent) Sanitation Department/Mark A. Kmiotek

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, a vacancy exists in the position of Working Crew Chief in the Sanitation Department; AND

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

WHEREAS, Mark A. Kmiotek, currently employed as a Motor Equipment Operator - B in the Sanitation Department, bid on said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Mark A. Kmiotek of Cheektowaga, New York, be and hereby is appointed to the position of Working Crew Chief in the Sanitation Department, pursuant to the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit effective June 2, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



20. RESOLUTION 2015-327

Travel Authorization Police Department/Public Safety Dispatchers Robert Rackl and Nicholas Mendez

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the APCO International's Annual Conference and Expo 2015 is being held August 15, 2015 through August 19, 2015 in Washington, DC; AND

WHEREAS, Public Safety Dispatchers Robert Rackl and Nicholas Mendez have been recommended to attend said Conference and Expo; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,773.96; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Public Safety Dispatchers Robert Rackl and Nicholas Mendez be and hereby are authorized to attend the APCO International's Annual Conference and Expo 2015 being held August 15, 2015 through August 19, 2015 in Washington, DC.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |

IV. Suspension of Rules

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the rules to include the following five (5) resolutions: 2015-328; 2015-329; 2015-330; 2015-331 and 2015-332. Motion Carried.



1. RESOLUTION 2015-328

Appointment of Court Officer (Competitive/Provisional) David L. Wayne

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

BE IT RESOLVED, that the following individual be and hereby is hired as a **PART-TIME EMPLOYEE** in the department listed, not to exceed nineteen (19) hours on a weekly basis, in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT Court Officer \$16.03/hour effective 6/2/15
David L. Wayne, Cheektowaga, New York

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



2. RESOLUTION 2015-329

Approve Cultural Group Funding for Cheektowaga Art Guild and Cheektowaga Cultural Society

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town, in its 2015 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2014 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves agreement(s) with the cultural and not-for-profit organization(s) listed below for the amount(s) listed, and BE IT FURTHER

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

| <u>Cultural/Not-For-Profit Organization</u> | <u>Funding Approved</u> |
|---|-------------------------|
| Cheektowaga Art Guild | \$1,200.00 |
| Cheektowaga Cultural Society | \$3,150.00 |

And, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2015 Town budget, subject to audit and approval of a properly signed Town voucher.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



3. RESOLUTION 2015-330

Authorize Supervisor to Execute Grant Application

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, grant monies are available to select municipalities through the Bureau of Justice Assistance, Edward R. Byrne Justice Assistance Grant; and

WHEREAS, the Town of Cheektowaga Police Department is interested in availing itself of \$13,004 in funding under this program to enhance various police operations; NOW, THEREFORE, BE IT

RESOLVED, that KHEOPS Architecture, Engineering and Survey, DPC, the Town's grants consultant, be and hereby is authorized and directed to complete the necessary application, forms, etc., to be submitted for the purpose of securing this grant; and BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



4. RESOLUTION 2015-331

SPECIAL EVENT - NCAAAA Baseball Parade

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, the North Cheektowaga Amateur Athletic Association (NCAAA) has made application to hold its Baseball Parade on Saturday, June 6th, 2015, at 12:00 p.m., said parade to begin on Nagel Drive, to George Urban Boulevard through Tops parking lot, proceeding to ball diamonds ; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the application of North Cheektowaga Amateur Athletic Association for the aforementioned Parade, to be held on Saturday, June 6th, 2015 at 12:00 p.m.; BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



5. RESOLUTION 2015-332

Support for Far(m)ed as Registered Organization under the Compassionate Care Act

Sponsored By: Kaminski, Meyers, Rogowski, Adamczyk, Benczkowski

WHEREAS, in July of 2014, the New York State and Governor Cuomo signed into law the Compassionate Care Act (Chapter 90 of the Laws of 2014) to permit the medical use of marihuana to assist in the medical treatment of people with certain medical conditions, and

WHEREAS, pursuant to the Compassionate Care Act, New York State will designate five manufacturers and distributors of medical marihuana, and

WHEREAS, Doctors Ephraim and Amar Atwal are principals in Far(m)ed, which has applied to New York State to become one of the five registered organizations in New York State for the manufacture and distribution of medical marihuana, and

WHEREAS, the Atwal Eye Care Center has been located in the Town of Cheektowaga since 1989 and has been a reputable and successful medical practice in our community since said time, and

WHEREAS, in addition to their experience in the medical field, the Atwals have also been involved with agriculture for more than 35 years; they own and grow nearly 4,000 acres of corn and soybean farmland in Niagara County, and

WHEREAS, the Atwals and Far(m)ed also have leased property located at 6704 Transit Road in the Town of Cheektowaga for use as a dispensing facility for medical marihuana, and

WHEREAS, this Board feels that the Atwals and Far(m)ed are uniquely suited to become a registered organization and dispensary for medical marihuana with their unique expertise in the medical field and agriculture, and

WHEREAS, the approval of the application of Far(m)ed to manufacture, distribute and dispense medical marihuana will have economic development benefits to the Town of Cheektowaga and its taxpayers, and will be accessible to Town residents who require this medication for their medical conditions, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby supports the application of Far(m)ed and the Atwals to become a registered manufacturer, distributor and dispenser of medical marihuana in New York State, and BE IT FURTHER

RESOLVED, that this Town Board does hereby further support the use of property located at 6704 Transit Road as the site of a dispensing facility for medical marihuana, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Senator Timothy Kennedy, Assemblywoman Angela Wozniak, Governor Andrew Cuomo and Dr. Howard Zucker, Commissioner, New York State Department of Health.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |

V. Communications

A. Departmental Communications

1. Minutes: Cheektowaga Conservation Advisory Council - April 2, 2015
2. Minutes: Cheektowaga Conservation Advisory Council - May 7, 2015
3. Minutes: Cheektowaga Traffic Safety Commission - March 17, 2015
4. Minutes: Cheektowaga Traffic Safety Commission - April 21, 2015
5. Minutes: Cheektowaga Public Library - Board of Trustees - January 14, 2015
6. Minutes: Cheektowaga Public Library - Board of Trustees - April 15, 2015

B. General Communications

1. Notice of Claim: Erie County Water Authority vs. Town of Cheektowaga
2. Notice of Claim: Sarah Schuder vs. Town of Cheektowaga
3. Notice of Claim: Thomas R. Warren, Jr. vs. Town of Cheektowaga

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjournment

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| Motion by Councilmember Rogowski; Seconded by Councilmember Adamczyk to adjourn the meeting at 7:36 PM |
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Alice Magierski, Town Clerk

| print key | loc st nbr | loc st name | loc mail st suff | Blocks (walk) 4" SW Sections | Approach 6" DW Sections | owner lname | Zowner name | 3owner name | Attention To: | P.O. Box | Address | City/State/Zip |
|---------------|---------------|-------------|---------------------|---------------------------------------|-------------------------------|--------------------------------|----------------------|-------------|--------------------------|---------------|----------------------|----------------------------|
| 102.37-3-1 | 87 | Greenleaf | Lane | 6 | 2 | Stephanie M. McGee | | | | | 87 Greenleaf Ln. | Cheektowaga, NY 14225 |
| 102.37-3-30 | 88 | Westchester | Drive | 10 | | Robert T. Nagowski | | | | | 88 Westchester Drive | Cheektowaga, NY 14225-4532 |
| 102.37-4-1 | 89 | Westchester | Drive | 6 | 1 | Eugene Whitehead | Barbara Whitehead | | | | 89 Westchester Drive | Cheektowaga, NY 14225-4531 |
| 102.37-4-30 | 190 | Straley | Avenue | 10+ | | Sarah M. Huynh | Rachel Huynh | | | | 190 Straley Ave. | Cheektowaga, NY 14211-2815 |
| 102.45-4-40 | 149 | Ridge Park | Avenue | 1 | | Lee Ann Urode Miller | | | | | 149 Ridge Park Ave. | Cheektowaga, NY 14211-2841 |
| 102.45-4-38.1 | 141 | Ridge Park | Avenue | 1 | | Jennifer L. Mann | | | | | 141 Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.45-4-37 | 139 | Ridge Park | Avenue | 3 | | Tina Pawlicki | | | | | 139 Ridge Park Ave. | Cheektowaga, NY 14211-2841 |
| 102.45-4-36 | 133 | Ridge Park | Avenue | 1 | 1 | Christi D. Decker | | | | | 133 Ridge Park Ave. | Cheektowaga, NY 14211-2841 |
| 102.45-4-33 | 123 | Ridge Park | Avenue | 1 | | Robert L. Mietlicki | | | | | 123 Ridge Park Ave. | Cheektowaga, NY 14211-2841 |
| 102.45-4-32 | 111 | Ridge Park | Avenue | 2 | 1 | Kevin Guadagna | | | | | 111 Ridge Park Ave. | Cheektowaga, NY 14211-2841 |
| 102.45-4-31 | 109 | Ridge Park | Avenue | | 1 | Todd F. Forster | Maria A. Forster | | | | 7112 Cole Rd. | Colden, NY 14033-9779 |
| 102.45-4-29 | 103 | Ridge Park | Avenue | | 2 | Patricia Jane Wohlgemuth | | | | | 103 Ridge Park Ave. | Cheektowaga, NY 14211-2841 |
| 102.45-4-28 | 97 | Ridge Park | Avenue | 3 | 2 | Stacy L. Pettigrew | | | | | 97 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.45-4-27 | 93 | Ridge Park | Avenue | 2 | 1 | Thomas J. Mazur & W. | | | | | 93 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.45-4-25 | 85 | Ridge Park | Avenue | MINOR 2 | | Nicole Cleague | | | | | 85 Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.45-4-24 | 83 | Ridge Park | Avenue | 2 | | Michael J. Jakubik | | | | | 83 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.45-4-22 | 73 | Ridge Park | Avenue | 1 | | Steven J. Halasz | | | | | 73 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.45-4-21 | 71 | Ridge Park | Avenue | 2 | | Mark E. Dittly | Susan M. Dittly | | | | 8129 Rizzo Dr. | Clay, NY 13041 |
| 102.45-4-20 | 69 | Ridge Park | Avenue | | 1 | Manfred Steiner | | | Moses Steiner | P.O. Box 1109 | | Monsey, NY 10952 |
| 102.53-4-36 | 67 | Ridge Park | Avenue | 4 | 1 | Maureen F. Allison | | | | | 67 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-35 | 61 | Ridge Park | Avenue | 3 | | Gerald Love | Lisa M. Love | | | | 61 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-34 | 55 | Ridge Park | Avenue | 2 | | Diana Galdon | | | | | 375 Getzville Rd. | Amherst, NY 14226 |
| 102.53-4-33 | 53 | Ridge Park | Avenue | 1 | | Terrence L. Williams | | | | | 53 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-32 | 47 | Ridge Park | Avenue | 1 | | Rose Mary Wagner | | | | | 47 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-31 | 45 | Ridge Park | Avenue | 1 | 1 | Charles J. Backus, Jr. | | | | | 6795 Lake Shore Rd. | Derby, NY 14047-9748 |
| 102.53-4-29 | 35 | Ridge Park | Avenue | 1 | | Timothy M. Conlin | | | | | 35 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-27 | 31 | Ridge Park | Avenue | | 1 | Melissa Petre | Christie Petre | | | | 31 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-26 | 25 | Ridge Park | Avenue | 3 | 1 | James P. Smigielski & W. | | | | | 25 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-25 | 23A | Ridge Park | Avenue | 1 | 1 | Jean M. Cleggett | | | | | 23A Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.53-4-23 | 19 | Ridge Park | Avenue | 2 | | Corey Webster | | | SJP Federal Credit Union | | 341 Englewood Ave. | Buffalo, NY 14223 |
| 102.53-4-22 | 17 | Ridge Park | Avenue | 1 | | Robert J. Olejniczak & W. | | | | | 17 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-21 | 15 | Ridge Park | Avenue | 1 | | George & Katherine Klein | | | | | 15 Ridge Park Ave. | Cheektowaga, NY 14211-2811 |
| 102.53-4-20 | 1258 | Walden | Avenue | 2 | | John M. Priebe & W. | | | | | 15 Howard Ln. | Depew, NY 14043-1008 |
| 102.53-3-17 | | Walden | Avenue | | 22 | Milton Rochford | | | | | 1238 Walden Ave. | Cheektowaga, NY 14211 |
| 102.53-3-15 | 20 | Ridge Park | Avenue | 2 | 1 | Randolph J. Skrzydlewski | & W. | | | | 20 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |
| 102.53-3-14 | 22 | Ridge Park | Avenue | 1 + | 3 | Bernadette Wasinger-Leicht | | | | | 22 Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.53-3-13 | 24 | Ridge Park | Avenue | 1 | | Joseph P. Tripi, Jr. | | | | | 8361 Evelyn Dr. | Eden, NY 14057 |
| 102.53-3-12 | 26 | Ridge Park | Avenue | 1 | | John H. Manolopoulos | & Deborah R. | | | | 26 Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.53-3-10 | 40 | Ridge Park | Avenue | 3 | | Danette Williams | | | | | 40 Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.53-3-9 | 44 | Ridge Park | Avenue | 2+ | 2 | Wilmington Trust National Assc | | | | | 3476 Stateview Blvd. | Fort Mill, SC 29715 |
| 102.53-3-8 | 48 | Ridge Park | Avenue | 1 | | Kathleen A. Hannel | | | | | 16 Brookedge Rd. | Depew, NY 14043 |
| 102.53-3-7 | 50 | Ridge Park | Avenue | 4 | 2 | John P. Ciskal | Tammy Ciskal | | | | 50 Ridge Park Ave. | Cheektowaga, NY 14211-2841 |
| 102.53-3-6 | 52 | Ridge Park | Avenue | 2 | | Harold J. Hessenthaler | | | Jeri Linderman | | 9189 Somerset Dr. | Barker, NY 14012 |
| 102.53-3-5 | 58 | Ridge Park | Avenue | 3 | | Alecia Bates | Aaron Angrisano | | | | 58 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |
| 102.53-3-4 | 60 | Ridge Park | Avenue | 1 | | Virginia Zadrozny | Gregory W. Zadrozny | | | | 60 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |
| 102.53-3-2 | 66 | Ridge Park | Avenue | 1 small | 1 small | Marcelo Garcia, Jr. | | | | | 66 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |
| 102.53-3-1 | 70 | Ridge Park | Avenue | 1 | 1 | Norman C. Mac Leod | | | | | 70 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |
| 102.45-3-22 | 72 | Ridge Park | Avenue | 1 | | Gerald A. Reszel | | | | | 72 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |
| 102.45-3-21 | 76 | Ridge Park | Avenue | | 2 | Raymond Doner | Brian Stephen Koltcs | | | | 76 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |
| 102.45-3-20 | 82 | Ridge Park | Avenue | 1 | | Eleanor I. Kosmoski | | | | | 82 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |

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|--------------|-----|------------|--------|----|---|---------------------------------|--------------------------------|-------------------------|--|--|---------------------|-------------------------------|
| 102.45-3-19 | 84 | Ridge Park | Avenue | | 1 | Michael D. Bower | Jamie D. Bower | | | | 3550 Winchester Dr. | East Aurora, NY 14052-9605 |
| 102.45-3-18 | 90 | Ridge Park | Avenue | 3 | 1 | Theresa Czosek | Gary Czosek | | | | 90 Ridge Park Ave. | Cheektowaga, NY 14211-2812 |
| 102.45-3-17 | 94 | Ridge Park | Avenue | | 1 | Melissa King | Joseph Carr Jr. | | | | 94 Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.45-3-15 | 102 | Ridge Park | Avenue | 1 | | Sox X. Tran | | | | | 102 Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.45-3-14 | 104 | Ridge Park | Avenue | 1 | | Luis R. & Cynthia Garcia | | | | | 104 Ridge Park Ave. | Cheektowaga, NY 14211-2840 |
| 102.45-3-12 | 112 | Ridge Park | Avenue | 3 | 1 | Eileen Lipinoga | | | | | 112 Ridge Park Ave. | Cheektowaga, NY 14211-2840 |
| 102.45-3-11 | 114 | Ridge Park | Avenue | 2 | | Cynthia A. Schlatterer | | | | | 114 Ridge Park Ave. | Cheektowaga, NY 14211-2840 |
| 102.45-3-10 | 116 | Ridge Park | Avenue | 1 | | Tetiana Zborovsky | Vasyl Zborovsky | | | | 147 Willet St. | Buffalo, NY 14206 |
| 102.45-3-7 | 134 | Ridge Park | Avenue | 3 | 1 | Charles J. Fullagar | Sharon L. Fullagar | | | | 134 Ridge Park Ave. | Cheektowaga, NY 14211 |
| 102.45-3-6 | 138 | Ridge Park | Avenue | 1 | | Cheryl A. Kubiak | & James D. Martin, Jr. | | | | 138 Ridge Park Ave. | Cheektowaga, NY 14211-2840 |
| 102.45-3-5 | 146 | Ridge Park | Avenue | 2 | | James F. & Judit Mietlicki | | | | | 146 Ridge Park Ave. | Cheektowaga, NY 14211-2840 |
| 102.45-3-4 | 148 | Ridge Park | Avenue | 3 | | Daniel C. Tybor | Adele Tybor | | | | 10933 Townline Rd. | Darien Center, NY 14040 |
| 102.45-3-2.1 | 152 | Ridge Park | Avenue | 2 | | Richard A. Jezierski | | | | | 152 Ridge Park Ave. | Cheektowaga, NY 14211-2840 |
| 101.44-6-14 | 158 | Gualbert | Avenue | 1 | | Leon W. Surowiec, Jr | | | | | 158 Gualbert Ave. | Cheektowaga, NY 14211-2740 |
| 101.44-6-13 | 154 | Gualbert | Avenue | 1 | 1 | Margaret A. Baron | | | | | 154 Gualbert Ave. | Cheektowaga, NY 14211-2740 |
| 101.44-6-12 | 148 | Gualbert | Avenue | 4 | | Ryan A. Michael | Shelly A. Michael | | | | 148 Gualbert Ave. | Cheektowaga, NY 14225 |
| 101.52-4-1 | 140 | Gualbert | Avenue | 2 | | Janice K. Sehl | Kathleen Gallucci | | | | 94 Wheaton Dr. | Cheektowaga, NY 14225 |
| 101.52-4-3 | 130 | Gualbert | Avenue | 3 | 1 | Andrew Living Trust Kowalewski | Adelle Living Trust Kowalewski | | | | 130 Gualbert Ave. | Cheektowaga, NY 14211-2723 |
| 101.52-4-4 | 122 | Gualbert | Avenue | 2 | 1 | Ruth Peters | | | | | 46 Woodell Ave. | Buffalo, NY 14211-2735 |
| 101.52-4-5 | 114 | Gualbert | Avenue | | 1 | John P. Mahoney | | | | | 114 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.52-4-6 | 112 | Gualbert | Avenue | | 1 | Kenneth C. Duszynski | Lisa H. Duszynski | | | | 112 Gualbert Ave. | Cheektowaga, NY 14211-2723 |
| 101.52-4-7 | 108 | Gualbert | Avenue | 1 | 1 | Thomas J. Mager | Linda A. Mager | | | | 108 Gualbert Ave. | Cheektowaga, NY 14211-2723 |
| 101.52-4-8 | 106 | Gualbert | Avenue | 2 | | Melvin Speaks | | | | | 106 Gualbert Ave. | Cheektowaga, NY 14211-2723 |
| 101.60-6-17 | | Walden | Avenue | 3 | 1 | Matthew C. Okoniewski | | Attn: Denise Okoniewski | | | 1168 Walden Ave. | Buffalo, NY 14211-2732 |
| 101.60-6-15 | 14 | Gualbert | Avenue | 4 | 2 | Richard A. Urbanski | | | | | 27 Regency Ct. | Bowmansville, NY 14026 |
| 101.60-6-14 | 24 | Gualbert | Avenue | | 1 | Mary A. Heftka | | | | | 24 Gualbert Ave. | Cheektowaga, NY 14211-2721 |
| 101.60-6-13 | 30 | Gualbert | Avenue | 3 | | Allen Smith | | | | | 30 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.60-6-12 | 32 | Gualbert | Avenue | 2 | | Virginia Stevenson | | | | | 923 Seawinds Ln. | Virginia Beach, VA 23451-4079 |
| 101.60-6-10 | 38 | Gualbert | Avenue | 1 | 2 | Charlotte Zaidel | | | | | 38 Gualbert Ave. | Cheektowaga, NY 14211-2721 |
| 101.60-6-9 | 42 | Gualbert | Avenue | 2 | | Eugene A. Boczar | | | | | 42 Gualbert Ave. | Cheektowaga, NY 14211-2721 |
| 101.60-6-8 | 46 | Gualbert | Avenue | 1 | | Richard C. Fabiszewski, Jr. | Gloria J. Fabiszewski | | | | 46 Gualbert Ave. | Cheektowaga, NY 14211-2721 |
| 101.60-6-6 | 56 | Gualbert | Avenue | 1 | 1 | Donald J. Jarmuz | | | | | 56 Gualbert Ave. | Cheektowaga, NY 14211-2721 |
| 101.60-6-5 | 60 | Gualbert | Avenue | | 2 | Christopher Stephens | Amanda C. Stephens | | | | 60 Gualbert Ave. | Cheektowaga, NY 14211-2721 |
| 101.60-6-4 | 62 | Gualbert | Avenue | 1 | | Douglas J. Carstems & W. | | | | | 12 Riemers Ave. | Lancaster, NY 14086 |
| 101.60-6-3 | 72 | Gualbert | Avenue | 5 | | David Lawrence Enterprises, LLC | | | | | 157 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.60-6-2 | 74 | Gualbert | Avenue | 3 | 2 | Richard J. Belile, Sr. | Cynthia I. Belile | | | | 74 Gualbert Ave. | Cheektowaga, NY 14211-2721 |
| 101.60-6-1 | 78 | Gualbert | Avenue | 5 | | Theresa Rogowski | | | | | 78 Gualbert Ave. | Cheektowaga, NY 14211-2721 |
| 101.52-5-1.1 | 157 | Gualbert | Avenue | 5 | | Timothy J. Wagner | & Marjorie D. | | | | 157 Gualbert Ave. | Cheektowaga, NY 14211-2741 |
| 101.52-5-13 | 149 | Gualbert | Avenue | 1 | | Donald J. Russ | Christine Calabrese | | | | 149 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.52-5-12 | 147 | Gualbert | Avenue | 4 | | Ruth P. Peters | | | | | 46 Woodell Ave. | Cheektowaga, NY 14211-2735 |
| 101.52-5-11 | 141 | Gualbert | Avenue | 1 | 1 | Gretchen Amber Nason | | | | | 141 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.52-5-10 | 133 | Gualbert | Avenue | 4 | 2 | Jonathan Krasny | | | | | 133 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.52-5-9 | 129 | Gualbert | Avenue | 1 | 1 | Bernice Reger | | | | | 129 Gualbert Ave. | Cheektowaga, NY 14211-2722 |
| 101.52-5-8 | 127 | Gualbert | Avenue | 1 | | Myril A. Draves | Joyce M. Draves | | | | 10080 Brookside Rd. | Houghton, NY 14744-8757 |
| 101.52-5-7 | 123 | Gualbert | Avenue | 3 | 1 | Ruth Peters | | | | | 46 Woodell Ave. | Buffalo, NY 14211-2735 |
| 101.52-5-5.1 | 120 | Alexander | Avenue | 13 | | St. John Gualbert Church | | | | | 83 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-41 | 79 | Gualbert | Avenue | 4 | | Taunisha Warburton | | | | | 79 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-40 | 67 | Gualbert | Avenue | 7 | 1 | James J. Roberts | | | | | 67 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.60-7-39 | 61 | Gualbert | Avenue | 2 | | Barbara Chmura | | | | | 61 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-38 | 59 | Gualbert | Avenue | 1 | | Karl F. Buennagel | | | | | 59 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.60-7-37 | 55 | Gualbert | Avenue | 3 | 1 | Susan Zakurzewski | | | | | 55 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-34 | 43 | Gualbert | Avenue | 1 | | American Estate and Trust | FBO Robert D. Buchanan | | | | 69 Victoria Dr. | Johnstown, CO 80534 |
| 101.60-7-32 | 35 | Gualbert | Avenue | | 1 | Marie G. Teque | Wesphal Francois | | | | 35 Gualbert Ave. | Cheektowaga, NY 14211 |
| 101.60-7-31 | 33 | Gualbert | Avenue | 1 | | Rosemary DiPasquale | | | | | 125 Macarthur Dr. | Williamsville, NY 14221-3761 |

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|-------------|------|----------|--------|----|----|-----------------------------|----------------------|----------------|--|--------------|--------------------------|---------------------------------|
| 101.60-7-30 | 31 | Gualbert | Avenue | 1+ | | Jeffrey S. Hayman | | | | | 31 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-29 | 27 | Gualbert | Avenue | 2 | 1 | Leonard Koston | Emily Koston | | | | 27 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-28 | 21 | Gualbert | Avenue | 3 | | Pamela Battaglia | | | | | 21 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-27 | 17 | Gualbert | Avenue | 3 | | Linda Ann Tobler | | | | | 17 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-26 | 15 | Gualbert | Avenue | 1 | 1 | John Perna | | | | | 66 Rosewood Dr. | Williamsville, NY 14221 |
| 101.60-7-25 | 13 | Gualbert | Avenue | 1 | | Michael J. Full | | | | | 13 Gualbert Ave. | Cheektowaga, NY 14211-2720 |
| 101.60-7-24 | 1168 | Walden | Avenue | 1 | | Denise J. Okoniewski | | | | | 1168 Walden Ave. | Cheektowaga, NY 14211-2732 |
| 102.45-4-4 | 138 | Reo | Avenue | 2 | | Jessica A. Drago | | | | | 138 Reo Ave. | Cheektowaga, NY 14211-2838 |
| 102.45-4-5 | 130 | Reo | Avenue | 1 | | Jason M. Stroehlein | | | | | 103 Dorset Dr. | Depew, NY 14043-1727 |
| 102.45-4-6 | 128 | Reo | Avenue | 2 | | Kathleen A. Nowicki | | | | | 128 Reo Ave. | Cheektowaga, NY 14211 |
| 102.45-4-7 | 124 | Reo | Avenue | 1 | 2 | David P. Fish | | | | | 124 Reo Ave. | Cheektowaga, NY 14211-2838 |
| 102.45-4-8 | 122 | Reo | Avenue | 2 | | James A. Lis | | | | | 122 Reo Ave. | Cheektowaga, NY 14211-2838 |
| 102.45-4-9 | 118 | Reo | Avenue | 2 | | Jason D. Cole | Linda M. Schie | | | | 118 Reo Ave. | Cheektowaga, NY 14211-2838 |
| 102.45-4-10 | 114 | Reo | Avenue | 4 | | Christopher R. Deane | Tara L. Zubrzycki | | | | 114 Reo Ave. | Cheektowaga, NY 14211-2838 |
| 102.45-4-12 | 104 | Reo | Avenue | 2 | | Paul J. Strzelec & W. | | | | | 104 Reo Ave. | Cheektowaga, NY 14211-2838 |
| 102.45-4-13 | 100 | Reo | Avenue | 1 | | Patricia C. Wisniewski | | | | | 100 Reo Ave. | Cheektowaga, NY 14211-2810 |
| 102.45-4-14 | 94 | Reo | Avenue | 2 | 2 | Albert DiCristofaro | | | | P.O. Box 497 | Elma, NY 14059 | |
| 102.45-4-15 | 92 | Reo | Avenue | 3 | 2 | Tiffany D. Bell | | | | | 88 Shire Dr. S. | East Amherst, NY 14051 |
| 102.45-4-17 | 80 | Reo | Avenue | | 1 | Michael Jackson | April Jackson | | | | 80 Reo Ave. | Cheektowaga, NY 14211 |
| 102.45-4-18 | 78 | Reo | Avenue | 3 | | Willie Proctor | | | | | 78 Reo Ave. | Cheektowaga, NY 14211 |
| 102.45-4-19 | 72 | Reo | Avenue | 6 | | Craig M. Brodfuehrer | | | | | 72 Reo Ave. | Cheektowaga, NY 14211 |
| 102.53-4-1 | 66 | Reo | Avenue | 1 | | Janice Colestro | | | | | 6881 Woodland Dr. | Great Valley, NY 14741 |
| 102.53-4-2 | 62 | Reo | Avenue | 1 | | Marcus Gibson | | | | | 62 Reo Ave. | Cheektowaga, NY 14211 |
| 102.53-4-3 | 60 | Reo | Avenue | 3 | | Helen Olczak | | | | | 60 Reo Ave. | Cheektowaga, NY 14211-2810 |
| 102.53-4-4 | 54 | Reo | Avenue | 3 | 1 | RVP Development, Inc. | | | | | 3375 South Park Ave. | Lackawanna, NY 14219 |
| 102.53-4-5 | 46 | Reo | Avenue | 1 | 2 | Stephanie A. Schneider | | | | | 46 Reo Ave. | Cheektowaga, NY 14211-2810 |
| 102.53-4-6 | 42 | Reo | Avenue | 2 | | David C. Nowicki & W. | | | | | 42 Reo Ave. | Cheektowaga, NY 14211-2810 |
| 102.53-4-7 | 40 | Reo | Avenue | 5 | | Kym McBride | | | | | 92 Milburn | Buffalo, NY 14212 |
| 102.53-4-8 | 36 | Reo | Avenue | 2 | 1 | Charity M. Simmons | | | | | 36 Reo Ave. | Cheektowaga, NY 14211 |
| 102.53-4-9 | 30 | Reo | Avenue | 1 | | Khushi Realty Buffalo, Inc. | | | | | 43-29 39 Place, Apt. 28 | Sunnyside, NY 11104 |
| 102.53-4-11 | 20 | Reo | Avenue | 2 | | Paula M. Schultz | | | | | 20 Reo Ave. | Cheektowaga, NY 14211-2810 |
| 102.53-4-12 | 18 | Reo | Avenue | 1 | | Doris Petrusek | | | | | 18 Reo Ave. | Cheektowaga, NY 14211-2810 |
| 102.53-4-13 | 16 | Reo | Avenue | 2 | 2 | Jason Bruce | Gina Bruce | | | | 296 Lamarck Dr. | Amherst, NY 14226 |
| 102.53-4-14 | 1280 | Walden | Avenue | 6 | | JB Ventures, LLC | | | | | 18685 Main St., Ste. 101 | Huntington Beach, CA 92648-1719 |
| 102.53-5-22 | 1282 | Walden | Avenue | 3 | 2 | Richard E. Mach | Michael Rosier | Erika Rosier | | | 1282 Walden Ave. | Cheektowaga, NY 14211-2822 |
| 102.53-5-23 | 13 | Reo | Avenue | 3 | 1 | Robert De Carolis | | | | | 13 Reo Ave. | Cheektowaga, NY 14211 |
| 102.53-5-24 | 19 | Reo | Avenue | 2 | | James F. Mietlicki | | | | | 19 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.53-5-27 | 31 | Reo | Avenue | 3 | | Scott F. Tracey | | | | | 31 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.53-5-29 | 41 | Reo | Avenue | 3 | 3 | Daniel Crum | Margaret Crum | | | | 41 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.53-5-30 | 45 | Reo | Avenue | 1 | | Christopher M. Clark | | | | | 14 Shepard Ave. | Buffalo, NY 14217-1914 |
| 102.53-5-31 | 47 | Reo | Avenue | 2 | | Antoinette Taylor | Terrion D. King | | | | 55 Eggert Rd. | Cheektowaga, NY 14215 |
| 102.53-5-32 | 49 | Reo | Avenue | 2 | | Amanda K. Swallow | | | | | 49 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.53-5-33 | 53 | Reo | Avenue | 1 | 1 | Vincent R. Tyler | Allison A. Tyler | | | | 53 Reo Ave. | Cheektowaga, NY 14211 |
| 102.53-5-35 | 65 | Reo | Avenue | 3 | | Irene Glowacki | | | | | 65 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.45-5-22 | 67 | Reo | Avenue | 1 | | Brian W. Deeds & Charleen | | | | | 67 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.45-5-23 | 71 | Reo | Avenue | 1 | 2+ | Kelly D. Foote | | | | | 71 Reo Ave. | Cheektowaga, NY 14211 |
| 102.45-5-24 | 75 | Reo | Avenue | 3 | 2 | Annette M. Kicinski | | HSBC | | | 2929 Walden Ave. | Depew, NY 14043 |
| 102.45-5-25 | 77 | Reo | Avenue | 1 | | Silvana C. Cimato | & Joann R. Colangelo | | | | 77 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.45-5-26 | 79 | Reo | Avenue | 2 | | David S. Ratajczak | Carole A. Ratajczak | | | | 79 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.45-5-28 | 89 | Reo | Avenue | | 1 | Mary Kalczynski | | | | | 89 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.45-5-29 | 91 | Reo | Avenue | | 2 | Nannette Brown | | | | | 91 Reo Ave. | Cheektowaga, NY 14211 |
| 102.45-5-30 | 93 | Reo | Avenue | 1 | | Robert Witek & Carol | & Sharon | | | | 93 Reo Ave. | Cheektowaga, NY 14211-2809 |
| 102.45-5-31 | 97 | Reo | Avenue | 1 | 1 | James L. Kwarcianiak | | Owner/Occupant | | | 97 Reo Ave. | Buffalo, NY 14211 |
| 102.45-5-32 | 99 | Reo | Avenue | 1 | 1 | Barbara F. Sikora | | | | | 99 Reo Ave. | Cheektowaga, NY 14211-2809 |

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|-------------|-----|----------|---------|----|---|------------------------|------------------------|--------------------|--|--|------------------------------------|----------------------------|
| 102.45-5-33 | 101 | Reo | Avenue | | 1 | Alexandra V. Schmid | | | | | 101 Reo Ave. | Cheektowaga, NY 14211-2839 |
| 102.45-5-35 | 111 | Reo | Avenue | 1 | | Jason M. Kane | | | | | 111 Reo Ave. | Cheektowaga, NY 14211-2839 |
| 102.45-5-36 | 115 | Reo | Avenue | 2 | | Thelma I. Duda | | | | | 115 Reo Ave. | Cheektowaga, NY 14211-2839 |
| 102.45-5-38 | 121 | Reo | Avenue | 3 | | Keith M. Partridge | Mary Partridge Tybor | | | | 12898 Swift Mills Rd. | Arkon, NY 14001 |
| 102.45-5-40 | 129 | Reo | Avenue | 3 | 1 | David L. Czuprynski | Donna M. Czuprynski | | | | 13 Katelyn Ln. | Lancaster, NY 14086 |
| 102.45-5-42 | 139 | Reo | Avenue | 2 | 2 | Timothy G. Ball | | | | | 31 East Center Rd. | West Seneca, NY 14224 |
| 102.45-5-43 | 143 | Reo | Avenue | | 2 | Cheryl Ann Ziolkowski | Lisa F. Ziolkowski | Peter J. Freiemuth | | | 143 Reo Ave. | Cheektowaga, NY 14211-2839 |
| 102.45-5-1 | 149 | Reo | Avenue | 5 | | Aaron S. Thomas | Amanda M. Young-Thomas | | | | 149 Reo Ave. | Cheektowaga, NY 14211 |
| 102.07-4-24 | 12 | Seminole | Parkway | 5+ | | Richard B. Lake | Mary K. Lake | | | | 12 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.08-2-1 | 17 | Seminole | Lane | 4 | 2 | David A. Lata | | | | | 17 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.08-2-2 | 7 | Seminole | Lane | 7 | | Dennis Byczynski | Shirley M. Byczynski | | | | 7 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.07-4-27 | 94 | Seminole | Parkway | 3+ | 2 | Jason E. Crance | | | | | 94 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-28 | 90 | Seminole | Parkway | 5 | | Leonard W. Busshart | Leonard R. Busshart | | | | 90 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-29 | 84 | Seminole | Parkway | 3 | 3 | Ronald L. Stevens | Eileen A. Stevens | | | | 84 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-30 | 80 | Seminole | Parkway | 5 | 2 | Teresa L. Fiorello | | | | | 268 Nagel Dr. | Cheektowaga, NY 14225 |
| 102.07-4-31 | 74 | Seminole | Parkway | 3 | | Ursula Czechowski | | | | | 74 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-32 | 70 | Seminole | Parkway | 2 | 2 | James D.Farleo II | | | | | 70 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-34 | 60 | Seminole | Parkway | 4 | 1 | James E. Clabeaux | | | | | 60 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.07-4-35 | 54 | Seminole | Parkway | 1 | 1 | Judith Henning | | | | | 54 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-36 | 50 | Seminole | Parkway | 6 | | Eleanor Brydalski | Diane M. Then | | | | 50 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-37 | 44 | Seminole | Parkway | 5 | | Bishal L. Sherpa | Bishnu Sherpa | | | | 44 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-38 | 40 | Seminole | Parkway | 5 | 2 | Jon S. Uonites | Shauna C. Uonites | | | | 40 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-39 | 34 | Seminole | Parkway | 1 | | Matthew Hauser | Dolores T. Hauser | | | | 34 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-40 | 30 | Seminole | Parkway | 2 | 1 | Joesph L. Favata II | Francine A. Favata | | | | 30 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-41 | 24 | Seminole | Parkway | 4 | | Raymond W. Pugh & W. | | | | | 24 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-42 | 20 | Seminole | Parkway | 5 | 2 | Alicia P. Kostelny | Michael Kostelny | | | | 20 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-43 | 14 | Seminole | Parkway | 6 | 2 | Michael Resetarits | | | | | 6515 Moorings Point Cir., Unit 102 | Lakewood Ranch, FL 34202 |
| 102.07-4-44 | 10 | Seminole | Parkway | 5 | | Paul Grzybowski | Theresa Grzybowski | | | | 10 Seminole Pkwy. | Cheektowaga, NY 14225-4233 |
| 102.07-4-45 | 4 | Seminole | Parkway | 10 | 2 | Mark W. Lathrop | | | | | 4 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.08-1-44 | 5 | Seminole | Parkway | 4 | | Gregory J. Lipp | Rosanne Lipp | | | | 5 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-1 | 15 | Seminole | Parkway | 7 | | Joseph L. Kugel | | | | | 15 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.08-1-2 | 25 | Seminole | Parkway | 8 | | Nicole M. Lipp | | | | | 25 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.08-1-3 | 35 | Seminole | Parkway | 8 | | Aaron D. Kandefer | | | | | 35 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.08-1-4 | 43 | Seminole | Parkway | 2 | | Jeannette S. Kreher | | | | | 43 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-5 | 49 | Seminole | Parkway | 5 | | Kevin J. Martin | Christina C. Martin | | | | 49 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-6 | 53 | Seminole | Parkway | 1 | 2 | Suzanne M. Becker | Richard A. Bochynski | | | | 53 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-7 | 59 | Seminole | Parkway | 6 | 2 | Norma B. Stevenson | Scott M. Stevenson | | | | 59 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-8 | 65 | Seminole | Parkway | 3 | 2 | Leslie Fahey | | | | | 65 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-9 | 71 | Seminole | Parkway | 2 | 1 | William R. Schutt, Jr. | | | | | 71 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-10 | 75 | Seminole | Parkway | 4 | | Roger M. Sikorski & W. | | | | | 75 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-11 | 81 | Seminole | Parkway | 2+ | 2 | Leonard R. Busshart | | | | | 81 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.08-1-12 | 85 | Seminole | Parkway | 2 | | Michael Wesley | Dena Wesley | | | | 85 Seminole Pkwy. | Cheektowaga, NY 14225 |
| 102.08-1-13 | 91 | Seminole | Parkway | 3 | 1 | James K. Brotz | Carol A. Brotz | | | | 7570 Locust Dr. | Westfield, NY 14787 |
| 102.08-1-14 | 95 | Seminole | Parkway | 3 | 2 | Richard M. Jakubowski | Celeste M. Jakubowski | | | | 95 Seminole Pkwy. | Cheektowaga, NY 14225-4232 |
| 102.08-1-15 | 101 | Seminole | Parkway | 1 | 2 | Timothy M. Schmitt | | | | | 101 Seminole Pkwy. | Cheektowaga, NY 14225-4238 |
| 102.08-1-16 | 105 | Seminole | Parkway | 3 | 2 | Linda L. Martin | | | | | 5189 Lake Ave. | Orchard Park, NY 14127 |
| 102.08-1-17 | 111 | Seminole | Parkway | 4 | | Patricia Stypa | | | | | 111 Seminole Pkwy. | Cheektowaga, NY 14225-4238 |
| 102.08-1-18 | 115 | Seminole | Parkway | 2+ | | Anthony Wiedenbeck | | | | | 115 Seminole Pkwy. | Cheektowaga, NY 14225-4234 |
| 102.08-1-19 | 121 | Seminole | Parkway | 1 | 2 | Michael J. Astyk | | | | | 16 Milsom Ave. | Cheektowaga, NY 14227 |
| 102.08-1-20 | 125 | Seminole | Parkway | 1 | | L. Virginia Jaskier | Scott H. Jaskier | | | | 8367 Cherry Ln. | Eden, NY 14057 |
| 102.08-1-21 | 135 | Seminole | Parkway | 7 | 2 | Michelle L. Seavey | | | | | 3806 Union Rd., Ste. 1 A | Cheektowaga, NY 14225-4248 |
| 102.08-1-22 | 155 | Seminole | Parkway | 1 | | Margaret Piske | | | | | 158 Autumnwood Dr. | Cheektowaga, NY 14227 |
| 102.08-2-9 | 154 | Seminole | Parkway | 6 | 2 | Ethel V. Wyse | Christian O. Wyse | | | | 154 Seminole | Cheektowaga, NY 14225-4235 |
| 102.08-2-7 | 144 | Seminole | Parkway | 1 | 1 | Siobhain Behanna | | | | | 144 Seminole Pkwy. | Cheektowaga, NY 14225 |

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Attachment: Sidewalk list 6-1-15-05272015034622 (RES-2015-317 : Order Replacement of Sidewalks)

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|-------------|-----|----------|---------|----|----|--------------------------------------|-----------------------|--|--|-----------------------|----------------------------|--|
| 102.08-2-6 | 140 | Seminole | Parkway | 1 | | Maria Zilgme | Paul J. Zilgme | | | 140 Seminole Pkwy. | Cheektowaga, NY 14225 | |
| 102.08-2-5 | 134 | Seminole | Parkway | | 2 | Lawrence C. Szczepanski & W. | & W. | | | 134 Seminole Pkwy. | Cheektowaga, NY 14225-4235 | |
| 102.08-2-4 | 130 | Seminole | Parkway | 4 | | Brian S. Niedzielski | | | | 130 Seminole Pkwy. | Cheektowaga, NY 14225-4235 | |
| 102.08-2-3 | 124 | Seminole | Parkway | 2 | | Patrick R. Quinn & W. | | | | 124 Seminole Pkwy. | Cheektowaga, NY 14225-4235 | |
| 102.07-5-20 | 5 | Nokomis | Parkway | 2 | 1 | Courtney Lane Hartman | Jonathan Gromek | | | 5 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.07-5-21 | 7 | Nokomis | Parkway | 7 | 2 | Edward J. Devine | Carol Ann Wagner | | | 7 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-23 | 15 | Nokomis | Parkway | 4 | 3 | Vicki L. Paige | Daniel R. Armstrong | | | 5862 West St. | Sanborn, NY 14132 | |
| 102.07-5-24 | 19 | Nokomis | Parkway | 5 | | Charles E. Anderson | Gertrude A. Anderson | | | 19 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-25 | 23 | Nokomis | Parkway | 3 | 2 | Robert J. Barrett & W. | | | | 23 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-26 | 29 | Nokomis | Parkway | 4 | 1 | Edward C. Krier | Marilyn Krier | | | 29 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-27 | 37 | Nokomis | Parkway | 3+ | | James L. Myers | Susan J. Myers | | | 37 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-7 | 40 | Nokomis | Parkway | 4 | | Eleanor A. Gorny | Michael Gorny | | | 40 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-9 | 30 | Nokomis | Parkway | 2+ | | Lynette Wasielewski | | | | 30 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-11 | 20 | Nokomis | Parkway | 4 | 1 | Jimmy Vu | | | | 20 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.07-5-12 | 16 | Nokomis | Parkway | 5 | | Gary D. Hill & W. | | | | 16 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-13 | 12 | Nokomis | Parkway | 2 | | Victoria N. Fox | | | | 12 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-14 | 8 | Nokomis | Parkway | 3+ | | Steven E. Szuder | Kandi C. Szuder | | | 8 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-15 | 6 | Nokomis | Parkway | 3 | 1 | Mary Berthold | | | | 6 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-16 | 4 | Nokomis | Parkway | 3 | | Michael M. Koenig & Joanne | | | | 487 Route 426 | Spring Creek, PA 76436 | |
| 102.07-5-17 | 2 | Nokomis | Parkway | 3 | | Shelley Puszert | | | | 2 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 | |
| 102.07-5-5 | 4 | Petan | Drive | 3 | 2 | Daniel C. Maryniewski | Marcia A. Maryniewski | | | 4 Petan Dr. | Cheektowaga, NY 14225-4237 | |
| 102.07-4-53 | 5 | Petan | Drive | 4+ | | John F. Roman & W. | | | | 5 Petan Dr. | Cheektowaga, NY 14225-4228 | |
| 102.07-4-52 | 82 | Nokomis | Parkway | 6 | | Nicholas J. Edsell | | | | 82 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.07-4-51 | 96 | Nokomis | Parkway | 1 | 1 | Thomas J. Damian | Dawn Damian | | | 96 Nokomis Pkwy. | Cheektowaga, NY 14225-4225 | |
| 102.07-4-50 | 102 | Nokomis | Parkway | 6 | 2 | Kathy B. Kubiak | | | | 102 Nokomis Pkwy. | Cheektowaga, NY 14225-4225 | |
| 102.07-4-47 | 120 | Nokomis | Parkway | 2 | | Craig K. Ellis | | | | 120 Nokomis Pkwy. | Cheektowaga, NY 14225-4225 | |
| 102.07-4-46 | 124 | Nokomis | Parkway | 4+ | | Frank J. Venezia ,Jr. | | | | 124 Nokomis Pkwy. | Cheektowaga, NY 14225-4225 | |
| 102.08-1-43 | 164 | Nokomis | Parkway | 3 | 2 | Christopher M. Pew | Julie A. Mastrandrea | | | 164 Nokomis Pkwy. | Cheektowaga, NY 14225-4227 | |
| 102.08-1-42 | 170 | Nokomis | Parkway | 4 | 2 | James R. Luce | | | | 170 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.08-1-41 | 174 | Nokomis | Parkway | 3+ | | Theresa Marciniak Testamentary Trust | Constance King | | | 5671 Bryon Elba Rd. | Elba, NY 14058 | |
| 102.08-1-40 | 180 | Nokomis | Parkway | 1 | | Delphine Szczepanski | | | | 180 Nokomis Pkwy. | Cheektowaga, NY 14225-4227 | |
| 102.08-1-39 | 184 | Nokomis | Parkway | 1 | | Norma M. Henning | Judith A. Henning | | | 184 Nokomis Pkwy. | Cheektowaga, NY 14225-4227 | |
| 102.08-1-38 | 190 | Nokomis | Parkway | 3 | | Josephine T. Lewandowski | | | | 190 Nokomis Pkwy. | Cheektowaga, NY 14225-4227 | |
| 102.08-1-37 | 194 | Nokomis | Parkway | 2 | 1 | Paul R. Kuminski | Linda M. Kuminski | | | 194 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.08-1-36 | 200 | Nokomis | Parkway | 3 | | Robin D. Erb | Carolyn L. Erb | | | 11408 Bullis Rd. | Marilla, NY 14102 | |
| 102.08-1-35 | 204 | Nokomis | Parkway | 4 | | Frederick N. McCubbin | | | | 204 Nokomis Pkwy. | Cheektowaga, NY 14225-4241 | |
| 102.08-1-34 | 210 | Nokomis | Parkway | 6+ | 1 | Robert J. Wagner | Eileen C. Wagner | | | 210 Nokomis Pkwy. | Cheektowaga, NY 14225-4241 | |
| 102.08-1-33 | 216 | Nokomis | Parkway | 1 | 1+ | Michael Wojciechowski | | | | 216 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.08-1-32 | 224 | Nokomis | Parkway | 2+ | 2 | John Nickel & W. | | | | 2005 Woodside Ln. | Newtown Square, PA 19073 | |
| 102.08-1-31 | 228 | Nokomis | Parkway | 2 | | Arlene Schwarzkopf | Pamela Aquino & Etal | | | 4659 Cotherstone Cir. | Clarence, NY 14031 | |
| 102.08-1-30 | 234 | Nokomis | Parkway | 3 | | Nicole M. Gawel | | | | 234 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.08-1-29 | 238 | Nokomis | Parkway | 4 | | Regina Szczepanek | Mary Szczepanek | | | 323 Spruce St. | North Tonawanda, NY 14120 | |
| 102.08-1-28 | 244 | Nokomis | Parkway | 3 | | Pietro P. Marranca | Onofria Marranca | | | 244 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.08-1-27 | 248 | Nokomis | Parkway | 3 | | Frances Sinicki | | | | 248 Nokomis Pkwy. | Cheektowaga, NY 14225-4241 | |
| 102.08-1-26 | 252 | Nokomis | Parkway | 2 | | Dorothy J. Wagner | Cheryl Wagner | | | 252 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.08-1-25 | 260 | Nokomis | Parkway | 5+ | 1 | Leo Schubauer | | | | 260 Nokomis Pkwy. | Cheektowaga, NY 14225-4241 | |
| 102.08-1-24 | 270 | Nokomis | Parkway | 1 | 1 | Clare M. Petty | | | | 270 Nokomis Pkwy. | Cheektowaga, NY 14225-4241 | |
| 102.08-1-23 | 290 | Nokomis | Parkway | 2 | | Daniel J. Juskiewicz | Elaine Juskiewicz | | | 290 Nokomis Pkwy. | Cheektowaga, NY 14225-4241 | |
| 102.08-2-11 | 285 | Nokomis | Parkway | 3+ | 2 | James C. Burns | Florence M. Burns | | | 34 Applewood Rd. | Buffalo, NY 14225-1363 | |
| 102.08-2-13 | 281 | Nokomis | Parkway | 1 | | Mark A. Tamsett | | | | 281 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 | |
| 102.08-2-14 | 275 | Nokomis | Parkway | 6 | | Dawn E. Sharpe | | | | 275 Nokomis Pkwy. | Cheektowaga, NY 14225 | |
| 102.08-2-15 | 271 | Nokomis | Parkway | 2 | 2 | Kenneth E. Horton | Linda Joyce Horton | | | 271 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 | |
| 102.08-2-17 | 261 | Nokomis | Parkway | | 2 | Ronald D. Vaccaro & 1 | | | | 261 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 | |
| 102.08-2-18 | 255 | Nokomis | Parkway | 3 | 1 | Azhar S. Jaffri | Saeedha Jaffri | | | 255 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 | |

| | | | | | | | | | | | |
|-------------|-----|---------|---------|----|---|--------------------------|------------------------------|--|--|-----------------------|----------------------------|
| 102.08-2-19 | 251 | Nokomis | Parkway | 2 | | Tonya A. Hopper | | | | 251 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 |
| 102.08-2-20 | 245 | Nokomis | Parkway | 6 | 2 | Kerri A. Saxer | | | | 245 Nokomis Pkwy. | Cheektowaga, NY 14225 |
| 102.08-2-21 | 241 | Nokomis | Parkway | 4 | 2 | Robert B. Murphy | | | | 241 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 |
| 102.08-2-22 | 235 | Nokomis | Parkway | 2 | 2 | Deanna M. Dudek | | | | 235 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 |
| 102.08-2-23 | 231 | Nokomis | Parkway | 3 | 2 | Patricia Tanyi | | | | 231 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 |
| 102.08-2-24 | 225 | Nokomis | Parkway | | 2 | Martin J. Wojciechowski | | | | 225 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 |
| 102.08-2-25 | 221 | Nokomis | Parkway | 3 | 2 | Thomas Jankowiak | Constance Jankowiak | | | 221 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 |
| 102.08-2-26 | 215 | Nokomis | Parkway | 3 | 1 | Thomas P. Casillo | | | | 5893 Kline Rd. | Niagara Falls, NY 14304 |
| 102.08-2-27 | 211 | Nokomis | Parkway | 4 | 1 | Roger E. Saulter | | | | 211 Nokomis Pkwy. | Cheektowaga, NY 14225 |
| 102.08-2-28 | 205 | Nokomis | Parkway | 3+ | 1 | Coletta Hornung | David Hornung | | | 264 Towers Blvd. | Cheektowaga, NY 14227-2541 |
| 102.08-2-29 | 201 | Nokomis | Parkway | 3 | 2 | Janet M. Palka | Kathleen A. Palka -Armstrong | | | 201 Nokomis Pkwy. | Cheektowaga, NY 14225-4240 |
| 102.08-2-30 | 195 | Nokomis | Parkway | 3 | 1 | Joseph DiRado, Jr. | | | | 195 Nokomis Pkwy. | Cheektowaga, NY 14225 |
| 102.08-2-31 | 191 | Nokomis | Parkway | 4 | 1 | Diane M. Miller | | | | 191 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.08-2-32 | 185 | Nokomis | Parkway | 2 | | Lisa R. Zdon | | | | 185 Nokomis Pkwy. | Cheektowaga, NY 14225 |
| 102.08-2-33 | 181 | Nokomis | Parkway | 4 | | Aaron L. Filk | | | | 181 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.08-2-34 | 175 | Nokomis | Parkway | 3 | | Esther Kaminski | Linda C. Nowak | | | 175 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.08-2-35 | 171 | Nokomis | Parkway | 3 | | Ronald D. & Terrie Wanat | | | | 171 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.08-2-36 | 165 | Nokomis | Parkway | 2 | | David D. Fisher | | | | 165 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.08-2-37 | 161 | Nokomis | Parkway | 4 | | Gerald V. Reeb | | | | 161 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.08-2-38 | 155 | Nokomis | Parkway | 5 | 2 | Paul D. Duman & W. | | | | 155 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.08-2-39 | 151 | Nokomis | Parkway | 2 | 1 | Frank R. Buczkowski | Joyce M. Buczkowski | | | 151 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.08-2-40 | 145 | Nokomis | Parkway | 5 | 2 | Lynn M. Chelminiak | Ronald Chelminiak | | | 145 Nokomis Pkwy. | Cheektowaga, NY 14225-4226 |
| 102.07-5-45 | 141 | Nokomis | Parkway | 2 | | Antoinette M. Garbacz | | | | 141 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-44 | 135 | Nokomis | Parkway | 2+ | 1 | Suzanne M. Stanko | | | | 135 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-43 | 131 | Nokomis | Parkway | 6 | 3 | Jennifer Sell | | | | 1098 Nash Rd. | North Tonawanda, NY 14120 |
| 102.07-5-42 | 125 | Nokomis | Parkway | 6 | 1 | Douglas R. Biber & W. | | | | 125 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-41 | 121 | Nokomis | Parkway | 8 | | Charles T. Shaw, Jr. | | | | 121 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-40 | 115 | Nokomis | Parkway | 3 | 3 | Clair F. Smith | & Gail A. Smith | | | 115 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-39 | 111 | Nokomis | Parkway | 4+ | 1 | Patrick Garvin | | | | 111 Nokomis Pkwy. | Cheektowaga, NY 14225 |
| 102.07-5-38 | 105 | Nokomis | Parkway | 5 | 2 | Jennifer M. Zilgme | | | | 105 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-37 | 101 | Nokomis | Parkway | 7+ | | Paul & Anne Griffin | | | | 101 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-36 | 95 | Nokomis | Parkway | 5 | 2 | Jennifer L. Schreiber | | | | 95 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-35 | 81 | Nokomis | Parkway | 2 | | Mark G. Peters | & Lisa A. Smith | | | 81 Nokomis Pkwy. | Cheektowaga, NY 14225-4224 |
| 102.07-5-34 | 75 | Nokomis | Parkway | 1 | | Colleen A. Esford | | | | 6744 Nettle Creek Dr. | Derby, NY 14047-9570 |
| 102.07-5-32 | 65 | Nokomis | Parkway | ~6 | 2 | Leo M. Becker, Jr. | | | | 14 Regency Ct. | Bowmansville, NY 14026 |
| 102.07-5-31 | 61 | Nokomis | Parkway | 2 | 1 | Carolyn Bernas | | | | 61 Nokomis Pkwy. | Cheektowaga, NY 14225 |
| 102.07-5-29 | 49 | Nokomis | Parkway | 1 | | Danielle L. Bobeck | | | | 49 Nokomis Pkwy. | Cheektowaga, NY 14225-4223 |



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, June 15, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on June 15, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Mark Wegner, Highway Superintendent

II. Public Comment Period

III. Public Hearings

1. Special Use Permit Request- 3465 Broadway - Blue Wireless

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Local Law Intro No. 2015-4 - A Local Law to Amend the Solid Waste Law - of the Town of Cheektowaga

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Gerald Kaminski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

3. Local Law Intro No. 2015-5 - A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Gerald Kaminski, Councilmember
SECONDER: Mary Holtz, Supervisor
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

4. Local Law Intro No. 2015-6 - A Local Law to Amend the Snowplowing Law of the Town of Cheektowaga

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: **CLOSED [UNANIMOUS]**

MOVER: Gerald Kaminski, Councilmember

SECONDER: Mary Holtz, Supervisor

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

5. Local Law Intro No. 2015-7 - A Local Law to Amend the Building Construction Codes Administration Law

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: **CLOSED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Christine Adamczyk, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-333

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to June 15, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$2,756,244.76 |
| RISK RETENTION FUND | 22,413.43 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 6,696.00 |
| SPECIAL DISTRICTS FUND | 2,131,555.81 |
| HIGHWAY FUND | 634,618.81 |
| CAPITAL FUND | 364,440.46 |
| TRUST & AGENCY FUND | 4,985.47 |
| HUD CDBG FUND | 92.32 |
| PART TOWN FUND | 73,361.20 |
| NYS AFFORDABLE HOUSING | 10,044.00 |
| | <hr/> |
| | \$6,004,452.26 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-334

Negative SEQR Declaration 3465 Broadway - Blue Wireless

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, a special use permit application was submitted by Buffalo-Lake Erie Wireless Systems for the erection of cellular antennas onto an existing 151.5 foot tall mono pole antenna mast at 3465 Broadway, AND

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency, 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, the Environmental Advisory Committee at its meetings held on June 3, 2015 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the special use permit at their meeting of June 11, 2015, AND

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

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

Attachments:
construction plans (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-335

Approve Special Use Permit for Co-Location of Cellular Communications Antenna on Existing Monopole

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, Buffalo-Lake Erie Wireless Systems has applied for a Special Use Permit to co-locate a cellular communications antenna array on an existing 151.5-foot-high cell tower on property owned by Broadway Links Ltd and located at 3465 Broadway, Cheektowaga, New York, pursuant to Sections 260-47 of the Code of the Town of Cheektowaga ("Zoning Law"), and Chapter 255 of the Town Code ("Wireless Telecommunications Facilities"); and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 15th day of June, 2015 at 6:45 P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the 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 recommended approval of this Special Permit; and

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

RESOLVED, that the aforesaid Special Use Permit for co-locating a cellular communications antenna array on an existing 151.5-foot-tall cell tower at 3465 Broadway be and hereby is granted, subject to the condition that the monopole be painted white or gray to match the antenna array.

LEGAL DESCRIPTION FOR SPECIAL PERMIT

PARCEL A:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING in the south line of Broadway (as a 66 foot highway) 264 feet east of its intersection with the east line of land conveyed to Henry May by deed recorded in the Erie County Clerk's Office in Liber 66 of Deeds at page 217; running thence southerly parallel with said east line of land so conveyed to Henry May, 1299.17 feet to the northerly right of way line of the Delaware, Lackawanna & Western Railroad; thence southwesterly along said right of way line of the Delaware, Lackawanna & Western Railroad 277.78 feet to the east line of land conveyed to Henry May as aforesaid; thence northerly along the east line of said May's land 1208.48 feet to the south line of lands conveyed to Henry Rosenfeld et al by deed recorded in Liber 6746 of Deeds at page 275; thence easterly and parallel with Broadway 102.0 feet; thence northerly parallel with the east line of May's land aforesaid 170.0 feet to the south line of

Broadway; and thence easterly along the south line of Broadway 162 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM that portion thereof, being shown on Map No. 30 as Parcel No. 32, and appropriated by the People of the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10943 of Deeds at page 234.

PARCEL B;

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING in the center line of Broadway, 1867.50 feet east of its intersection with the west line of Lot No. 10 (said point also being 495 feet east of the west line of the middle third of said Lot No. 10); running thence southerly parallel with the west line of the middle third of said Lot No. 10, 1394.39 feet to the north line of lands conveyed to Niagara, Lockport and Ontario Company by deed recorded in the Erie County Clerk's Office in Liber 2045 of Deeds at page 342; thence easterly along said north line 86.81 feet to the east line of land conveyed to Henry May by deed recorded in said Clerk's Office in Liber 66 of Deeds at page 217 (being also the west line of lands formerly owned by Henry W. Ratzel); thence northerly along said east line of lands conveyed to May, 1369.52 feet to the center line of Broadway; and thence westerly along the center line of Broadway 82.50 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM that portion thereof, being shown on Map No. 30 as Parcel No. 31, and appropriated by the People of the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10943 of Deeds at page 234.



Motion by Supervisor Holtz; Seconded by Councilmember Rogowski to amend the resolution as follows: Motion Carried.



WHEREAS, Buffalo-Lake Erie Wireless Systems has applied for a Special Use Permit to co-locate a cellular communications antenna array on an existing 151.5-foot-high cell tower on property owned by Broadway Links Ltd and located at 3465 Broadway, Cheektowaga, New York, pursuant to Sections 260-47 of the Code of the Town of Cheektowaga ("Zoning Law"), and Chapter 255 of the Town Code ("Wireless Telecommunications Facilities"); and

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 15th day of June, 2015 at 6:45 P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the 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 recommended approval of this Special Permit; and

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

RESOLVED, that the aforesaid Special Use Permit for co-locating a cellular communications antenna array on an existing 151.5-foot-tall cell tower at 3465 Broadway be and hereby is granted, subject to the condition that the monopole be painted white or gray or as required by the FAA to match the antenna array.

LEGAL DESCRIPTION FOR SPECIAL PERMIT

PARCEL A:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING in the south line of Broadway (as a 66 foot highway) 264 feet east of its intersection with the east line of land conveyed to Henry May by deed recorded in the Erie County Clerk's Office in Liber 66 of Deeds at page 217; running thence southerly parallel with said east line of land so conveyed to Henry May, 1299.17 feet to the northerly right of way line of the Delaware, Lackawanna & Western Railroad; thence southwesterly along said right of way line of the Delaware, Lackawanna & Western Railroad 277.78 feet to the east line of land conveyed to Henry May as aforesaid; thence northerly along the east line of said May's land 1208.48 feet to the south line of lands conveyed to Henry Rosenfeld et al by deed recorded in Liber 6746 of Deeds at page 275; thence easterly and parallel with Broadway 102.0 feet; thence northerly parallel with the east line of May's land aforesaid 170.0 feet to the south line of Broadway; and thence easterly along the south line of Broadway 162 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM that portion thereof, being shown on Map No. 30 as Parcel No. 32, and appropriated by the People of the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10943 of Deeds at page 234.

PARCEL B;

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 10, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING in the center line of Broadway, 1867.50 feet east of its intersection with the west line of Lot No. 10 (said point also being 495 feet east of the west line of the middle third of said Lot No. 10); running thence southerly parallel with the west line of the middle third of said Lot No. 10, 1394.39 feet to the north line of lands conveyed to Niagara, Lockport and Ontario Company by deed recorded in the Erie County Clerk's Office in Liber 2045 of Deeds at page

342; thence easterly along said north line 86.81 feet to the east line of land conveyed to Henry May by deed recorded in said Clerk's Office in Liber 66 of Deeds at page 217 (being also the west line of lands formerly owned by Henry W. Ratzel); thence northerly along said east line of lands conveyed to May, 1369.52 feet to the center line of Broadway; and thence westerly along the center line of Broadway 82.50 feet to the point of beginning.

EXCEPTING AND RESERVING THEREFROM that portion thereof, being shown on Map No. 30 as Parcel No. 31, and appropriated by the People of the State of New York by Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10943 of Deeds at page 234.

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| RESULT: | ADOPTED AS AMENDED [UNANIMOUS] |
| MOVER: | Mary Holtz, Timothy J. Meyers |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-336

Adopt Local Law No. 4 of the Year 2015 - A Local Law to Amend the Solid Waste Law

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, by Local Law No. 5 of the Year 1992, the Cheektowaga Town Board enacted a Solid Waste Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), and

WHEREAS, by Local Law No. 5 of the Year 2014, this Town Board amended the Solid Waste Law to permit the Police Department to enforce various provisions thereof, and

WHEREAS, the Town Solid Waste Law needs to be further amended, and

WHEREAS, Local Law No. 4 of the Year 2015 was drafted by the Town Attorney to so amend Chapter 206 of the Town Code, and

WHEREAS, a public hearing was held on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law No. 2015-4, entitled "A Local Law to Amend the Solid Waste Law of the Town of Cheektowaga", and

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 4 of the Year 2015, entitled "A Local Law to Amend the Solid Waste Law of the Town of Cheektowaga", which is set forth herein, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 4 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



LOCAL LAW NO. 4 OF THE YEAR 2015

A LOCAL LAW TO AMEND THE SOLID WASTE LAW OF THE TOWN OF CHEEKTOWAGA

1. Section 206-3, Definitions, shall be amended to add the following:

CODE INSPECTOR

Includes Code Enforcement Officer, Property Maintenance Inspector and any other person authorized to perform inspections and issue violation orders as designated by the Supervising Code Enforcement Officer.

2. Subsection 206-6.C. shall be amended to read as follows:

Section 206-6. Placement of Containers for collection.

C. Totes and recyclable containers shall be removed from the curblane within 12 hours after being emptied to a location behind or beside any structure or building on the premises; said location shall not be in the defined front yard area and shall be a minimum of ten (10) feet from any neighboring structure or building.

3. Subsection 206-9.E. shall be amended to read as follows:

Section 206-9. Supervision; promulgation of rules and regulations.

E. Sanitation Department officials, Police Department officers and Code Inspectors are authorized to enforce the provisions of this chapter. Sanitation Department officials, Police Department officers and Code Inspectors shall also be authorized to issue informational notices, warning notifications, violation notices, summonses and appearance tickets under this chapter.

4. Subsection 206-10.A. shall be amended to read as follows:

Section 206-10. Violations; penalties for offenses.

A. Whenever a Sanitation Department official, Police Department officer or Code Inspector finds that there has been a violation of this chapter, he/she shall issue a violation order, summons or appearance ticket to the property owner or other person responsible.

5. Subsection 206-10.B. shall be amended to read as follows:

Section 206-10. Violations; penalties for offenses.

B. Violations of any of the provisions of this chapter shall be punishable as follows:

- (1) A fine of \$25 for the first violation;
- (2) A fine of \$50 for the second violation;
- (3) A fine of not less than \$100 nor more than \$500 for the third and subsequent violations.

6. Subsection 206-10. D. shall be amended to read as follows:

Section 206-10. Violations; penalties for offenses.

D. Violation orders/summonses or appearance tickets may be served as follows:

- (1) By personal service. The Sanitation Department official or Code Inspector shall file an affidavit of service for each owner so served with the violation order/summons.
- (2) By certified mail, return receipt requested.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-337

Adopt Local Law No. 5 of the Year 2015 - A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, Chapter 210 of the Code of the Town of Cheektowaga, entitled "Streets and Sidewalks" sets forth specifications for streets and sidewalks, and also lists regulations concerning the maintenance of same, and

WHEREAS, there is a need to amend Subsection B of Section 210-15 ("Penalties for offenses") to change the penalties for violations of said law, and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney's Office, and

WHEREAS, a public hearing was held on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law No. 5 of the year 2015, entitled "A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga", and

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 5 of the year 2015 entitled "A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga" which is set forth herein, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 5 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



Local Law No. 5 of the Year 2015

A Local Law to Amend the Streets and Sidewalks Law of the Town of Cheektowaga

1. **Section 210-15, entitled "Penalties for offenses"** shall be amended to read as follows:

Section 210-15. Penalties for offenses

Any violation by any person, firm or corporation of any provision of this chapter shall be

deemed an offense punishable by a fine not less than \$25 nor more than \$250 or imprisonment for a period not to exceed 15 days, or both for the conviction of the first offense; for conviction of a second offense, punishable by a fine not less than \$50 nor more than \$500 or imprisonment for a period not to exceed 15 days, or both; for conviction of a third and subsequent offense, punishable by a fine not less than \$100 nor more than \$1,000 or imprisonment for a period not to exceed 15 days, or both.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-338

Adopt Local Law No. 6 of the Year 2015 - A Local Law to Amend the Snowplowing Law of the Town of Cheektowaga

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, Chapter 202 of the Code of the Town of Cheektowaga, entitled "Snowplowing" sets forth permit requirements for snowplowing contractors, and also establishes regulations regarding the plowing and shoveling of snow into the streets and sidewalks, and

WHEREAS, there is a need to amend Subsection B of Section 202-6 ("Penalties for offenses") to change the penalties for violations of said law, and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney's Office, and

WHEREAS, a public hearing was held on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law No. 6 of the year 2015, entitled "A Local Law to Amend the Snowplowing Law of the Town of Cheektowaga" and

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 6 of the Year 2015 entitled "A Local Law to Amend the Snowplowing Law of the Town of Cheektowaga" which is set forth herein, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 6 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.

Local Law No. 6 of the Year 2015

A Local Law to Amend the Snowplowing Law of the Town of Cheektowaga

1. **Subsection B of Section 202-6, entitled "Penalties for offenses"** shall be amended to read as follows:

Section 202-6. Penalties for offenses

In addition to any other penalties that may be involved under this chapter, any violation by any person, firm or corporation of any provision of this chapter shall be deemed an

offense punishable by a fine not less than \$25 nor more than \$250 or imprisonment for a period not to exceed 15 days, or both for the conviction of the first offense; for conviction of a second offense, punishable by a fine not less than \$50 nor more than \$500 or imprisonment for a period not to exceed 15 days, or both; for conviction of a third and subsequent offense, punishable by a fine not less than \$100 nor more than \$1,000 or imprisonment for a period not to exceed 15 days, or both.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-339

Adopt Local Law No. 7 of the Year 2015 - A Local Law to Amend the Building Construction Codes Administration Law

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, Chapter 70 of the Code of the Town of Cheektowaga, entitled "Building Construction Codes Administration" provides for the administration and enforcement of the New York State Building Codes relating to construction, maintenance of buildings and structures in the Town of Cheektowaga, and

WHEREAS, there is a need to amend various sections of this law relating to licenses for plumbers, journeymen and sewer contractors, and

WHEREAS, a draft of such amendment has been prepared by the Supervising Code Enforcement Officer, and

WHEREAS, a public hearing was held on the 15th day of June, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law No. 2015-7, entitled "A Local Law to Amend the Building Construction Codes Administration Law", and

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 7 of the Year 2015 entitled "A Local Law to Amend the Building Construction Codes Administration Law" which is set forth herein, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 7 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



Local Law No. 7 of the Year 2015

A Local Law to Amend the Building Construction Codes Administration Law

1. **Subsection B of Section 70-18 (Rules and regulations and duties of Board)** shall be amended by deleting the word "master" from said subsection.

2. **Section 70-20 (Application for Master Plumber's license)** shall be amended to read as follows:

Section 70-20. Application for Master Plumber's, Journeyman's and Sewer Contractor's license.

- A. Except for a homeowner, only a Master Plumber can obtain a permit for plumbing work in the Town of Cheektowaga. Any person desiring to take the examination for a Master Plumber's certificate of competency must be an American citizen and a journeyman plumber for a minimum of 8,000 hours as an employee of a licensed Master Plumber. He shall make a sworn application in writing, accompanied by a filing and examination fee as determined by the Town Board, not returnable, and by two photographs of the applicant, approximately 1 1/2 inches by 1 1/2 inches, taken within the past 30 days, to the Inspector, who, if said application is in good order, shall refer it to the Board. The Board shall thereupon arrange and conduct an examination as to the competency and qualifications of such applicant within 12 months of the date of said application.
- B. A certified Journeyman may not obtain a permit for plumbing work in the Town of Cheektowaga but may work on a site without the presence of, but at all times must be under the guidance of, a Master Plumber. Any person desiring to take the examination for a Journeyman's certificate of competency must be an American citizen and worked as an apprentice plumber for a minimum of 4,000 hours as an employee of a licensed Master Plumber. He shall make a sworn application in writing, accompanied by a filing and examination fee as determined by the Town Board, not returnable, and by two photographs of the applicant, approximately 1 1/2 inches by 1 1/2 inches, taken within the past 30 days, to the Inspector, who, if said application is in good order, shall refer it to the Board. The Board shall thereupon arrange and conduct an examination as to the competency and qualifications of such applicant within 12 months of the date of said application.
- C. A certified Sewer Contractor may obtain a permit for sewer contract work (defined as work between the curb and the exterior of any structure) in the Town of Cheektowaga and may work on a site without the presence of a Master Plumber. Any person desiring to take the examination for a Sewer Contractor's certificate of competency must be an American citizen and worked as an apprentice plumber for a minimum of 4,000 hours as an employee of a licensed Master Plumber or a qualified Sewer Contractor, or has operated a Sewer Contractor business for a minimum of 8,000 hours. He shall make a sworn application in writing, accompanied by a filing and examination fee as determined by the Town Board, not returnable, and by two photographs of the applicant, approximately 1 1/2 inches by 1 1/2 inches, taken within the past 30 days, to the Inspector, who, if said application is in good order, shall refer it to the Board. The Board shall thereupon arrange and conduct an examination as to the competency and qualifications of such applicant within 12 months of the date of said application.

3. **Section 70-21 (Issuance of Master Plumbers license; bond fee)** shall be re-named "Issuance of Master Plumber's, Journeyman Plumber's or Sewer Contractor's License"

4. The third and fourth sentences of **Subsection C of Section 70-21** shall be amended to read as follows:

A License may be renewed within 31 days after the date of expiration. A lapse of renewal for a period of more than 31 days shall be considered an abandonment of the business of plumbing within the Town of Cheektowaga, and the certificate of competency shall become null and void.

5. **Subsections A, B, C, D, E and F of Section 70-22 (Restrictions on Master Plumber's License)** shall be amended to read as follows:

Section 70-22. Restrictions on Master Plumbers' and Sewer Contractor's licenses.

- A. No licensed plumber shall allow the use of his or its name or Master Plumber's license by any unlicensed person, firm or corporation for the purpose of defrauding the Town or otherwise. No licensed sewer contractor shall allow the use of his or its name or Sewer Contractor's license by any unlicensed person, firm or corporation for the purpose of defrauding the Town or otherwise.
- B. All work must be performed under the direction of or by a licensed Master Plumber or licensed Sewer Contractor. A Master Plumber, or a licensed Sewer Contractor, must be on site on a regular basis to ensure proper installation and compliance with code requirements, accepted/current building plans and Engineering designs and be on site for all Town Building and Plumbing inspections.
- C. Any person, firm or corporation doing plumbing work in the Town of Cheektowaga shall exhibit his or its license and approved Town of Cheektowaga building and plumbing permit, upon request, to any peace officer, Town Board member, member of the Board or employee of the Building Inspection Department and shall, while opening any highway for purposes incidental to such work, and where such highway is so opened, exhibit in a conspicuous place adjacent to such opening a sign at least one foot square plainly marked showing the number of such license.
- D. The dissolution of a firm or corporation shall operate as a cancellation of the license of such firm or corporation.
- E. Licenses shall not be transferable.
- F. A license may be suspended or revoked at any time by the Board if, in its judgment, the best interests of the inhabitants of the Town shall be served thereby.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-340

Amendment to Authorize Supervisor to Execute Grant Application with NYSDEC for Municipal Waste Reduction and Recycling

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, at a regular Town Board Meeting on March 16, 2015 Resolution-2015-165 was adopted, AND

WHEREAS, the following amendments should be made to said resolution, AND

WHEREAS, said resolution stated that the Town of Cheektowaga Highway Department purchased a 2013 Knuckle Boom Brush Loader and Dump Body thru Town Board Resolution 2013 #6667, AND

WHEREAS, said Resolution also stated that the Town of Cheektowaga was to execute said Grant Agreement for an amount not to exceed \$375,000.00, NOW THEREFORE, BE IT

RESOLVED, that said Resolution should have stated that the 2013 Knuckle Boom Brush Loader and Dump Body was purchased thru Town Board Resolution 2013-254, AND THEREFORE BE IT

RESOLVED, that said Grant Agreement should have been for an amount not to exceed \$385,375.00.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-341

Award of Bid for Demolition and Asbestos Abatement of 36 Peachrow Lane and 274 Cherokee Drive (BID 2015-15 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, a Notice to Bidders was advertised for the Demolition and Asbestos Abatement of structures at 36 Peachrow Lane and 274 Cherokee Drive (BID 2015-15 LAW); and

WHEREAS, one bid proposal was received and opened on June 3, 2015 for said demolitions and asbestos abatement; and

WHEREAS, the proposal was reviewed by the Town Attorney and, based on the proposal submitted, the Town Attorney has recommended that this Town Board award the bid for the demolition and asbestos abatement of the structures at 36 Peachrow Lane and 274 Cherokee Drive to Regional Environmental Demolition, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the bid for the demolition and asbestos abatement of structures located at 36 Peachrow Lane and 274 Cherokee Drive to:

Regional Environmental Demolition, Inc.
3695 Pine Avenue
Niagara Falls, New York 14301-2626

for the bid price of \$68,550.00, being the sole and a responsible bid meeting specifications; and
BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute an agreement with Regional Environmental Demolition, Inc., for the aforesaid services, and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from budget line item number 0800-800-0440.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-342

Notice of Hearing for Demolition of 2580 Union Road

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Supervising Code Enforcement Officer has received information that the building(s) located at **2580 Union Road in the Town of Cheektowaga, New York, (S.B.L. #113.20-1-2, Record Owner: LORENZ, Monica)** has become dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; and

WHEREAS, said building(s) has been inspected and a written report of the condition has been completed by the Town of Cheektowaga Housing and Neighborhood Preservation Office, setting forth its findings and recommendations in regard to the repair or demolition and removal of the building(s), and said written report describes extensive deterioration and damage to the building(s) and premises and recommends that the building(s) be demolished and removed as soon as possible; and

WHEREAS, the Town Board has fully considered such written report and has determined that the building(s) is dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; NOW THEREFORE BE IT

RESOLVED, that this Town Board accepts the findings and recommendations of the Town of Cheektowaga Housing and Neighborhood Preservation Office dated **April 15, 2015**; and BE IT FURTHER

RESOLVED, that a notice shall be served, pursuant to Section 75-7 of the Cheektowaga Town Code, upon the owner, executor, administrator, agent, lessee or any person having a vested or contingent interest in such unsafe building as shown by the records of the Receiver of Taxes or of the County Clerk, which notice shall have the contents prescribed by Section 75-6 of said Town Code, including, but not limited to a date, time and place for a hearing before the Town Board in relation to such dangerous and unsafe building, which hearing shall be scheduled not less than five business days from the date of service of the notice; and BE IT FURTHER

RESOLVED, that a hearing before this Board in relation to said dangerous and unsafe building(s) shall be held on the **6th day of July, 2015, at 6:45 P.M.** at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED, that the Code Enforcement Office and/or the Town Attorney's Office be and hereby are directed to serve notice of said hearing on all interested parties.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-343

Notice of Hearing for Demolition of 15 Hedwig Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Supervising Code Enforcement Officer has received information that the building(s) located at **15 Hedwig Avenue, Cheektowaga, New York, (S.B.L. #102.53-3-21) (Record Owner: CLIFFORD, Robert J.)** has become dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; and

WHEREAS, said building(s) has been inspected and a written report of the condition has been completed by Nussbaumer & Clarke, Inc., duly authorized agent of the Town of Cheektowaga, setting forth its findings and recommendations in regard to the repair or demolition and removal of the building(s), and said written report describes extensive deterioration and damage to the building and premises and recommends that the building(s) be demolished and removed as soon as possible; and

WHEREAS, the Town Board has fully considered such written report and has determined that the building(s) is dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; NOW THEREFORE BE IT

RESOLVED, that this Town Board accepts the findings and recommendations of Nussbaumer & Clarke, Inc., dated August 5, 2014; and BE IT FURTHER

RESOLVED, that a notice shall be served, pursuant to Section 75-7 of the Cheektowaga Town Code, upon the owner, executor, administrator, agent, lessee or any person having a vested or contingent interest in such unsafe building as shown by the records of the Receiver of Taxes or of the County Clerk, which notice shall have the contents prescribed by Section 75-6 of said Town Code, including, but not limited to a date, time and place for a hearing before the Town Board in relation to such dangerous and unsafe building, which hearing shall be scheduled not less than five business days from the date of service of the notice; and BE IT FURTHER

RESOLVED, that a hearing before this Board in relation to said dangerous and unsafe building(s) shall be held on the **6th day of July, 2015, at 6:45 P.M.** at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED, that the Code Enforcement Office and/or the Town Attorney's Office be and hereby are directed to serve notice of said hearing on all interested parties.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-344

Order Calling for Public Hearing to Install Curbing Along Southcrest Avenue

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a written petition dated June 3, 2015 was heretofore presented and filed with the Town Board of the Town of Cheektowaga pursuant to Section 200 of the Town Law of the State of New York, praying for the improvement of the following portion of Southcrest Avenue (the area benefited by said improvement):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey, generally described as follows:
Southcrest Avenue, both sides, from the east side of Union Road to the west side of Orchard Place.

by the construction and installation of curbing and other necessary related improvements in connection therewith along the entire length on both sides of the portion of Southcrest Avenue described above, and

WHEREAS, said petition has been signed by the owners of real estate fronting or abutting upon both sides of the portion of Southcrest Avenue to be improved, to the extent of at least one-half of the entire frontage or bounds on both sides of the portion of said street to be improved, and the resident owners owning not less than one-half of the frontage owned by resident owners residing in or along the portion of said street covered or represented by said petition, and

WHEREAS, said petition was duly acknowledged or proved by all signers thereof in the same manner as a deed to be recorded, and

WHEREAS, the maximum amount proposed to be expended for the improvement of the portion of said street as stated in the petition is \$79,536.00, and

WHEREAS, the petition provided that the expense of the construction of said improvement shall be borne by local assessment upon the several parcels of land especially benefited thereby all as stated in said petition and as more fully provided by applicable law, NOW, THEREFORE, BE IT

ORDERED, that a meeting of the Town Board of the Town of Cheektowaga be held at the Cheektowaga Town Hall, 3301 Broadway, in said Town on the 6th day of July, 2015 at 6:45 p.m. to consider the said petition and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation to the Petition as maybe required by law, and BE IT FURTHER

ORDERED, that a copy of this Order, certified by the Town Clerk, be published as least once in the CHEEKTOWAGA BEE, the official Town newspaper, and posted on the signboard maintained pursuant to subdivision 6 of Section 30 of the Town Law, and conspicuously in five (5) public places along the portion of Southcrest Avenue, the first publication thereof and

posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-345

Authorize Supervisor to Execute Agreement with Nichols, Long & Moore Construction Corporation

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga is the owner of vacant property known as the Walden Commerce Exchange located on the south side of Walden Avenue between Reo Avenue and Pine Ridge Road, and

WHEREAS, the Town, for the past several years, has been taking excess fill from various jobs and depositing same on this property, and

WHEREAS, this fill is surplus to the needs of the Town and has no value to us, and

WHEREAS, Nichols, Long & Moore Construction Corporation, a local contractor, is working on a public works project for the NYS Department of Transportation on Harlem Road at the Route 400 Overpass and needs fill for its project, and

WHEREAS, Nichols, Long & Moore Construction Corporation has requested permission from the Town to remove 8,000± cubic yards of fill from the Walden Commerce Exchange property, and

WHEREAS, removal of this fill from the Walden Commerce Exchange property would actually be a benefit to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes Nichols, Long & Moore Construction Corporation, under the supervision and direction of the Town Engineering Department, to remove up to 8,000 cubic yards of fill from the Walden Commerce Exchange property, subject to execution of an agreement with the Town of Cheektowaga, as approved by the Town Attorney, and BE IT FURTHER

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-346

Approval of Change Order No. 3 - Equipment & Operators for Public Works Projects

Sponsored By: Meyers, Holtz, Kaminski

WHEREAS, the contract for Equipment and Operators for Public Works Projects was awarded by Town Board Resolution dated March 16, 2015 to C.M.H. Company, Inc., 12704 North Road, Alden, New York 14004 based on hourly rates for certain pieces of equipment, AND

WHEREAS, certain drainage pipe needs to be installed under George Urban Boulevard near Petan Drive this year before the County of Erie reconstructs and paves George Urban Boulevard, and

WHEREAS, the Town Engineer has recommended that C.M.H. Company, Inc., under the aforesaid contract, perform the work necessary to install pipe under George Urban Boulevard, and

WHEREAS, materials will be purchased separately under County contract, and

WHEREAS, the additional cost to perform this work is estimated at \$34,295 beyond the original scope of the project as further detailed in the change order document, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 for the Equipment and Operators for Public Works Projects in the amount of \$34,295 as an addition to the contract for the aforementioned addition to the original contract be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that moneys for said Change Order shall be appropriated from budget line item number 500.1440.4438.5531, and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 1 on behalf of this Town Board.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-347

Approve Purchase of One (1) Tandem Axle Cab/Chassis with Dump Body and Plow Equipment

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, the Highway Department has requested authorization to purchase one (1) T470 Tandem Axle Cab/Chassis with Dump Body and plow equipment, as specified in County of Onondaga Division of Purchase Contract, Bid Ref. #7823, contract period June 24, 2013 through June 23, 2018, AND

WHEREAS, funds for said purchase have been budgeted and are available under account number 300-5130-2407, NOW THEREFORE BE IT,

RESOLVED, that the Town Board hereby authorizes the purchase of One (1) 2015 T470 Tandem Axle Cab/Chassis with Dump Body and plow equipment in the amount of \$209,122.00 from:

Kenworth Northeast Group
100 Commerce Drive
Buffalo, NY 14218

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-348

Approve Purchase of One New and Unused 2015 Caterpillar Backhoe Loader 420F-IT

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, the Town Board authorized the purchase of One New and unused 2014 Caterpillar Backhoe Loader 420-IT from Milton Cat, 4610 East Saile Drive, Batavia, New York, 14020, as specified under the contract documents for the Township of Brighton in Monroe County at a regular board meeting on June 16, 2014, AND

WHEREAS, said Township of Brighton contract is renewable for up to a three (3) year period, AND

WHEREAS, the proposed purchase agreement with Milton Cat contains the required language required by section 103-b of the General Municipal law and otherwise complies with the New York State Law, AND

WHEREAS, Milton Cat offers a one year trade-in program for said equipment, AND

WHEREAS, said trade-in program is based on the hours of used of equipment and any price increase in the Township of Brighton contract, AND

WHEREAS, the Highway Department has requested authorization to trade-in one 2014 Caterpillar Backhoe Loader 420-IT for one new and unused 2015 Caterpillar Backhoe Loader 420-IT as specified under the terms of Milton Cat's trade-in program and the Township of Brighton's contract, AND

WHEREAS, funds for said purchase have been budgeted and are available under account number 300-5130-2407, NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes to trade-in one 2014 Caterpillar Backhoe Loader 420-IT for one new and unused 2015 Caterpillar Backhoe Loader 420-IT in the amount of \$7,847.00 from:

Milton Cat
4610 East Saile Drive
Batavia, NY 14020

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-349

Approve Purchase of One (1) New and Unused 2015 Horizontal Brush Grinder

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, the Town of Cheektowaga has executed a Grant application with the NYSDEC Municipal Waste Reduction and Recycling Program, AND

WHEREAS, as part of said Grant, the Town of Cheektowaga Highway Department has requested authorization to purchase One (1) New and Unused 2015 Horizontal Brush Grinder, AND

WHEREAS, pursuant to Section 103(16) of the General Municipal Law of the State of New York, the Town of Cheektowaga is authorized to purchase equipment through the use of a contract let by the United States of America or any agency thereof, any state or any other political subdivision or district therein, and

WHEREAS, said Grinder is available for purchase through the State of Minnesota's National Joint Power Alliance (NJPA) contract #070313-VRM, AND

WHEREAS, the NJPA is a State of Minnesota Municipal Contracting Agency, AND

WHEREAS, said Grant will reimburse the Town for 50% of the cost of said Grinder, AND

WHEREAS, funds for said purchase have been budgeted and are available under account number 300-5130-2407, NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the purchase of one (1) New and Unused 2015 Horizontal Brush Grinder through the State of Minnesota National Joint Power Alliance contract #070313-VMR in the amount of \$540,249.00 from:

Vermeer Northeast
1235 Route 9
Castleton, NY 12033

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-350

Retain Liability Claims Administrator

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town's claims administration (extension) agreement with First Niagara Risk Management, Inc., for claims management for General, Automobile, Police, Public Officials, and Dispatchers liability risks and services expires on June 30, 2015; and

WHEREAS, First Niagara Risk Management, Inc., has submitted a proposal to continue these services from July 1, 2015 through June 30, 2018;

WHEREAS, the Town has been satisfied with their services; and

WHEREAS, the Town's insurance consultants, Holfoth Risk Management, recommend continuing the services of First Niagara Risk Management, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that the proposal of First Niagara Risk Management, Inc., to provide the Town's claims administration services for a three year period from July 1, 2015 through June 30, 2018 is hereby accepted and approved; and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to execute an Agreement with First Niagara Risk Management, Inc., for the aforesaid services subject to approval by the Town Attorney.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-351

SPECIAL EVENT - Independence Day Parade and Celebration

Sponsored By: Supervisor Holtz, Councilmember Kaminski

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

WHEREAS, the Cheektowaga Patriotic Commission has made application to hold its Independence Day Parade and Celebration on Friday, July 3rd, 2015 from 5:00 p.m - 11:00 p.m.; and Saturday, July 4th, 2015 from Noon - 11:00 p.m. at Cheektowaga Town Park, and said Parade to be held on Saturday, July 4th, 2015 starting at 12:00 p.m., beginning on Walden Avenue to Harlem Road and ending at Town Park; and

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

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

- . Submittal of plan for sanitary facilities;
- . Submittal of site plan;
- . Submittal of Security Plan;
- . Submittal of Fire Prevention/Emergency Services Plan;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Patriotic Commission for said celebration and parade to be held on Friday, July 3rd and Saturday, July 4th, 2015 ; and BE IT FURTHER

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



Motion by Supervisor Holtz; Seconded by Councilmember Meyers to amend this resolution as follows: Motion Carried.



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

WHEREAS, the Cheektowaga Patriotic Commission has made application to hold its Independence Day Parade and Celebration on Friday, July 3rd, 2015 from 5:00 p.m - 11:00 p.m.; and Saturday, July 4th, 2015 from Noon - 11:00 p.m. at Cheektowaga Town Park , and said Parade to be held on Saturday, July 4th, 2015 starting at 11:00 a.m., beginning on Walden Avenue to Harlem Road and ending at Town Park; and

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

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

- . Submittal of plan for sanitary facilities;
- . Submittal of site plan;
- . Submittal of Security Plan;
- . Submittal of Fire Prevention/Emergency Services Plan;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Patriotic Commission for said celebration and parade to be held on Friday, July 3rd and Saturday, July 4th, 2015 ; and BE IT FURTHER

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

| | |
|------------------|--|
| RESULT: | ADOPTED AS AMENDED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-352

SPECIAL EVENT - Pulaski Day Parade

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the General Pulaski Association has made application to hold a parade honoring General Pulaski on Sunday, July 19th, 2015 at 1:30 p.m. beginning at the Thruway Plaza; then proceeding west on Walden Avenue; then north on Harlem Road to Cheektowaga Town Park, and

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

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

- . Submittal of plan for sanitary facilities;
- . Submittal of site plan;
- . Submittal of Security Plan;
- . Submittal of Fire Prevention/Emergency Services Plan;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the General Pulaski Association for the aforementioned parade to be held on Sunday, July 19th, 2015 and BE IT FURTHER

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-353

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and herby are terminated in the Department of Youth & Recreational Services effective as indicated:

Bailey Michalski

5/1/15

14227

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-354

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Laborer - "Level III Youth Leader" - 7310.1811 - to "Laborer Level I Crew Supervisor" - \$13.00 - Seasonal
Joshua Galante

Laborer - "Level I Supervisor Trainee" - 7310.1811- \$9.75 - Seasonal to Laborer - "Level I Youth Leader" - 7310.1811- \$10.15 - Seasonal
Eric Nash

Laborer - "Level III Participant" - 7310.1816 - \$9.00 - Seasonal to Laborer - "Level I Supervisor Trainee" - 7310.1811- \$9.75 - Seasonal
Rocco Fumerelle

Recreation Aide - 7310.1803 & 7310.1801 - \$8.75 - Part-time - to Recreation Attendant - 7310.1803 & 7180.1801 - \$8.75 - Regular Part-time
Mariah Wilson

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-355

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Lifeguard - "Level I" - 7180.1903 - \$9.75 - Regular Part-time

Tyler Post 14043

Recreation Attendant - 7140.1630 - \$8.75 - Seasonal

Gabriel Amato 14225

Jordan Soldaczewski 14225

Recreation Attendant - 7310.1801 - \$8.75 - Seasonal

Sarah DePriest 14225

Andrew Wiatrowski 14225

Recreation Instructor - 7310.1801 - \$9.00 - Seasonal

Katelyn Warden 14227

BE IT FURTHER RESOLVED, the following employee information be amended as follows:

Lifeguard - "Level I" - 7180.1903 - \$9.75 - Seasonal

Frederick Drzewiecki III 14225

Recreation Instructor - 7180.1902 - \$12.21 - Regular Part-time - Retro to 5/18/15

Ashley Bajer

Recreation Instructor - 7180.1902 - \$11.75 - Regular Part-time - Retro to 5/18/15

Joshua Atzrott

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-356

Hiring of Seasonal Laborer

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individual be and hereby is hired as a **SEASONAL EMPLOYEE**, not to exceed five (5) months in a calendar year, in the department listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

FACILITIES DEPARTMENT (Parks Division) Laborer \$9.00/hour effective 6/16/15
Zachary P. Styn, Cheektowaga, New York

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-357

Appointment to Cheektowaga Economic Development Corporation Directors

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

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

WHEREAS, By Resolution dated February 7, 1983 this Town Board approved the By-Laws of the Cheektowaga Economic Development Corporation which provide that the Directors of the Cheektowaga Economic Development Corporation be appointed by resolution of the Cheektowaga Town Board, and

WHEREAS, the Cheektowaga Economic Development Corporation Board of Directors has unanimously recommended the re-appointment of the individuals listed below to the Board of Directors of the Cheektowaga Economic Development Corporation for a term of three years, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately for a term of three years, said term expiring at the time of reappointment to said Board of Directors positions in 2018, but no later than June 30, 2018:

Richard Cielinski
Timothy Popielski
John Redman III.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Suspension of Rules

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the rules to include the following one (1) resolution 2015-358. Motion Carried



1. RESOLUTION 2015-358

Authorize Supervisor To Execute Agreement with TASER

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga Police Department has been offered the opportunity to conduct an evaluation and field trial concerning the use of body cameras for possible use by its force; and

WHEREAS, TASER International, Inc., ("TASER") has offered the use of a trial kit of its body cameras and related equipment to the Police Department for trial and evaluation purposes only and without obligation, for a thirty-day period, on loan and free of charge, said equipment to be returned to TASER within ten days after the end of the trial period; and

WHEREAS, the Town of Cheektowaga Police Department wishes to avail itself of this opportunity; and

WHEREAS, TASER International, Inc., has submitted a Field Trial Equipment Agreement for said free thirty-day trial period for evaluation purposes only; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves of the Police Department holding a field trial for the use of body cameras and related equipment to be supplied by TASER; and BE IT FURTHER

RESOLVED, that the Police Department shall return said loaned equipment to TASER immediately following the end of the thirty-day free trial and evaluation period; and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute the aforementioned Field Trial Agreement with TASER, subject to approval of the Town Attorney.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

VI. Communications

A. Departmental Communications

1. Town of Cheektowaga Community Development Block Grant Program - Draft Consolidated Annual Performance and Evaluation Report for the 2014 Program Year
2. Minutes: Cheektowaga Traffic Safety Commission - May 19, 2015
3. Minutes: Cheektowaga Planning Board - May 14, 2015
4. Minutes: Town of Cheektowaga Environmental Advisory Committee - May 6, 2015
5. Minutes: Cheektowaga Public Library - Board of Trustees - April 15, 2015
6. Minutes: Cheektowaga Public Library - Board of Trustees - May 20, 2015

B. General Communications

1. Notice of Claim: Alba Baez vs. Town of Cheektowaga
2. Notice of Claim: Chet Cardinale vs. Town of Cheektowaga
3. Notice of Claim: David R. Parke vs. Town of Cheektowaga
4. Notice of Claim: Arlene Zdrojewski vs. Town of Cheektowaga

VII. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. Adjournment

Motion by Councilmember Kaminski; Seconded by Councilmember Rogowski to adjourn the meeting at 7:40 PM

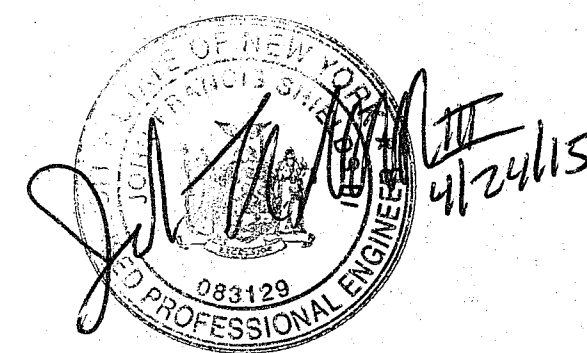
Alice Magierski, Town Clerk

VICINITY MAP

PROJECT LOCATION

DIRECTIONS TO SITE:
 FROM I-190 TAKE EXIT 52E FOR WALDEN AVE E TOWARD CHEEKTOWAGA. MERGE ONTO WALDEN AVE. TURN RIGHT ONTO UNION RD. SLIGHT RIGHT ONTO ELLICOTT RD. TURN RIGHT ONTO BROADWAY. DESTINATION WILL BE ON THE RIGHT

| <u>PROJECT INFORMATION</u> | |
|--|---------------------------|
| 1. PROJECT ADDRESS: 3465 BROADWAY, BUFFALO, NY 14227 | |
| 2. PROJECT TAX ACCOUNT NO.: 103.17-1-6 | |
| 3. ZONING JURISDICTION: TOWN OF CHEEKTOWAGA | |
| 4. ZONING DISTRICT: (M1) LIGHT MANUFACTURING | |
| <u>FACILITY INFORMATION</u> | |
| FACILITY TYPE: 151.5' MONOPOLE | PROPOSED ANTENNA @ HEIGHT |
| PROPOSED USE: UNATTENDED TELECOMMUNICATIONS | (3) PANEL ANTENNAS: 113'± |
| FACILITY: (1-2) VISITS PER MONTH BY TECHNICIAN | (1) MW ANTENNAS: 75'± |
| EXISTING TOWER LOCATION: | |
| LAT: 42.903431° | |
| LONG: -78.746500° | |
| GROUND ELEV: 661'± | |
| <u>REFERENCES</u> | |
| 1. A SURVEY OF THE PROPERTY WAS PERFORMED BY MAGDE LAND SURVEYING, P.C. ON APRIL 15, 2014. | |

[illegible]

| | |
|--|-----------------------|
| SITE NUMBER: BUF-514 | |
| SITE NAME: HOLIDAY TWIN RINKS | |
| SITE ADDRESS: 3465 3RD AVE BUFFALO, NY 14227 | |
| SITE TYPE: CO-LOCATION | |
| SHEET TITLE: TITLE SHEET | |
| DRAWING #: T-1 | REVISION: C |



Blue Wireless
PO Box 186
Williamsville, NY 14231

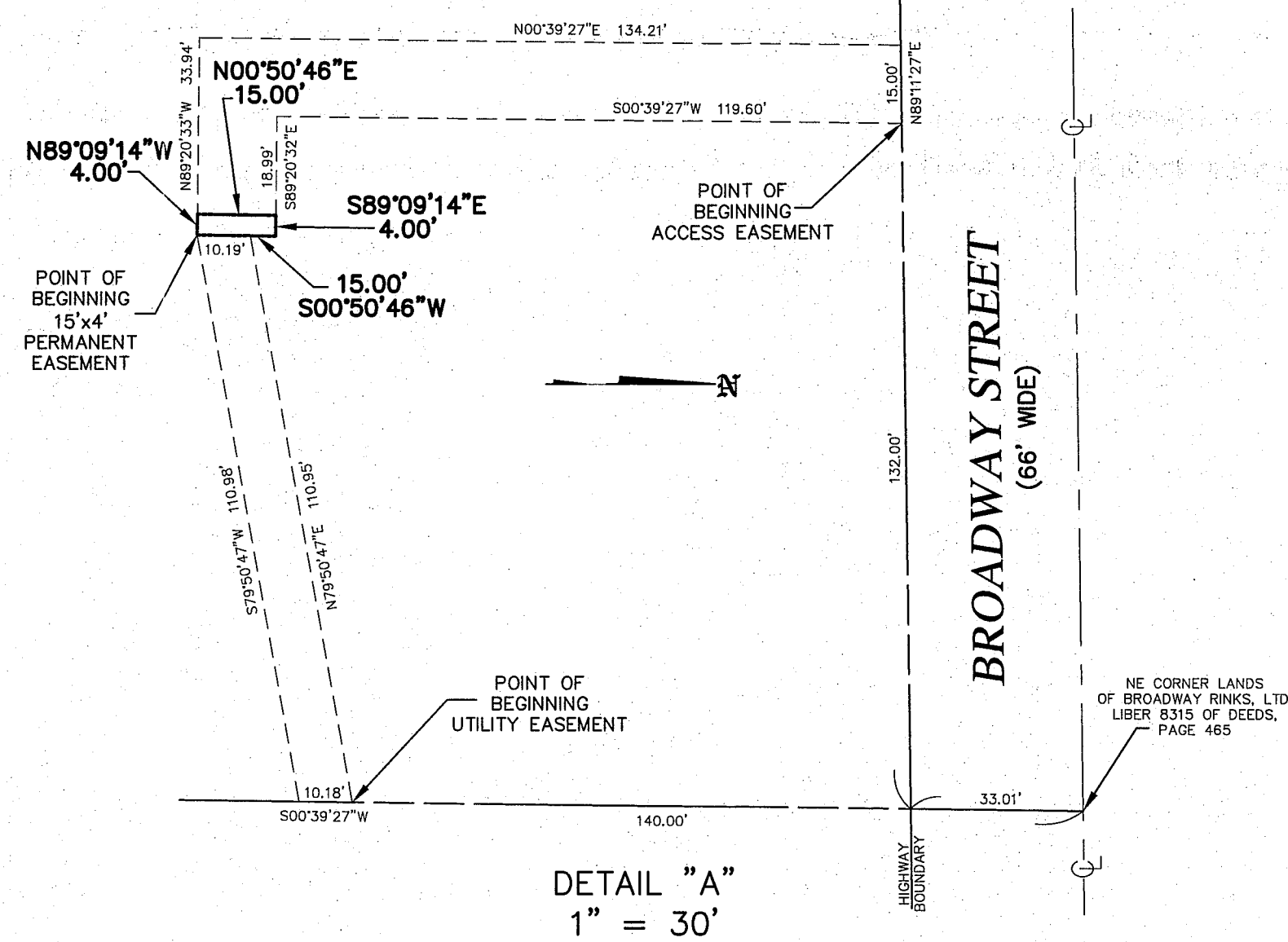


DEVELOPMENT DESIGN
RESIDENTIAL | COMMERCIAL | WIRELESS | ENERGY
17 Industrial Street | Rochester, NY 14614
Office: 585-360-2733 | Fax: 585-360-2735
www.carpentercg.com

IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER TO ALTER THIS DOCUMENT. UNLESS EXPLICITLY AGREED TO BY THE ENGINEER IN WRITING, THE ENGINEER DISCLAIMS ALL LIABILITY ASSOCIATED WITH THE REUSE, ALTERATION OR MODIFICATION OF THE CONTENTS HEREIN.

| | |
|---------------------|----------------------------|
| DESIGNED BY: DRB | DATE: 3/18/15 |
| APPROVED BY: DWC | A&E PROJECT #: 13-B-229 |

[illegible]



PROPOSED 15' x 4' PERMANENT EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, STATE OF NEW YORK AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTHEAST CORNER OF LANDS OF BROADWAY RINKS LTD. PARTNERSHIP AS RECORDED IN THE ERIE COUNTY CLERKS OFFICE IN LIBER 8315 OF DEEDS, PAGE 465, THENCE S00°39'27"W, ALONG THE EASTERLY LINE OF LANDS OF BROADWAY RINKS LTD. PARTNERSHIP, A DISTANCE OF 150.18 FEET TO A POINT, THENCE S79°50'47"W A DISTANCE OF 110.98 TO THE TRUE POINT OF BEGINNING, THENCE;

- 1) N89°09'14"W A DISTANCE OF 4.00 FEET TO A POINT, THENCE;
- 2) N00°50'46"E, A DISTANCE OF 15.00 FEET TO A POINT, THENCE;
- 3) S89°09'14"E, A DISTANCE OF 4.00 TO A POINT, THENCE;
- 4) S00°50'46"W, A DISTANCE OF 15.00 FEET TO THE TRUE PLACE AND POINT OF BEGINNING.

BEING 60 SQFT. OF LAND.

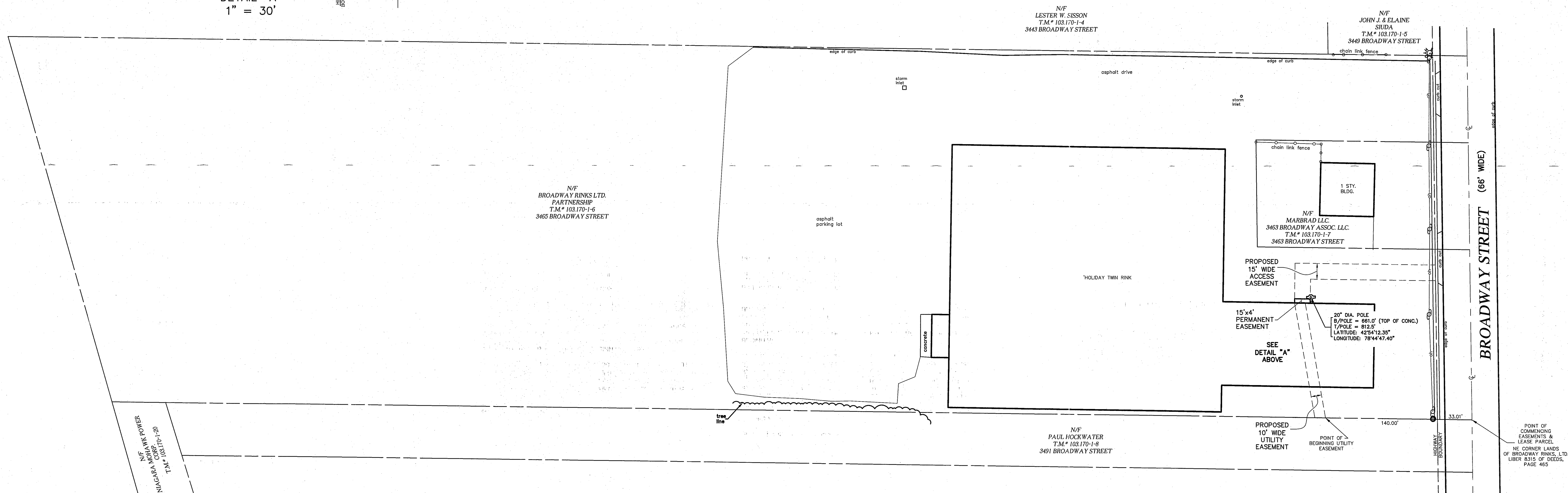
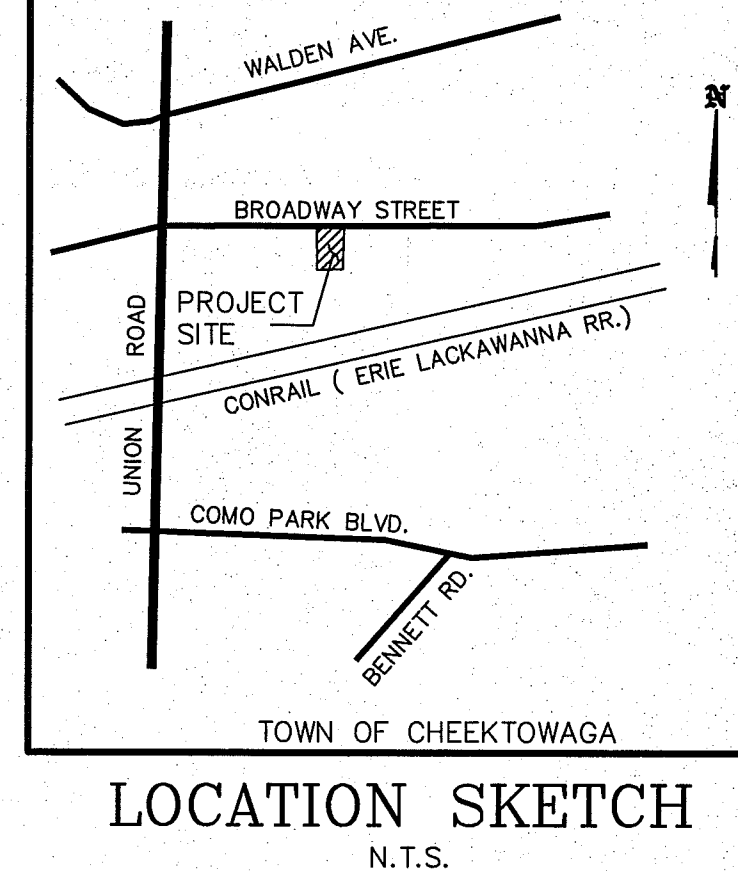
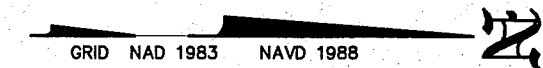
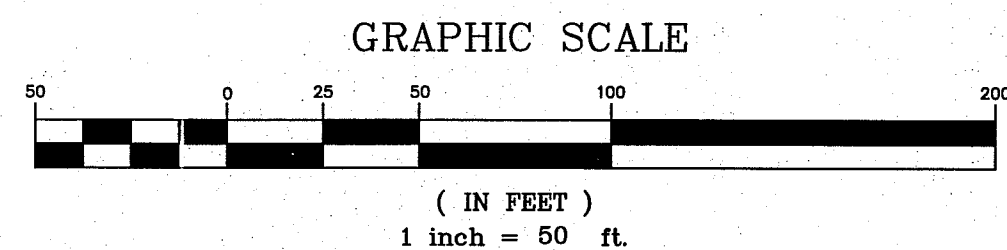
PROPOSED 15' ACCESS EASEMENT

ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, STATE OF NEW YORK AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTHEAST CORNER OF LANDS OF BROADWAY RINKS LTD. PARTNERSHIP, AS RECORDED IN THE ERIE COUNTY CLERKS OFFICE IN LIBER 8315 OF DEEDS, PAGE 465, THENCE S00°39'27"W A DISTANCE OF 33.01 FEET TO A POINT, THENCE S89°11'27"E, A DISTANCE OF 132.00 FEET TO THE TRUE POINT OF BEGINNING;

- 1) S00°39'27"W, A DISTANCE OF 119.60 FEET TO A POINT, THENCE;
- 2) S89°20'32"E, A DISTANCE OF 18.99 FEET TO A POINT, THENCE;
- 3) S00°50'46"W, A DISTANCE OF 15.00 FEET TO A POINT, THENCE;
- 4) N89°20'33"W, A DISTANCE OF 33.94 FEET TO A POINT, THENCE;
- 5) N00°39'27"E, A DISTANCE OF 134.21 FEET TO A POINT IN THE SOUTH HIGHWAY BOUNDARY LINE OF BROADWAY STREET, THENCE;
- 6) N89°11'27"E, ALONG THE SOUTH HIGHWAY BOUNDARY LINE, A DISTANCE OF 15.00 FEET TO THE PLACE AND POINT OF BEGINNING.

BEING 2,300 SQFT., 0.053 ACRES OF LAND.



REFERENCES:

- 1) MARINE MIDLAND BANK TO BROADWAY RINKS LIMITED PARTNERSHIP BY DEED FILED SEPTEMBER 4, 1975 AS LIBER 8315 OF DEEDS, PAGE 461 & 465.
- 2) ABSTRACT OF TITLE PREPARED BY CHICAGO TITLE INSURANCE COMPANY TITLE #1413-25107 WITH AN EFFECTIVE DATE OF MAY 9, 2014.

SURVEY NOTES:

THE HORIZONTAL DATUM (NAD 1983) TO THE N.Y.S. PLANE COORDINATE SYSTEM, WESTERN ZONE, TRANSVERSE MERCATOR SYSTEM, BEARINGS SHOWN HEREON ARE REFERENCED TO GRID. DISTANCE SHOWN ARE GROUND. SURVEY WORK FOR THIS MAP WAS COMPLETED TO AN ACCURACY OF 1 PART IN 10,000 (1:10,000) OR BETTER.

ELEVATIONS ARE REFERENCED TO NAVD 1988

SCHEDULE "B" (PER REF. #2)

9. EASEMENT GRANTED TO NIAGARA LOCKPORT AND ONTARIO POWER COMPANY BY INSTRUMENT DATED MAY 26, 1929 AND RECORDED NOVEMBER 27, 1929 IN LIBER 2087 OF DEEDS PAGE 538. easement for electric transmission line and one 'H' frame.
10. EASEMENT GRANTED TO COUNTY OF ERIE AND ERIE COUNTY SEWER DISTRICT NO. 4 BY INSTRUMENT DATED OCTOBER 14, 1964 AND RECORDED FEBRUARY 5, 1964 IN LIBER 6971 OF DEEDS AT PAGE 651. - 20 foot easement adjacent to northerly right of way of Niagara Lockport Power Company and centered over Sanitary Sewer.
11. EASEMENT GRANTED TO NEW YORK STATE ELECTRIC & GAS CORPORATION BY INSTRUMENT DATED OCTOBER 17, 1972 AND RECORDED DECEMBER 5, 1972 IN LIBER 7992 OF DEEDS AT PAGE 277 - 10' wide easement for pole line to run adjacent and parallel to easterly property line for length of overhead wires
12. RIGHT OF WAY TO IROQUOIS GAS CORPORATION BY INSTRUMENT DATED JUNE 4, 1974 AND RECORDED JUNE 28, 1974 IN LIBER 8181 OF DEEDS AT PAGE 61 - 10 foot wide easement adjacent to southern highway boundary.
13. RIGHT OF WAY GRANTED TO NATIONAL FUEL GAS DISTRIBUTION CORPORATION BY INSTRUMENT DATED DECEMBER 17, 1998 AND RECORDED JANUARY 11, 1999 IN LIBER 10945 OF DEEDS PAGE 2604 - 10' wide easement adjacent to southerly new highway boundary

PROPOSED 10' WIDE UTILITY EASEMENT

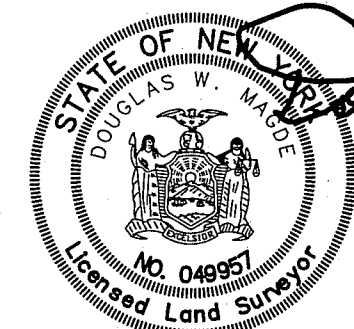
ALL THAT TRACT OR PARCEL OF LAND SITUATE IN THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, STATE OF NEW YORK AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTHEAST CORNER OF LANDS OF BROADWAY RINKS LTD. PARTNERSHIP AS RECORDED IN THE ERIE COUNTY CLERKS OFFICE IN LIBER 8315 OF DEEDS, PAGE 465, THENCE S00°39'27"W, ALONG THE EASTERLY LINE OF LANDS OF BROADWAY RINKS LTD. PARTNERSHIP, A DISTANCE OF 140.00 FEET TO THE TRUE POINT OF BEGINNING, THENCE;

- 1) S00°39'27"W A DISTANCE OF 10.18 FEET TO A POINT, THENCE;
- 2) S79°50'47"W, A DISTANCE OF 110.98 FEET TO A POINT, THENCE;
- 3) N00°50'47"E, A DISTANCE OF 10.19 TO A POINT, THENCE;
- 4) N79°50'47"E, A DISTANCE OF 110.95 FEET TO THE TRUE PLACE AND POINT OF BEGINNING.

BEING 1,110 SQFT., 0.026 ACRES OF LAND.

WE, MAGDE LAND SURVEYING, P.C., HEREBY CERTIFY THAT THIS MAP WAS PREPARED FROM NOTES OF A FIELD SURVEY COMPLETED ON APRIL 12, 2014 AND FROM THE REFERENCES LISTED HEREON. SUBJECT TO ANY FACTS AN UPDATED ABSTRACT OF TITLE MAY REVEAL.

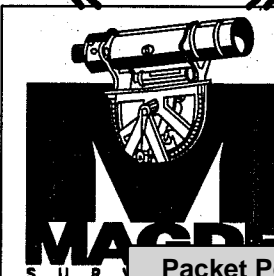


REVISED PERMANENT EASEMENT APRIL 15, 2015.

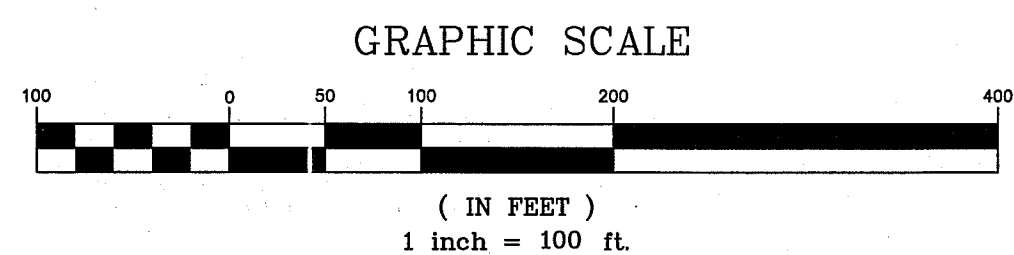
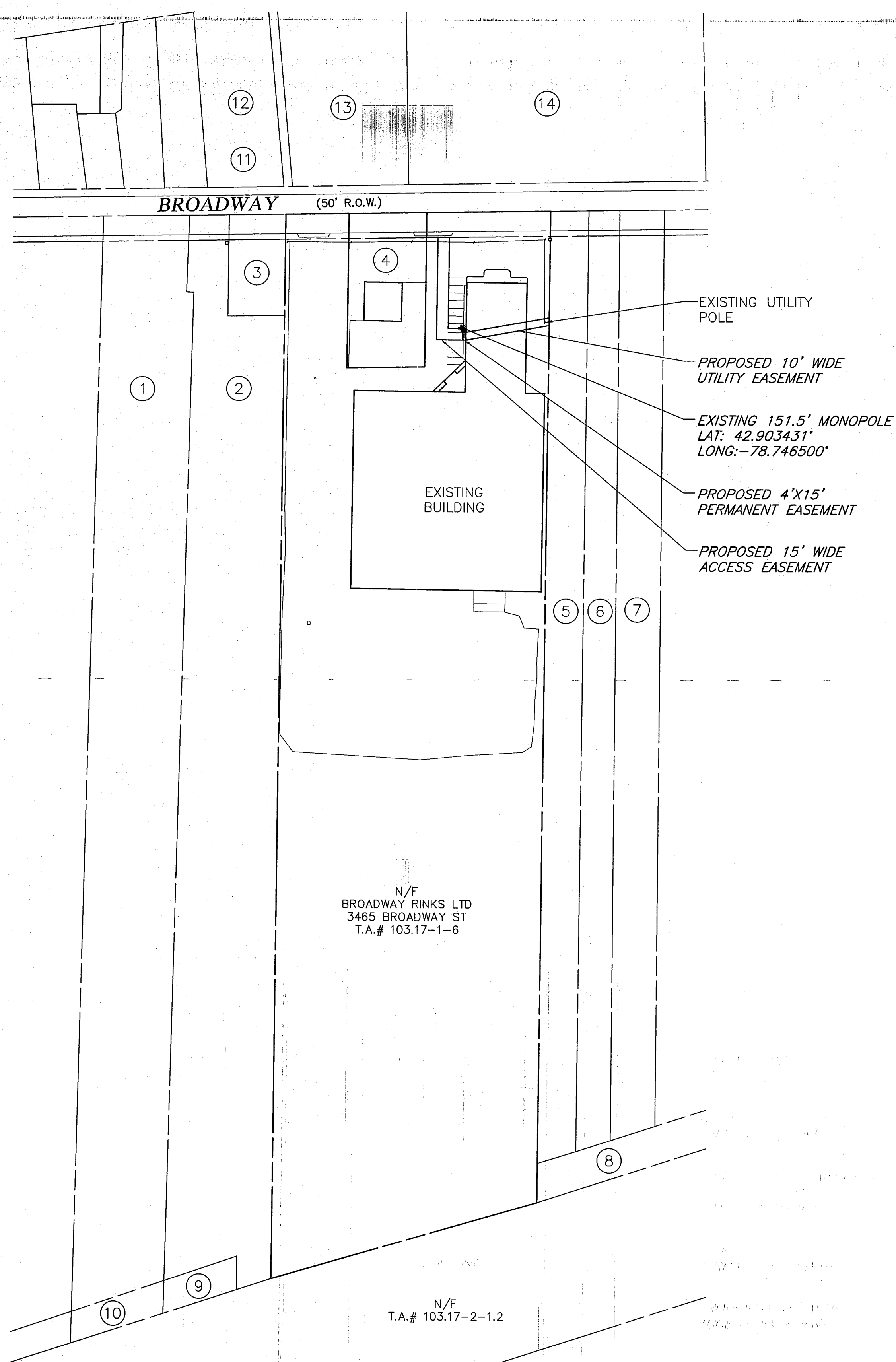
SITE PLAN
PREPARED FOR
SITE: HOLIDAY TWIN RINKS
SITE NO. BUF-514
#3465 BROADWAY STREET
TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

MAGDE LAND SURVEYING, P.C.

4460 CULVER ROAD ** ROCHESTER ** NEW YORK ** 14622
(585) 654 - 5897 ** (585) 654 - 6149 (FAX) ** email: dmagde@magdesurvey.com



| | |
|--------|---|
| N/F | LESTER SISSON 3425 BROADWAY ST T.A.# 103.17-1-3 |
| N/F 2 | LESTER W. SISSON 3443 BROADWAY ST T.A.# 103.17-1-4 |
| N/F 3 | JOHN J. & ELAINE SIUDA 3449 BROADWAY ST T.A.# 103.17-1-5 |
| N/F 4 | MARBRAD LLC 3463 BROADWAY ST T.A.# 103.17-1-7 |
| N/F 5 | PAUL HOCKWATER 3491 BROADWAY ST T.A.# 103.17-1-8 |
| N/F 6 | PAUL HOCKWATER 3493 BROADWAY ST T.A.# 103.17-1-9 |
| N/F 7 | PAUL HOCKWATER 3497 BROADWAY ST T.A.# 103.17-1-10 |
| N/F 8 | NIAGARA MOHAWK POWER CORP. 712266 TRANSMISSION LAND T.A.# 103.17-1-20 |
| N/F 9 | NIAGARA MOHAWK POWER CORP. 712266 TRANSMISSION LAND T.A.# 103.17-1-32 |
| N/F 10 | NIAGARA MOHAWK POWER CORP. 0 BROADWAY ST T.A.# 103.17-1-33 |
| N/F 11 | BROADWAY-ELLCOTT PROP. 3438 BROADWAY ST T.A.# 102.16-5-15.2 |
| N/F 12 | TOWN OF CHEEKTOWAGA 0 BROADWAY ST T.A.# 102.16-5-16 |
| N/F 13 | CHARLES T. LALLY 3460 BROADWAY ST T.A.# 103.13-1-2.1 |
| N/F 14 | LOCKPORT PROPERTIES LLC. 3500 BROADWAY ST T.A.# 103.13-1-5 |



OVERALL SITE PLAN

SCALE: 1"=100' (22X34)
1"=200' (11X17)

LEGEND

| | |
|-------|-----------------------------------|
| _____ | SECTION/PARCEL BOUNDARY |
| _____ | PROPOSED EASEMENT LINE |
| _____ | MIN. BUILDING SETBACK |
| _____ | CENTER LINE |
| _____ | EXIST. EASEMENT LINE |
| _____ | EXIST. RIGHT-OF-WAY LINE |
| _____ | EXIST. EDGE OF PAVEMENT |
| _____ | BARBED WIRE, STOCKADE, CHAIN LINK |
| _____ | EXISTING BUILDING |

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PO Box 186
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DEVELOPMENT DESIGN
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|--------------|-----|----------------|----------|
| DESIGNED BY: | DRB | DATE: | 3/18/15 |
| APPROVED BY: | DWC | A&E PROJECT #: | 13-B-229 |

PLAN REVISIONS

| NO. | DATE | DESCRIPTION | DRB | BY |
|-----|---------|-------------------|-----|----|
| 0. | 3/18/15 | ISSUED FOR REVIEW | | |
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SITE NUMBER:
BUF-514

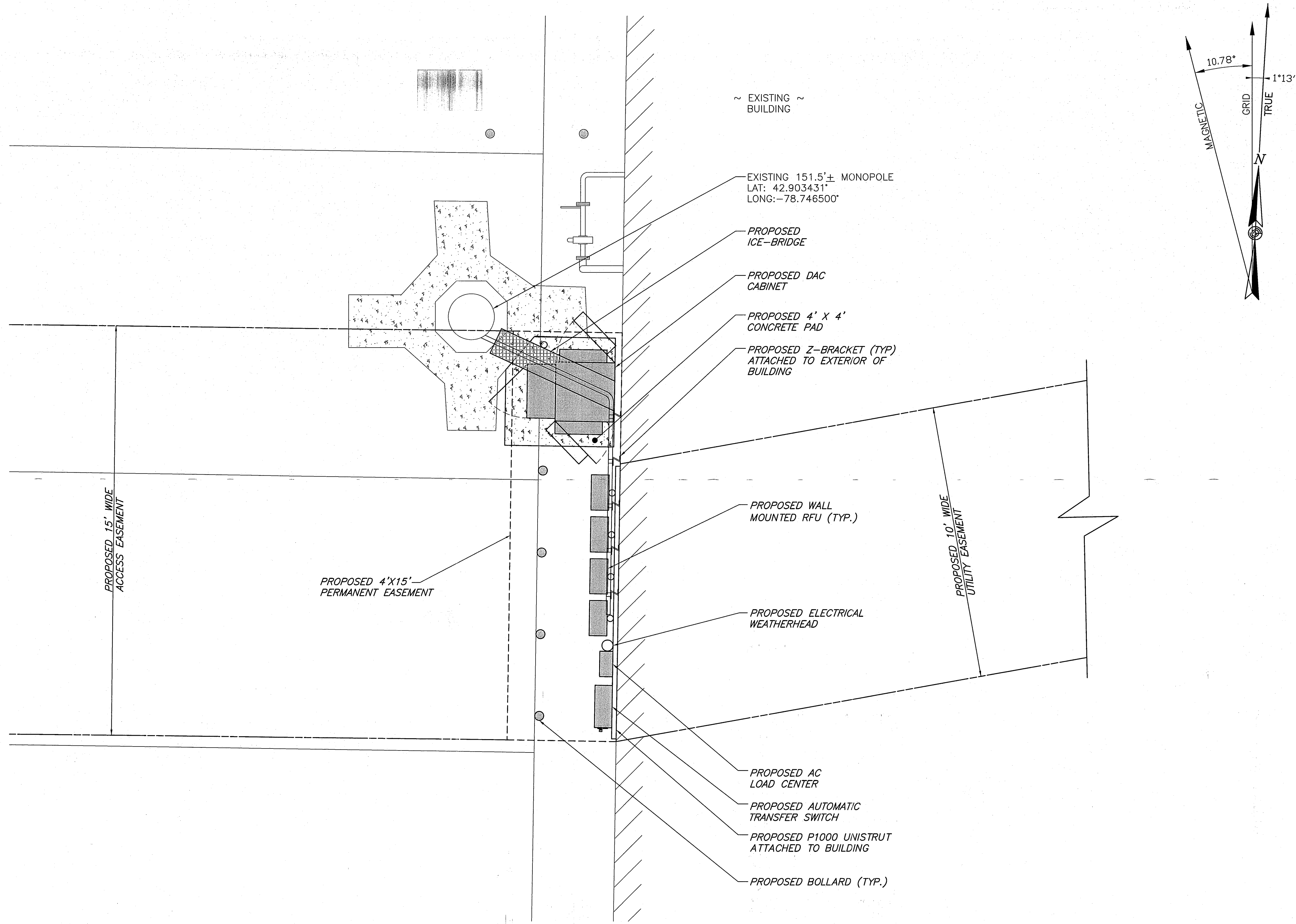
SITE NAME:
HOLIDAY TWIN RINKS

SITE ADDRESS:
3465 BROADWAY
BUFFALO, NY 14227

SITE TYPE:
CO-LOCATION

SHEET TITLE:
OVERALL SITE PLAN

DRAWING #: **C-1** REVISION: **0**

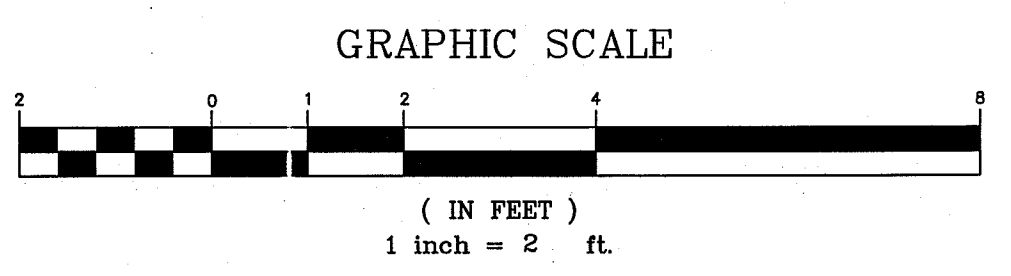


SITE PLAN

SCALE: 1"=2' (22X34)
1"=4' (11X17)

LEGEND

| | |
|-----------|-----------------------------------|
| --- | SECTION/PARCEL BOUNDARY |
| - - - - - | PROPOSED EASEMENT LINE |
| ---- | MIN. BUILDING SETBACK |
| ---- | CENTER LINE |
| ---- | EXIST. EASEMENT LINE |
| ---- | EXIST. RIGHT-OF-WAY LINE |
| ---- | EXIST. EDGE OF PAVEMENT |
| ---- | BARBED WIRE, STOCKADE, CHAIN LINK |
| ---- | EXISTING BUILDING |



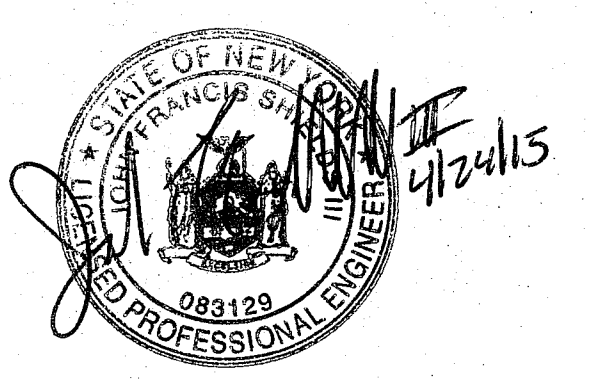
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| DESIGNED BY: | DATE: |
| DRB | 3/18/15 |
| APPROVED BY: | A&E PROJECT #: |
| DWC | 13-B-229 |

| PLAN REVISIONS | | | | DRB | BY |
|----------------|---------|-------------------|--|-----|----|
| NO. | DATE | DESCRIPTION | | | |
| 0. | 3/18/15 | ISSUED FOR REVIEW | | | |
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SITE NUMBER: **BUF-514**

SITE NAME: **HOLIDAY TWIN RINKS**

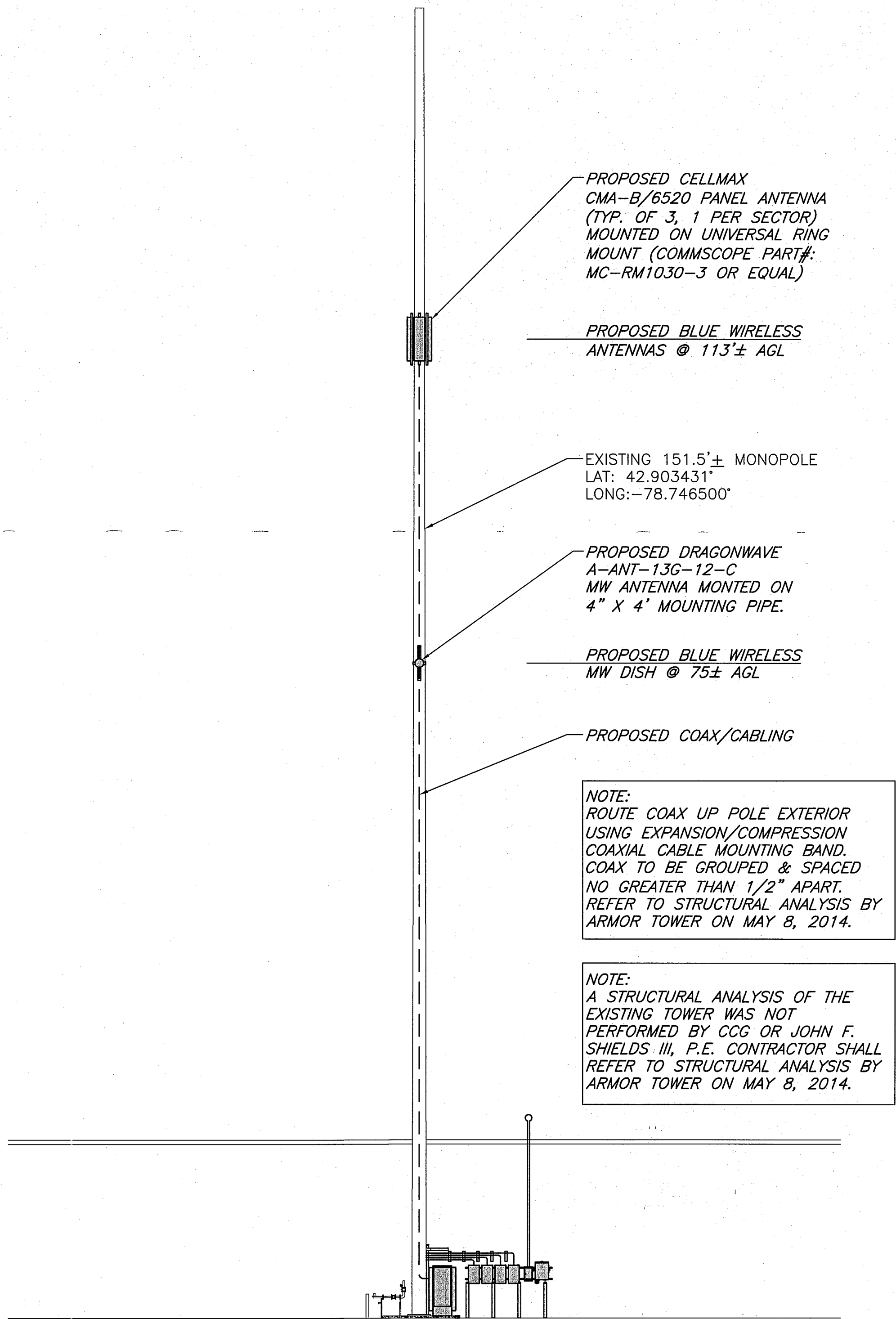
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BUFFALO, NY 14227

SITE TYPE: CO-LOCATION

SHEET TITLE: **SITE PLAN**

DRAWING #: **C-2**

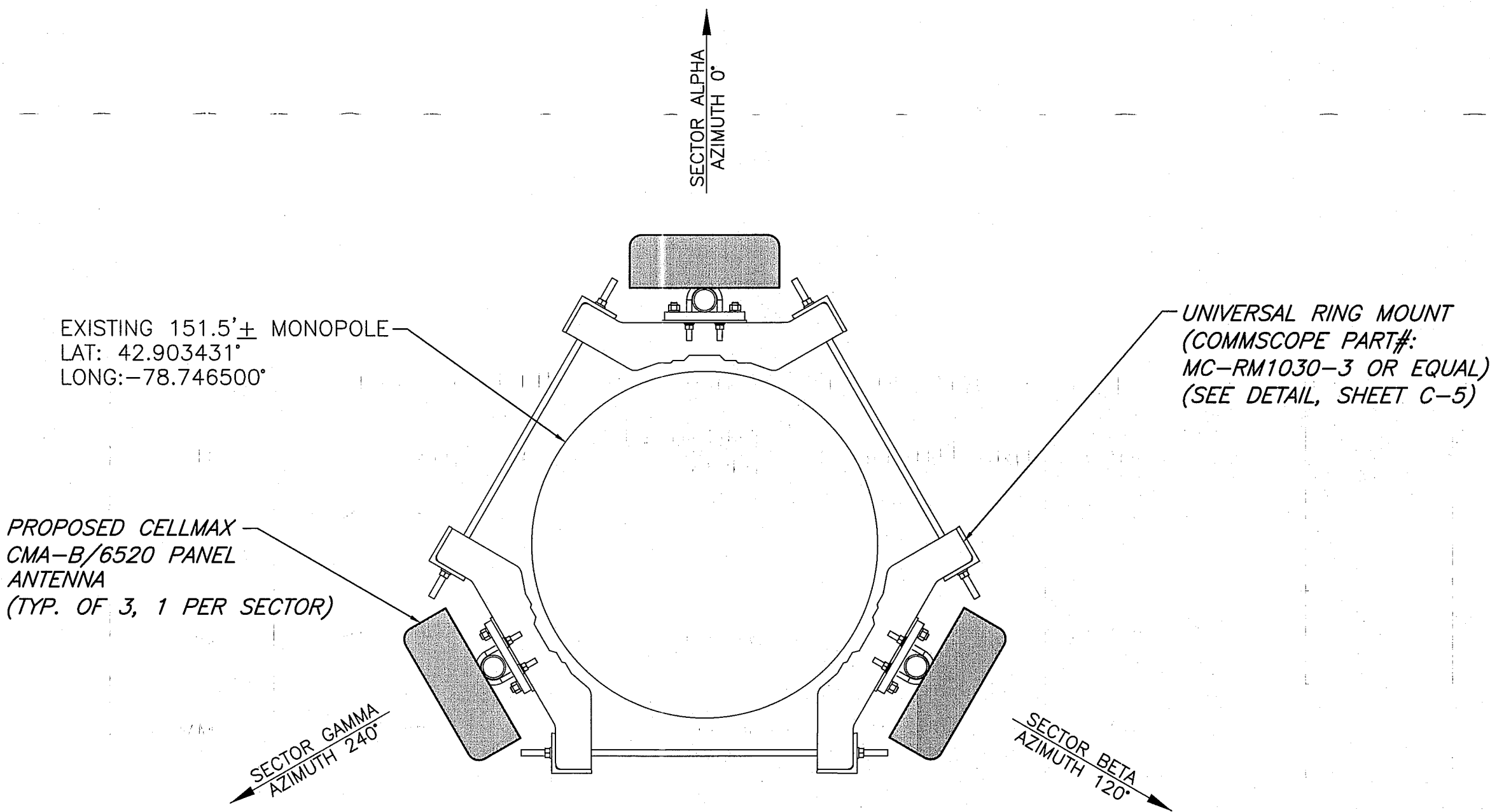
REVISION: **0**



EXISTING TOWER ELEVATION

SCALE: 1"=10' (22x34)
1"=20' (11x17)

| PROPOSED ANTENNA CONFIGURATION AND CABLE SCHEDULE | | | | | | |
|---|--------------------|----------------|---------|-----|---------------|--------------|
| SECTOR | ANTENNA | ANTENNA HEIGHT | AZIMUTH | RRU | CABLE TYPE | CABLE LENGTH |
| ALPHA | (1) CMA-B/6520 | 113' AGL | 0° | - | (2) 7/8" COAX | 135'± |
| | (1) A-ANT-13G-12-C | 75' AGL | | | (1) CAT6 | 95'± |
| BETA | (1) CMA-B/6520 | 113' AGL | 120° | - | (2) 7/8" COAX | 135'± |
| GAMMA | (1) CMA-B/6520 | 113' AGL | 240° | - | (2) 7/8" COAX | 135'± |



PROPOSED ANTENNA CONFIGURATION

SCALE: 1"=3' (22x34)
1"=6' (11x17)



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CCG

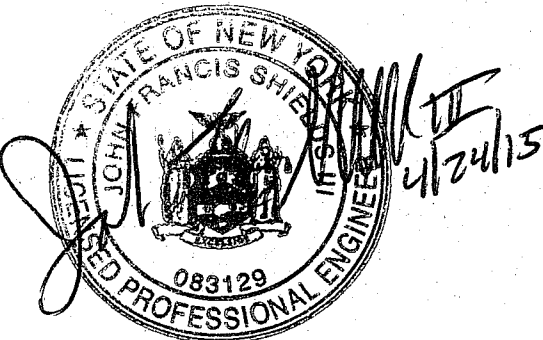
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CONSULTING
GROUP

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| DESIGNED BY: | DATE: |
| DRB | 3/18/15 |
| APPROVED BY: | A&E PROJECT #: |
| DWC | 13-B-229 |

| PLAN REVISIONS | NO. | DATE | ISSUED FOR REVIEW | DESCRIPTION | BY |
|----------------|-----|---------|-------------------|-------------|-----|
| | | | | | |
| | 0. | 3/18/15 | | | DRB |



SITE NUMBER:

BUF-514

SITE NAME:

HOLIDAY TWIN RINKS

SITE ADDRESS:

3465 BROADWAY
BUFFALO, NY 14227

SITE TYPE:

CO-LOCATION

SHEET TITLE:

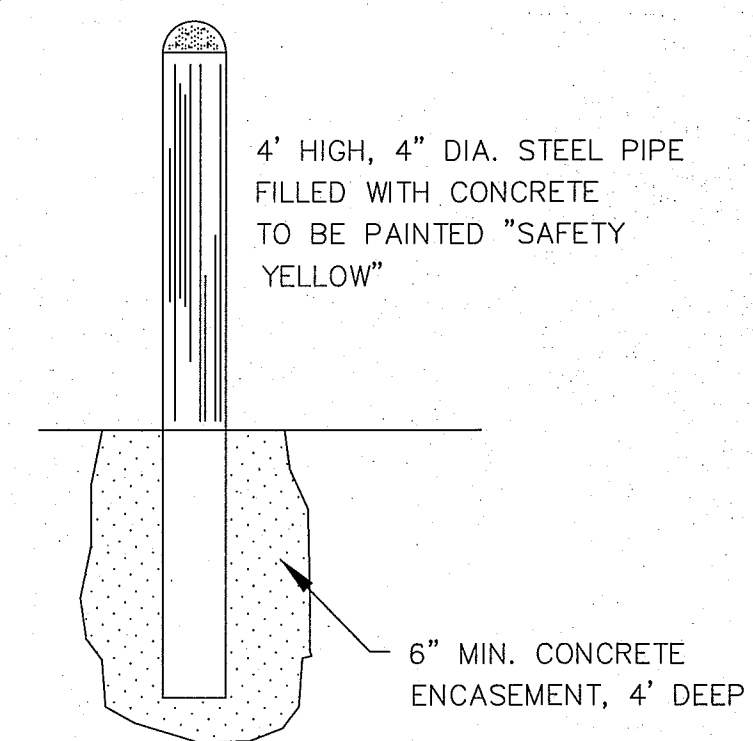
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DRAWING #:

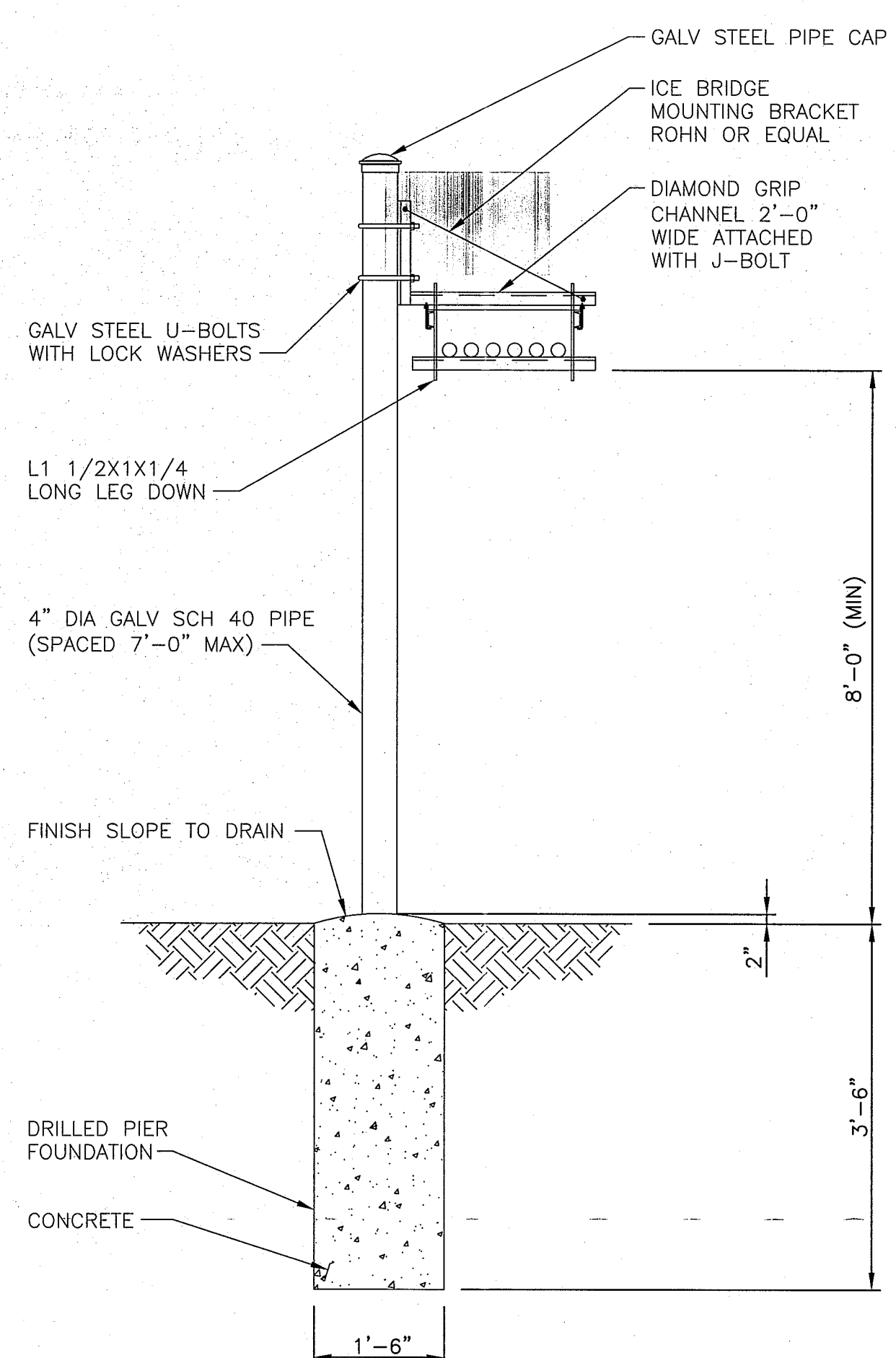
C-3

REVISION:

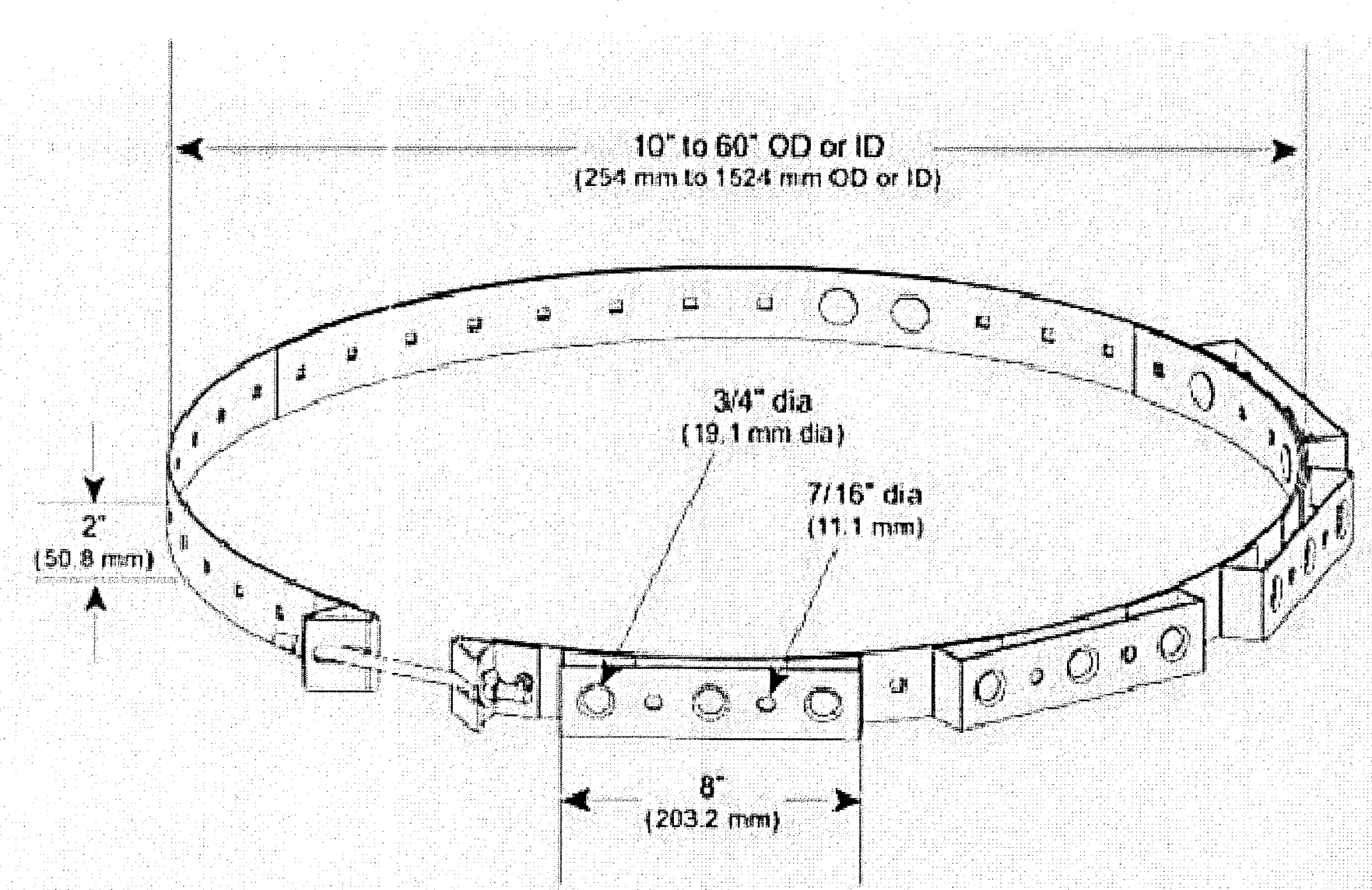
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BOLLARD DETAIL
N.T.S.



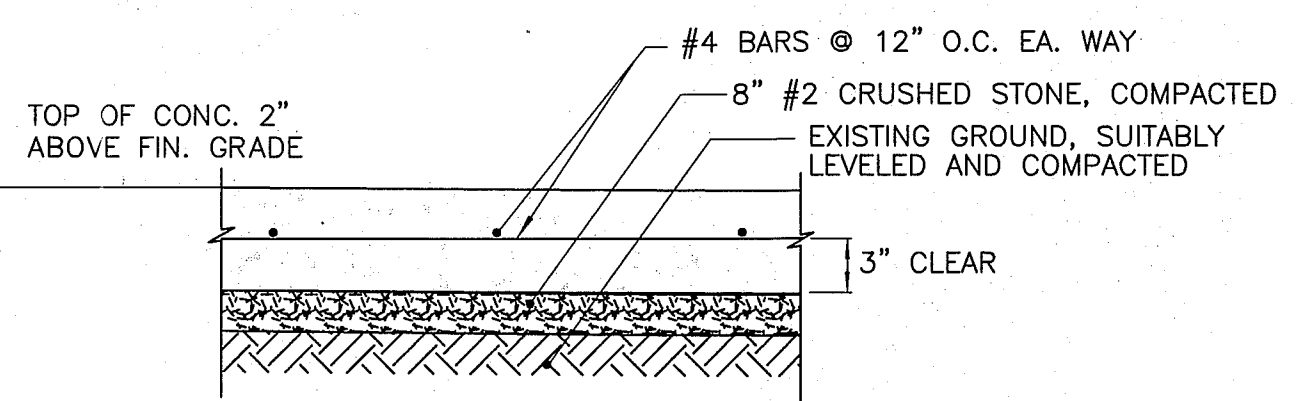
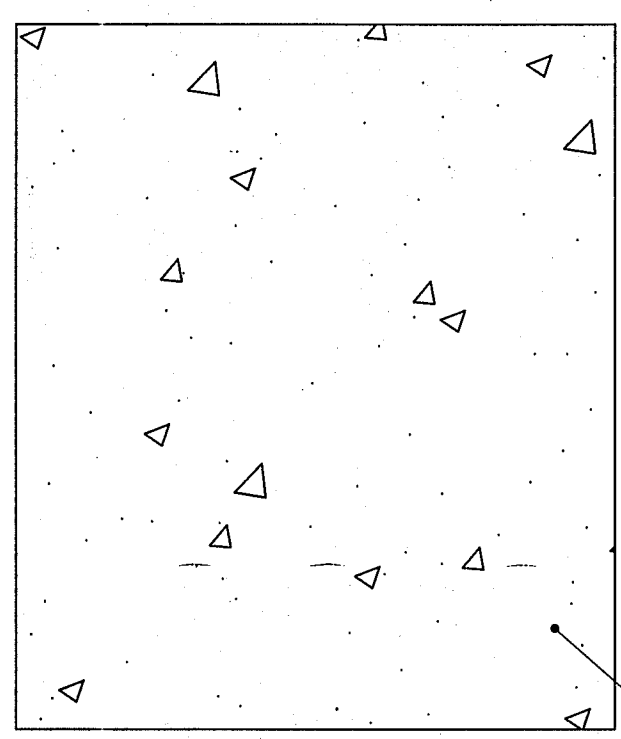
ICE BRIDGE ELEVATION
N.T.S.



EXPANSION/COMPRESSION COAX CABLE
MOUNTING BAND ANDREW PART#: EX-P1060
N.T.S.

CONCRETE NOTES

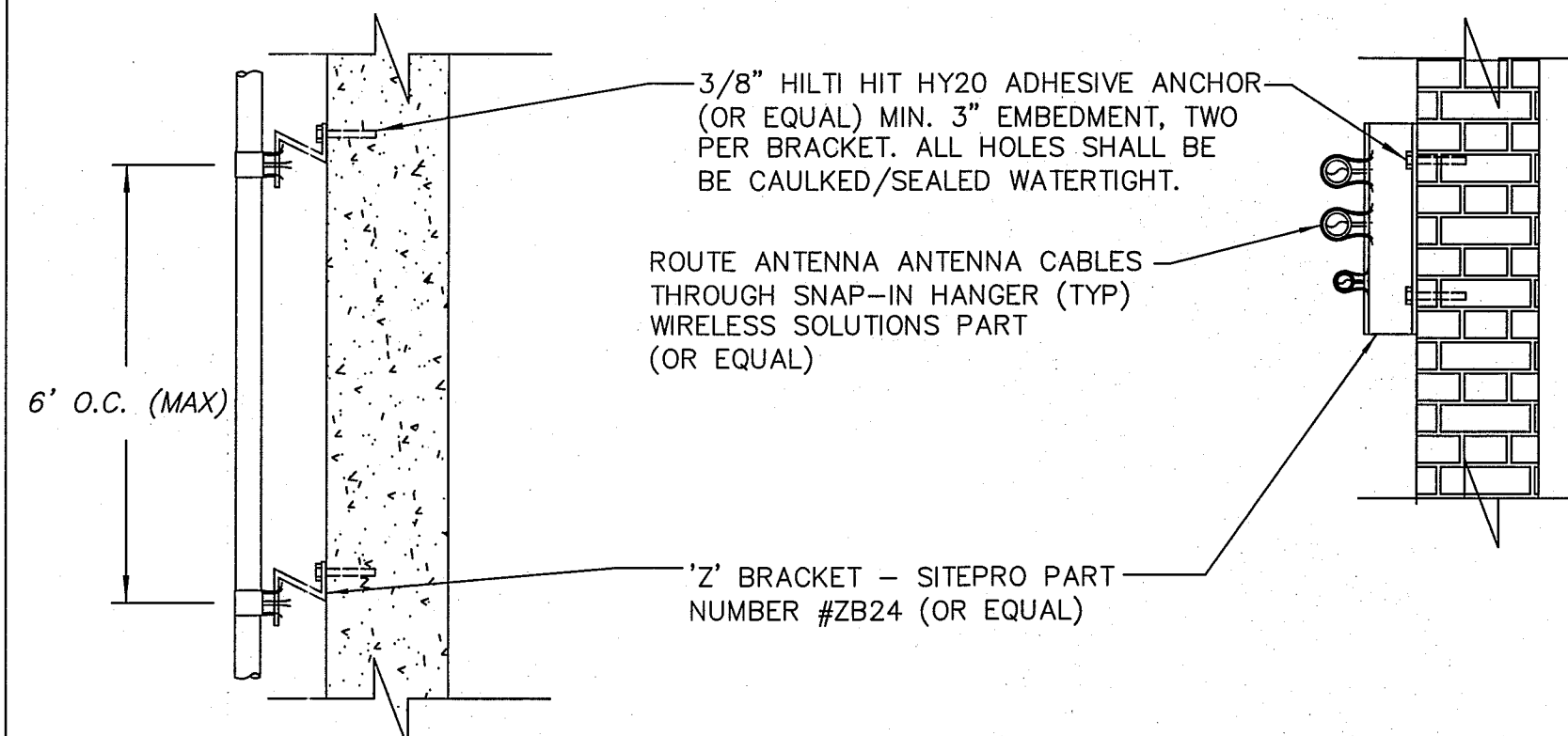
1. CONCRETE DESIGN AND CONSTRUCTION SHALL CONFORM TO ACI 319-99 AND ACI 302-96.
2. MINIMUM COMPRESSIVE STRENGTH AT 28 DAYS SHALL BE 3,000 PSI FOR ALL SLAB ON GRADE CONCRETE WITH A MAXIMUM WATER/CEMENT RATIO OF 0.54. CONCRETE SHALL HAVE 4% TO 6% ENTRAINED AIR.
3. REINFORCING STEEL SHALL CONFORM TO ASTM A615, GRADE 60.
4. THE REINFORCING STEEL CONTRACTOR SHALL FABRICATE ALL REINFORCEMENT AND FURNISH ALL ACCESSORIES, CHAIRS, SPACER BARS AND SUPPORTS NECESSARY TO SECURE THE REINFORCEMENT.
5. TENSION LAP SPLICES SHALL CONFORM WITH THE REQUIREMENTS OF ACI-318 FOR CLASS 'B' TENSION LAP SPLICES.



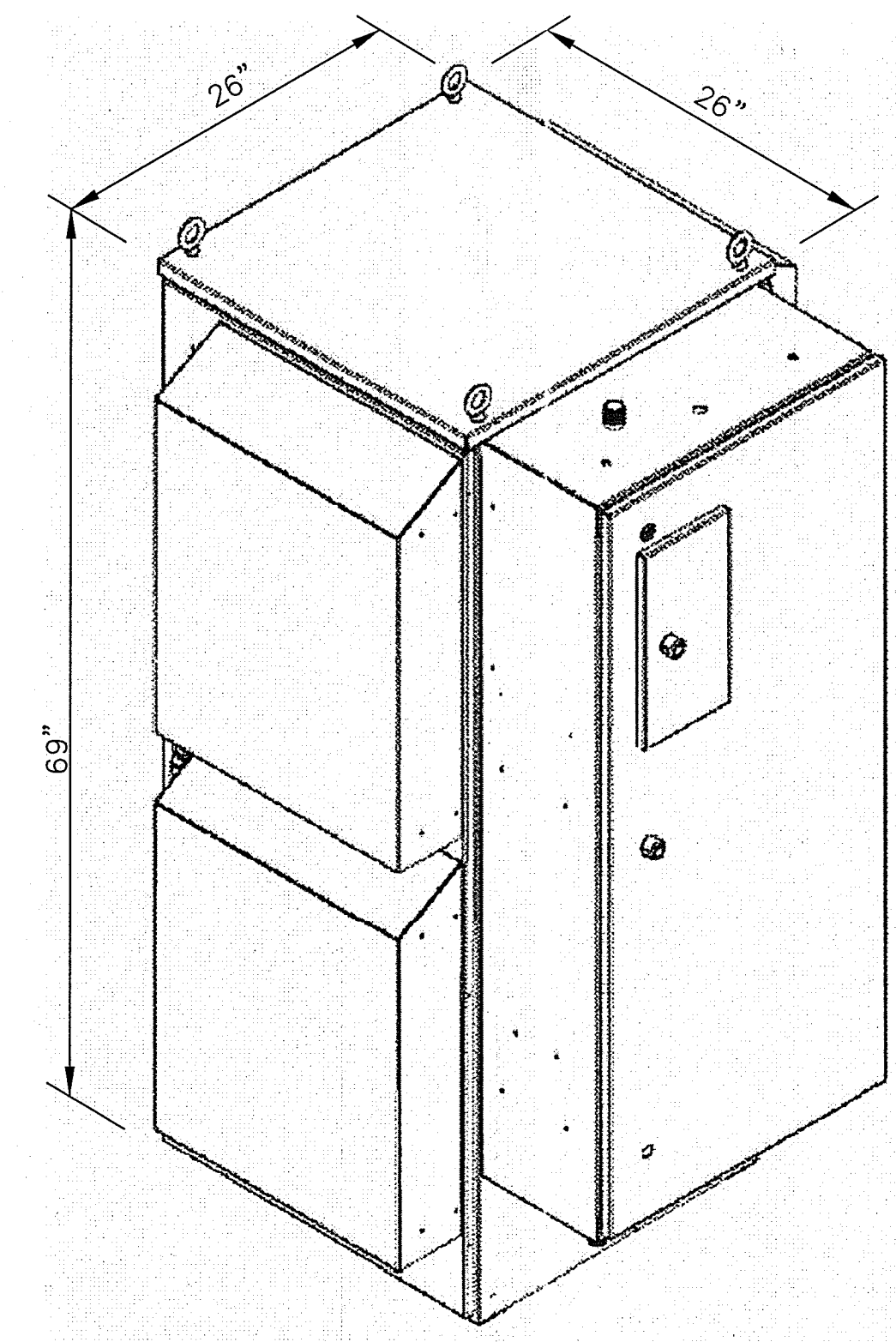
IF THE SOIL HAS POOR DRAINAGE, CONSTRUCT A GRAVEL DRAINAGE BED UNDER THE CONCRETE PAD. WATER WILL DRAIN THROUGH A 1IN HOLE IN THE GenCore FLOOR THROUGH A 3IN HOLE IN THE CONCRETE TO THE DRAINAGE BED. THE GenCore CAN PRODUCE UP TO 4.3 LITERS OF WATER PER HOUR; SIZE THE DRAINAGE BED ACCORDINGLY FOR THE LOCAL CLIMATE.

(VERIFY DIMENSIONS WITH GENERATOR SUPPLIER)

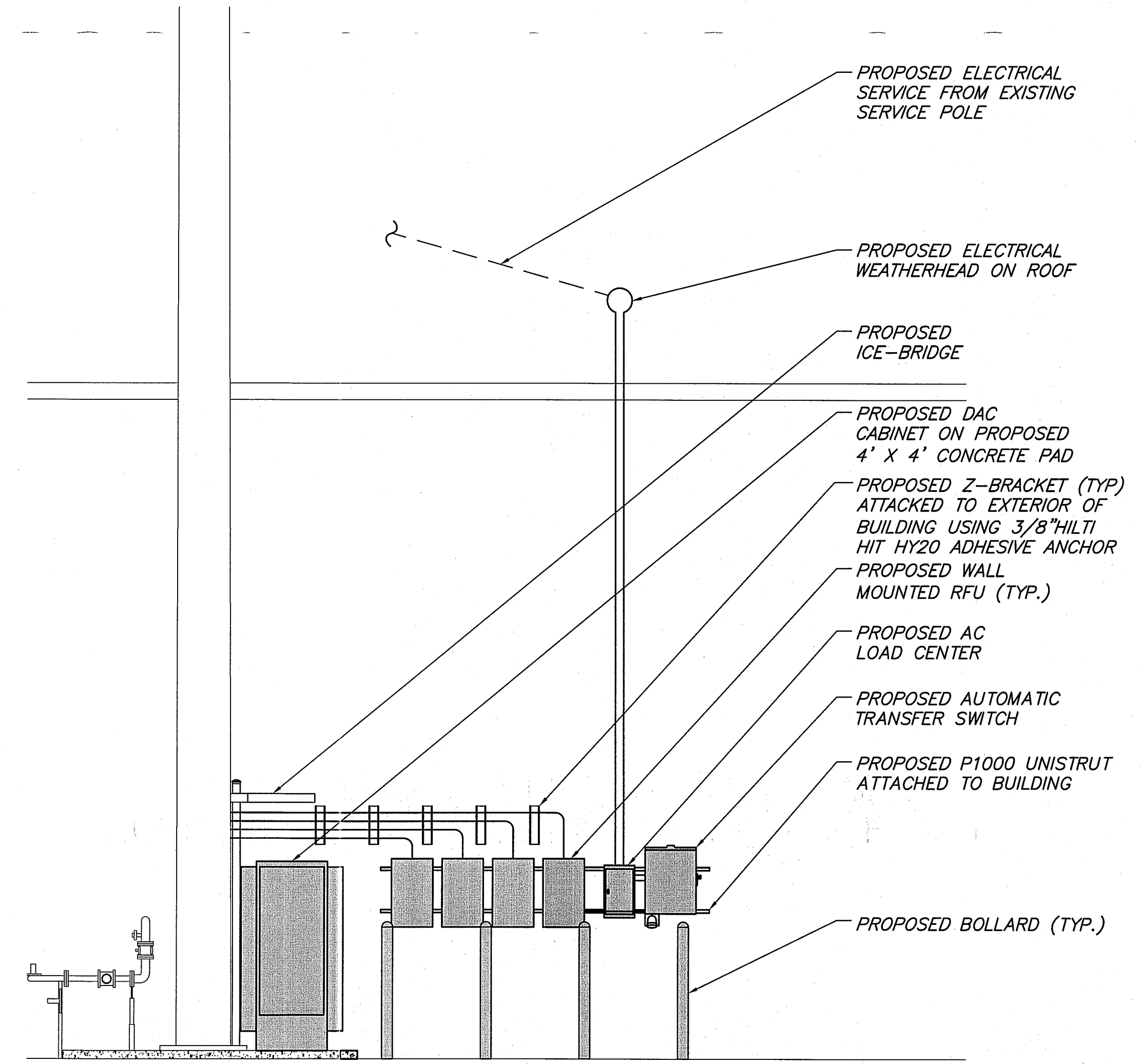
CONCRETE EQUIPMENT PAD DETAIL
N.T.S.



Z-BRACKET ATTACHMENT DETAIL
N.T.S.



DAC CABINET
N.T.S.



EQUIPMENT ELEVATION
N.T.S.



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| DRB | 3/18/15 |
| APPROVED BY: | A&E PROJECT #: |
| DWC | 13-B-229 |

| PLAN REVISIONS | | | | | DRB | BY |
|----------------|---------|-------------|-------------------|--|-----|----|
| NO. | DATE | DESCRIPTION | ISSUED FOR REVIEW | | | |
| 0. | 3/18/15 | | | | | |



| | |
|---------------|------------------------------------|
| SITE NUMBER: | BUF-514 |
| SITE NAME: | HOLIDAY TWIN RINKS |
| SITE ADDRESS: | 3465 BROADWAY BUFFALO, NY 14227 |
| SITE TYPE: | CO-LOCATION |

| | |
|--------------|-------------------|
| SHEET TITLE: | EQUIPMENT DETAILS |
| DRAWING #: | C-4 |
| REVISION: | 0 |

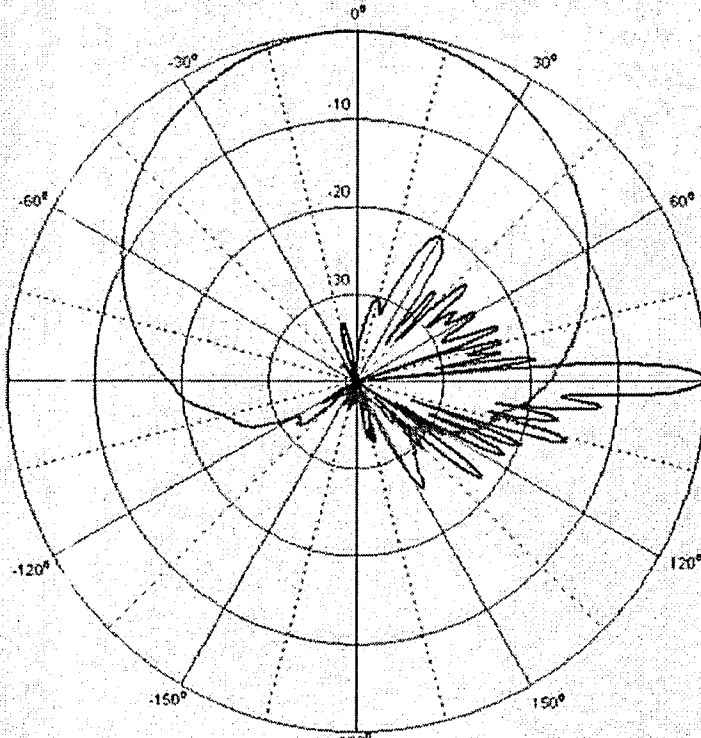
Ordering information
MET version: 110075 B
RET version: 110080 B

CMA-BDHH/6520/E0-8

GSM / CDMA / LTE: 1800, 1900 & 2100

| | | |
|----------------------------------|-------|----------------------|
| Electrical specification: | | |
| Frequency range | 1800: | 1710-1880 MHz |
| | 1900: | 1850-1990 MHz |
| | 2100: | 1920-2170 MHz |
| Polarization | | 2 x Dual linear ±45° |
| Gain | 1800: | 4 x 19.0 dBi |
| | 1900: | 4 x 19.4 dBi |
| | 2100: | 4 x 19.8 dBi |
| Horizontal = 3 dB beamwidth | | 63° ±5° |
| Vertical = 3 dB beamwidth | 1800: | 6.0° ±0.4° |
| | 1900: | 5.6° ±0.4° |
| | 2100: | 5.3° ±0.4° |
| Adjustable electrical downtilt | | 0° - 6° |
| VSWR | | <1.5:1 |
| Horizontal beam peak | | 0° ±3° |
| Horizontal tracking within ±60° | | <2 dB |
| Isolation between inputs | | >30 dB |
| Front to back ratio | | >25 dB |
| First upper sidelobe suppression | | >15 dB |
| First nullfill below horizon | | <20 dB |
| Cross-polar discrimination | | >20 dB |
| Inter modulation, IM3 | | >153 dBc@2x43 dBm |
| Inter modulation, IM7 | | >143 dBc@2x43 dBm |
| Antenna Efficiency* | | 94 % |
| Nominal impedance | | 50 Ω |
| Max power per input | | 500 W |

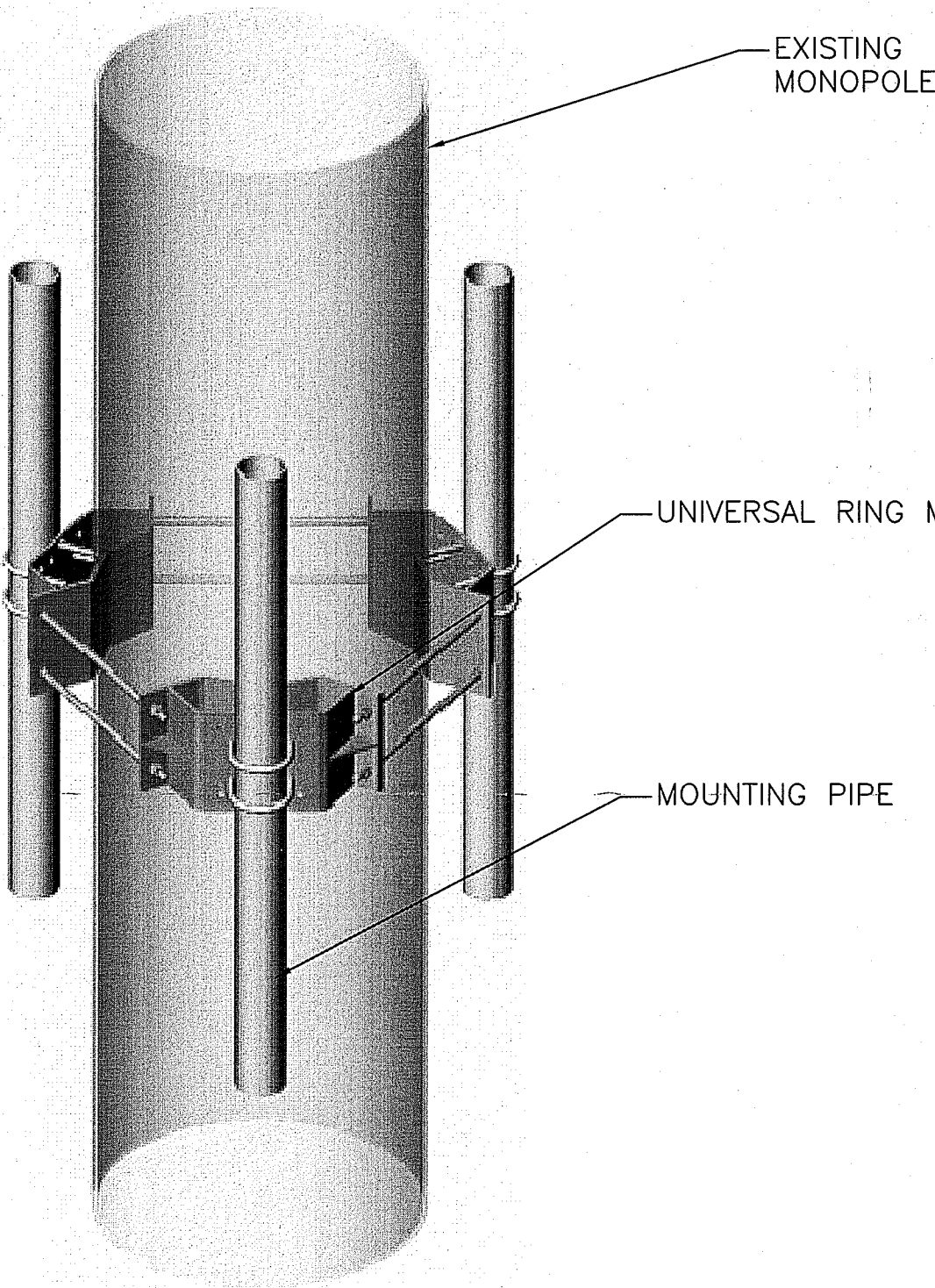
| | | |
|--------------------------------|----------|--------------------------------------|
| Mechanical specification: | | |
| Connectors | | 4 x 7/16 female |
| Connector position | | Bottom |
| Lightning protection | | DC grounded |
| Height/Width/Depth mm (in) | | 1542 (60.7) / 374 (14.7) / 132 (5.2) |
| Antenna weight | | 22 kg (49 lb) |
| Wind load at 42 m/s (94 mph) : | Frontal: | 529 N (119 lbf) |
| | Lateral: | 92 N (21 lbf) |
| | Rear: | 668 N (151 lbf) |
| Survival wind speed | | 60 m/s (134 mph) |
| Colour radome | | Light Grey, RAL 7035 |
| Radome material | | ASA |
| Mounting hardware: | | |
| Mounting bracket | | 2 |
| Bracket weight (complete) | | 5 kg (11 lb) |
| Pole diameter | | 45-120 mm (1.8-4.7 in) |
| Tilt bracket | | 0° - 5° mechanical |



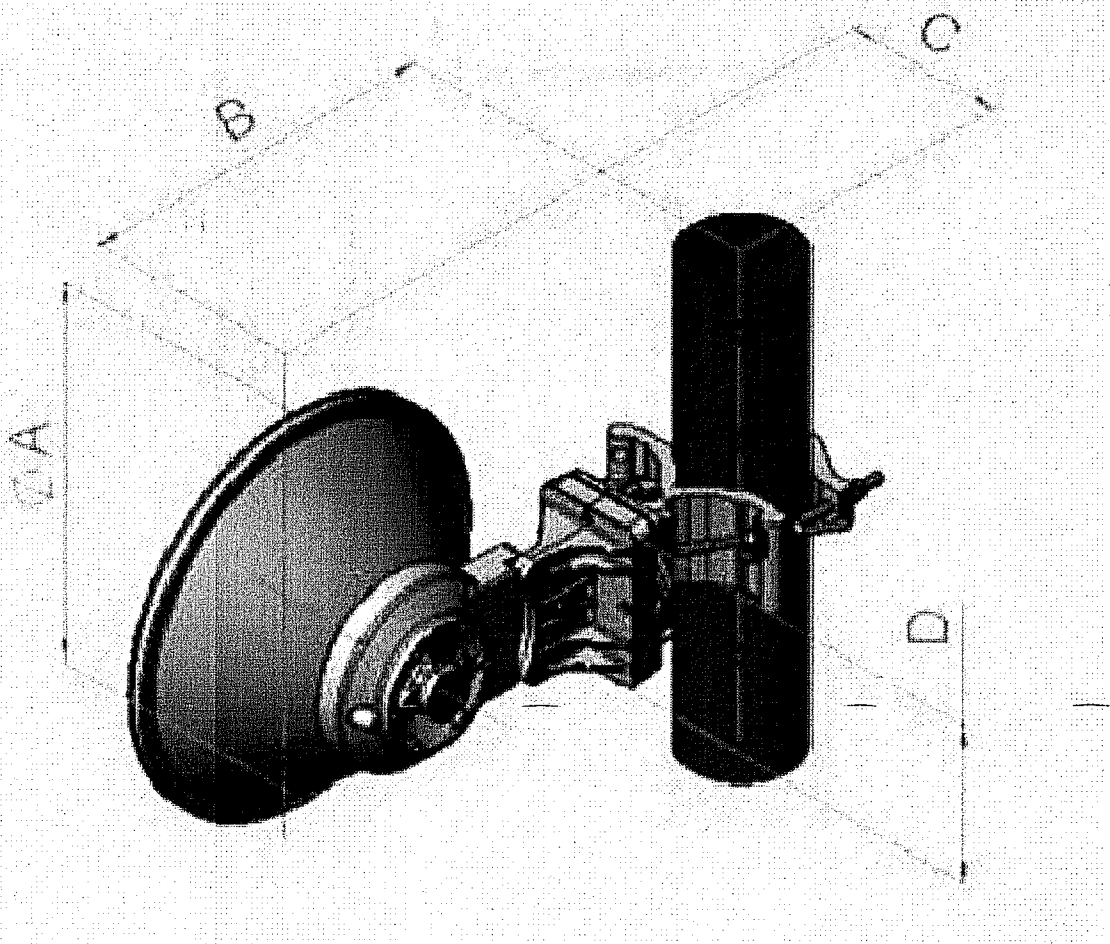
CMA-BDHH_6520_E0-8_E2

© 2013 CellMax Technologies AB reserves the right to modify or change the above specifications without notice.

* Based on true measurements and calculated according to P_{tot}/P_{in}



UNIVERSAL RING MOUNT
COMMSCOPE PART#: MC-RM1030-3
N.T.S.



| ANTENNA DIAMETER | A | B | C | D |
|------------------|----------|----------|---------|---------|
| 1 FEET | 15.3 IN. | 14.7 IN. | 6.5 IN. | 6.3 IN. |

1' MICROWAVE ANTENNA
DRAGONWAVE PART #: A-ANT-13G-12-C
N.T.S.



Blue Wireless
PO Box 186
Williamsville, NY 14231



DEVELOPMENT DESIGN
RESIDENTIAL | COMMERCIAL | WIRELESS | ENERGY
17 Industrial Street | Rochester, NY 14614
Office: 585-360-2733 | Fax: 585-360-2735
www.carpentercg.com

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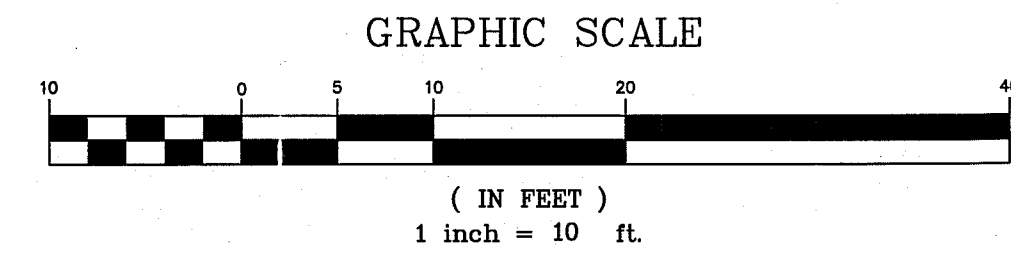
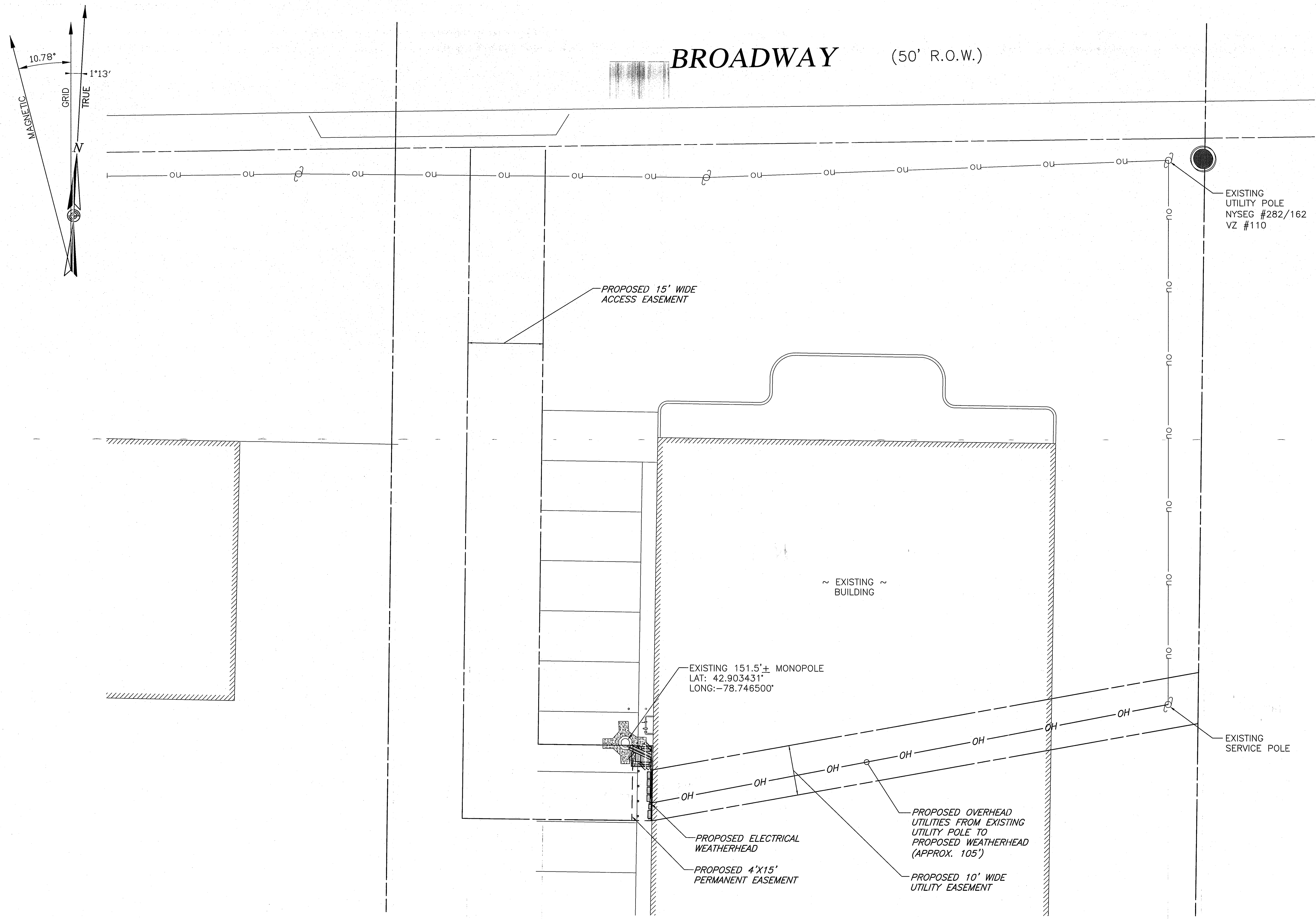
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| DESIGNED BY: | DATE: |
| DRB | 3/18/15 |
| APPROVED BY: | A&E PROJECT #: |
| DWC | 13-B-229 |

| PLAN REVISIONS | NO. | DATE | DESCRIPTION | BY |
|----------------|-----|---------|-------------------|-----|
| | | | | |
| | 0 | 3/18/15 | ISSUED FOR REVIEW | DRB |



| | |
|---------------|------------------------------------|
| SITE NUMBER: | BUF-514 |
| SITE NAME: | HOLIDAY TWIN RINKS |
| SITE ADDRESS: | 3465 BROADWAY BUFFALO, NY 14227 |
| SITE TYPE: | CO-LOCATION |
| SHEET TITLE: | ANTENNA SPECS & DETAILS |
| DRAWING #: | C-5 |
| REVISION: | 0 |

PANEL ANTENNA
CELLMAX PART #: CMA-B/6520/E0-8
N.T.S.



UTILITY PLAN
SCALE: 1"=10' (22X34)
1"=20' (11X17)



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Williamsville, NY 14231

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| DRB | 3/18/15 |
| APPROVED BY: | A&E PROJECT #: |
| DWC | 13-B-229 |

| PLAN REVISIONS | | | | | DRB | BY |
|----------------|---------|------|--|--|-------------------|-------------|
| | | | | | ISSUED FOR REVIEW | DESCRIPTION |
| 0. | 3/18/15 | DATE | | | | |
| | NO. | | | | | |



SITE NUMBER: **BUF-514**

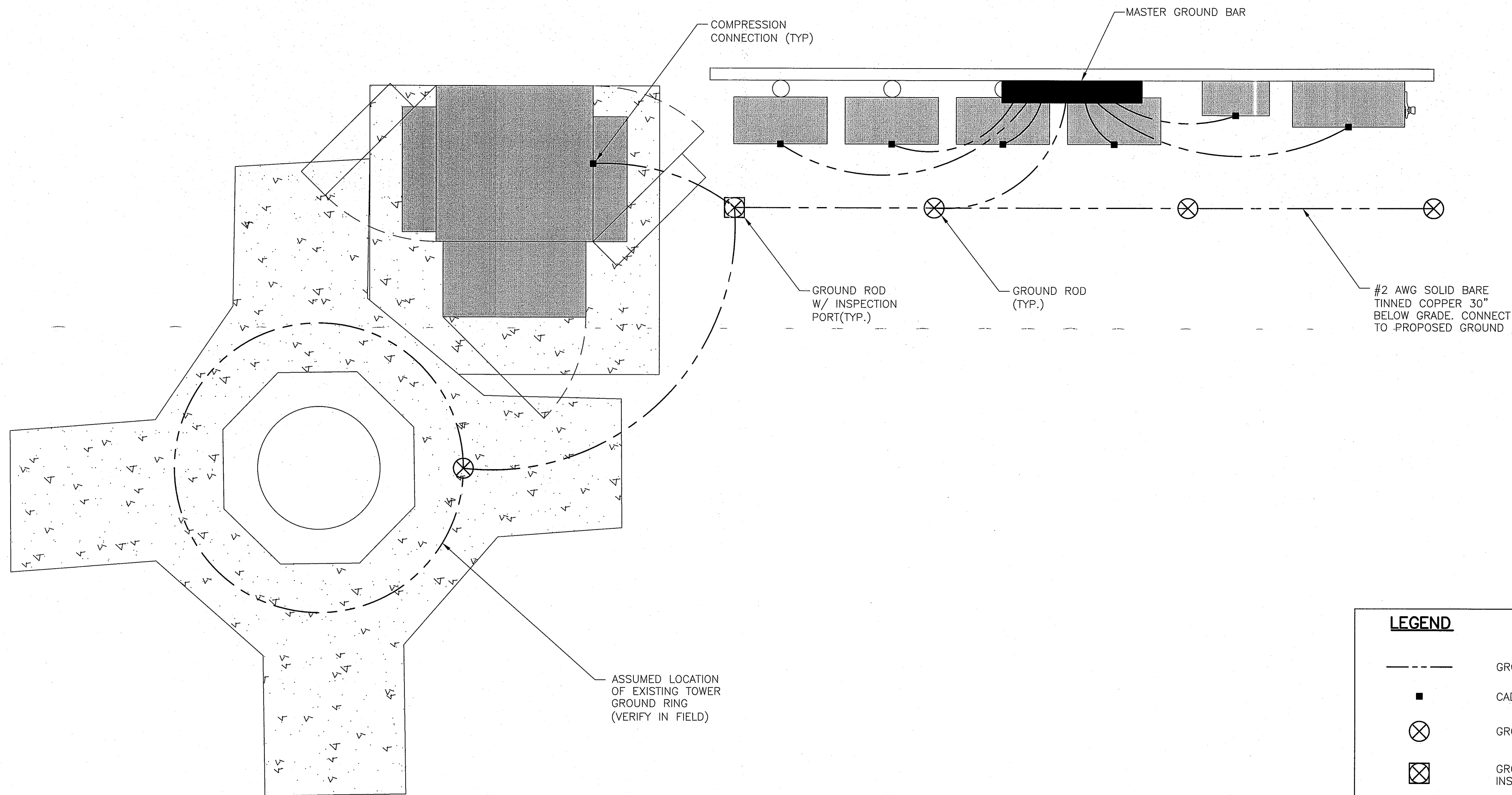
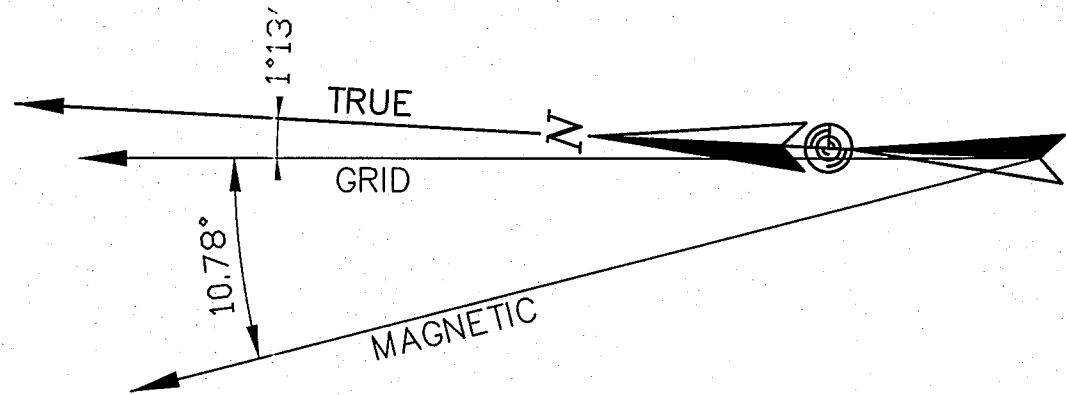
SITE NAME: **HOLIDAY TWIN RINKS**

SITE ADDRESS: 3465 BROADWAY
BUFFALO, NY 14227

SITE TYPE: CO-LOCATION

SHEET TITLE: **UTILITY PLAN**

DRAWING #: **E-1** REVISION: **0**



GROUNDING PLAN
N.T.S

| LEGEND | |
|--------|---------------------------------|
| | GROUND WIRE |
| | CADWELD CONNECTION |
| | GROUND ROD |
| | GROUND ROD WITH INSPECTION PORT |
| | GROUND BAR |

- GROUNDING NOTES**
- GROUNDING CONNECTIONS SHALL BE EXOTHERMIC TYPE ("CADWELDS") TO FENCE POSTS, MONOPOLE AND GROUND RODS STEEL, AND GROUND RING. REMAINING GROUNDING CONNECTIONS SHALL BE COMPRESSION FITTINGS. CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO-HOLE LUGS.
 - GROUND COAXIAL CABLE SHIELDS AT BOTH ENDS WITH MANUFACTURER'S GROUNDING KITS.
 - ROUTE GROUNDING CONDUCTORS THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, BEND GROUNDING LEADS WITH A MINIMUM 12" RADIUS.
 - THE GROUND ELECTRODE SYSTEM SHALL CONSIST OF DRIVEN GROUND RODS UNIFORMLY SPACED AROUND CELL SITE. THE GROUND RODS SHALL BE 5/8" x 8'-0" COPPER CLAD STEEL, INTERCONNECTED WITH #2 AWG BARE SOLID WIRE BURIED 30" BELOW GRADE, BURY GROUND RODS A MAXIMUM OF 15' APART, AND A MINIMUM 8' APART.
 - PROVIDE GROUND RODS AND GROUND RING AS SHOWN ON SITE PLAN AND GROUNDING RISER DIAGRAM. TEST AND VERIFY THAT THE IMPEDANCE DOES NOT EXCEED 5 OHMS TO GROUND USING EARTH GROUND RESISTANCE TESTER. GROUNDING AND OTHER OPERATIONAL TESTING SHALL BE WITNESSED BY THE OWNER'S REPRESENTATIVE.
 - PROVIDE 3#3/0 + #4G IN 2" CONDUIT FROM POWER DEMARC TO DISTRIBUTION PANEL.



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Williamsville, NY 14231

C | CG CARPENTER CONSULTING GROUP
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| DRB | 3/18/15 |
| APPROVED BY: | A&E PROJECT #: |
| DWC | 13-B-229 |

| PLAN REVISIONS | | | | | | DRB | BY |
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| NO. | DATE | ISSUED FOR REVIEW | DESCRIPTION | | | | |
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SITE NUMBER: **BUF-514**

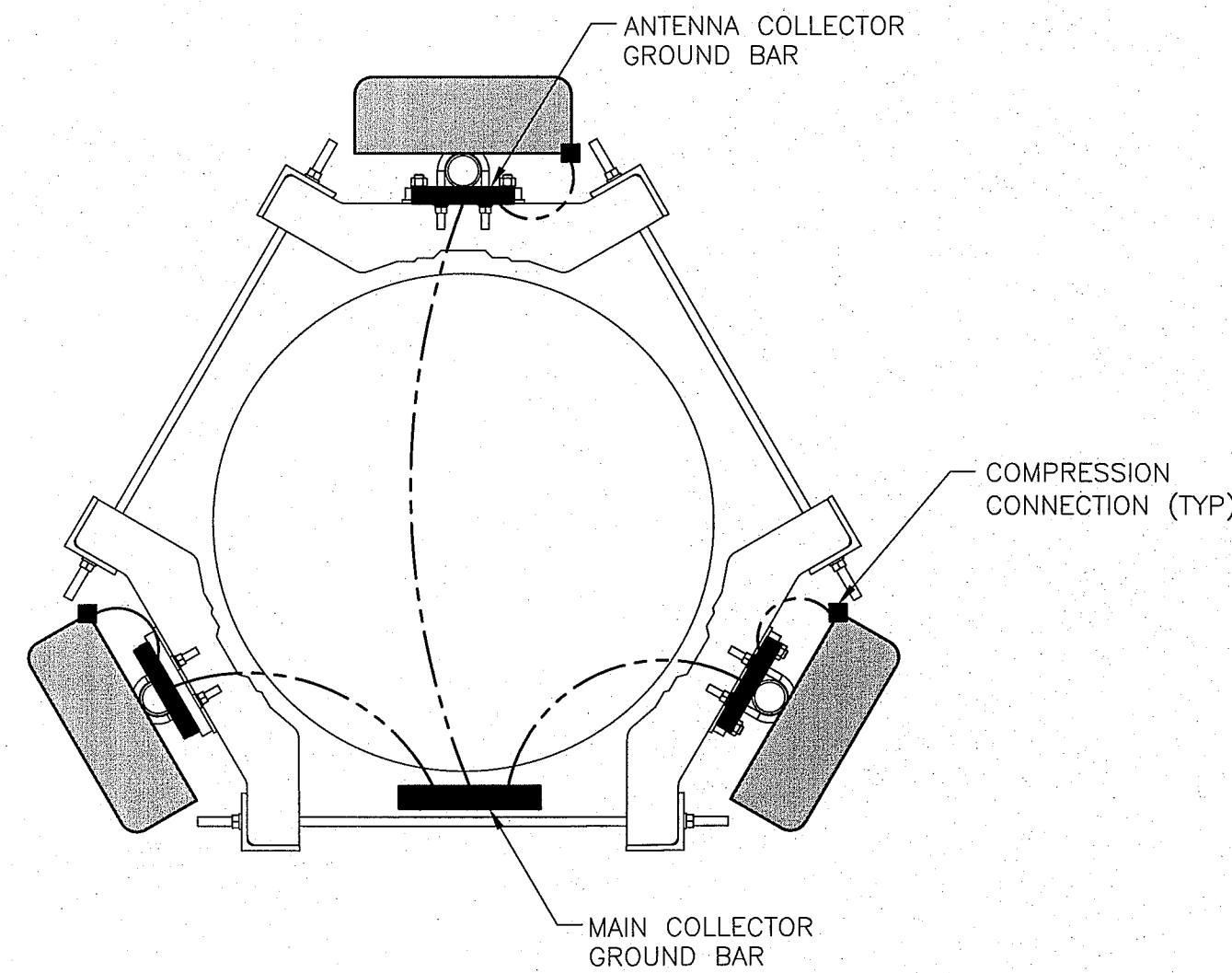
SITE NAME: **HOLIDAY TWIN RINKS**

SITE ADDRESS: 3465 BROADWAY
BUFFALO, NY 14227

SITE TYPE: CO-LOCATION

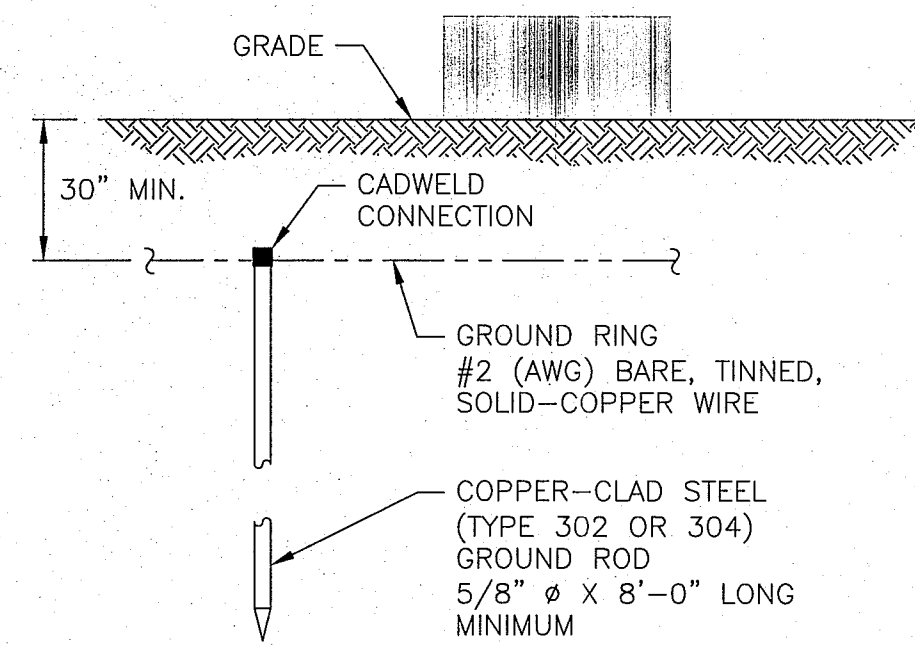
SHEET TITLE: **GROUNDING PLAN**

DRAWING #: **G-1** REVISION: **0**



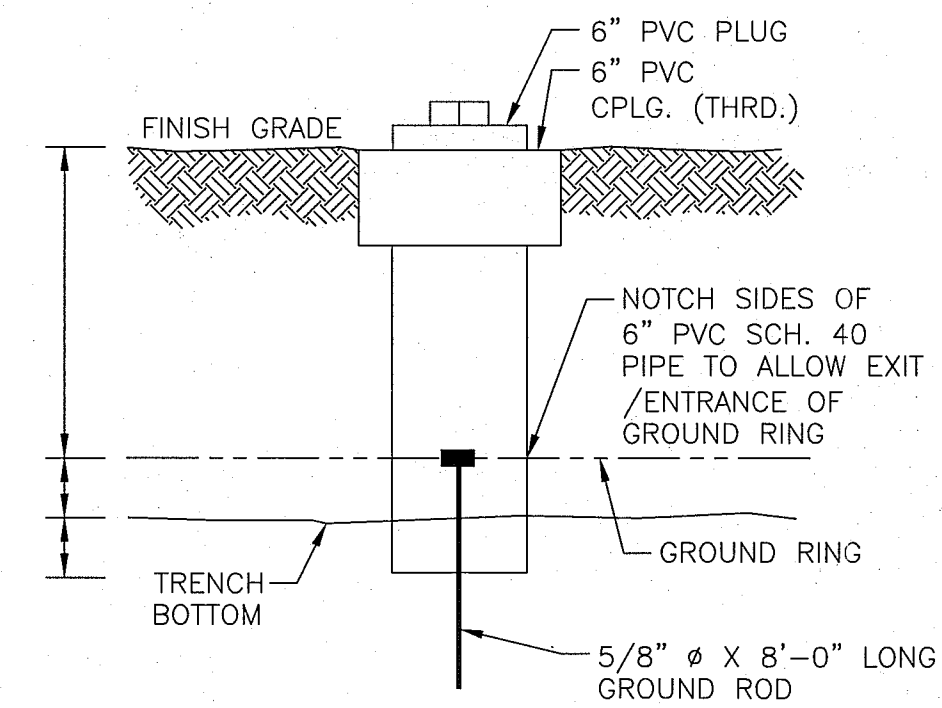
TYP. ANTENNA GROUNDING

N.T.S.



GROUND ROD

N.T.S.

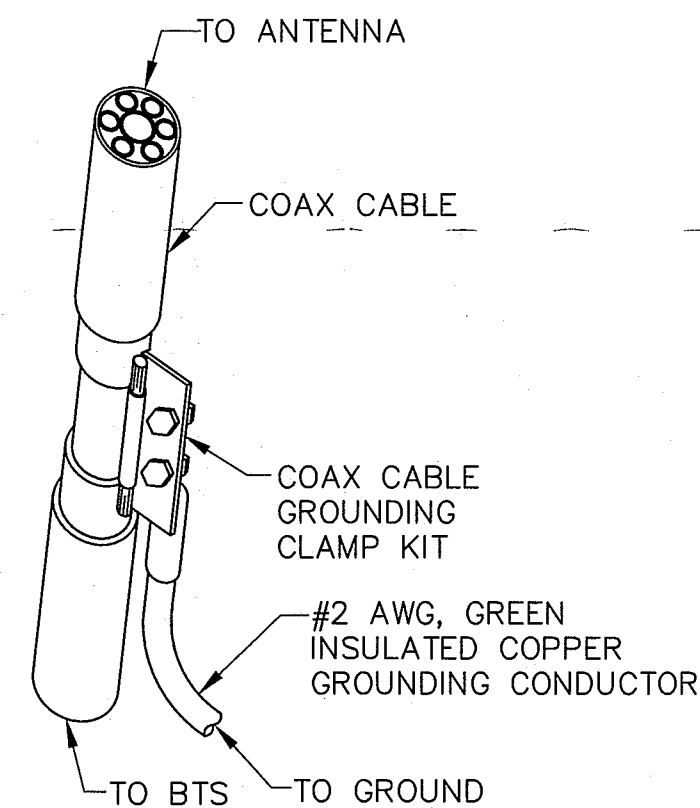


INSPECTION PORT

N.T.S.

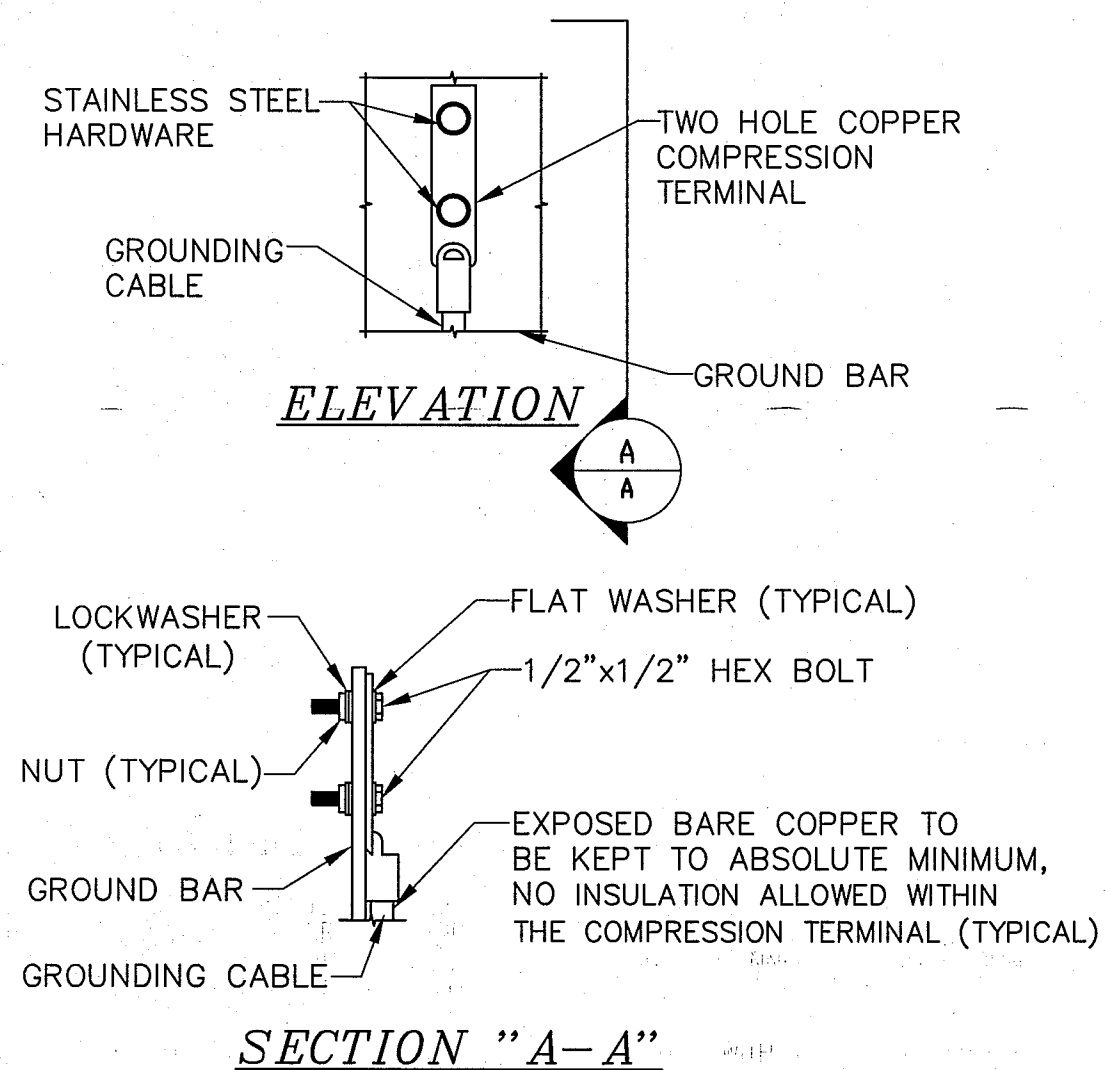
GROUNDING NOTES

- GROUNDING CONNECTIONS SHALL BE EXOTHERMIC TYPE ("CADWELDS") TO FENCE POSTS, MONOPOLE AND GROUND RODS STEEL, AND GROUND RING. REMAINING GROUNDING CONNECTIONS SHALL BE COMPRESSION FITTINGS. CONNECTIONS TO GROUND BARS SHALL BE MADE WITH TWO-HOLE LUGS.
- GROUND COAXIAL CABLE SHIELDS AT BOTH ENDS WITH MANUFACTURER'S GROUNDING KITS.
- ROUTE GROUNDING CONDUCTORS THE SHORTEST AND STRAIGHTEST PATH POSSIBLE, BEND GROUNDING LEADS WITH A MINIMUM 12" RADIUS.
- THE GROUND ELECTRODE SYSTEM SHALL CONSIST OF DRIVEN GROUND RODS UNIFORMLY SPACED AROUND CELL SITE. THE GROUND RODS SHALL BE 5/8" X 8'-0" COPPER CLAD STEEL, INTERCONNECTED WITH #2 AWG BARE SOLID WIRE BURIED 30" BELOW GRADE, BURY GROUND RODS A MAXIMUM OF 15' APART, AND A MINIMUM 8' APART.
- PROVIDE GROUND RODS AND GROUND RING AS SHOWN ON SITE PLAN AND GROUNDING RISER DIAGRAM. TEST AND VERIFY THAT THE IMPEDANCE DOES NOT EXCEED 5 OHMS TO GROUND USING EARTH GROUNDING TESTER. GROUNDING AND OTHER OPERATIONAL TESTING SHALL BE WITNESSED BY THE OWNER'S REPRESENTATIVE.
- PROVIDE 3#3/0 + #4G IN 2" CONDUIT FROM POWER DEMARC TO DISTRIBUTION PANEL.



COAX CABLE GROUNDING

N.T.S.

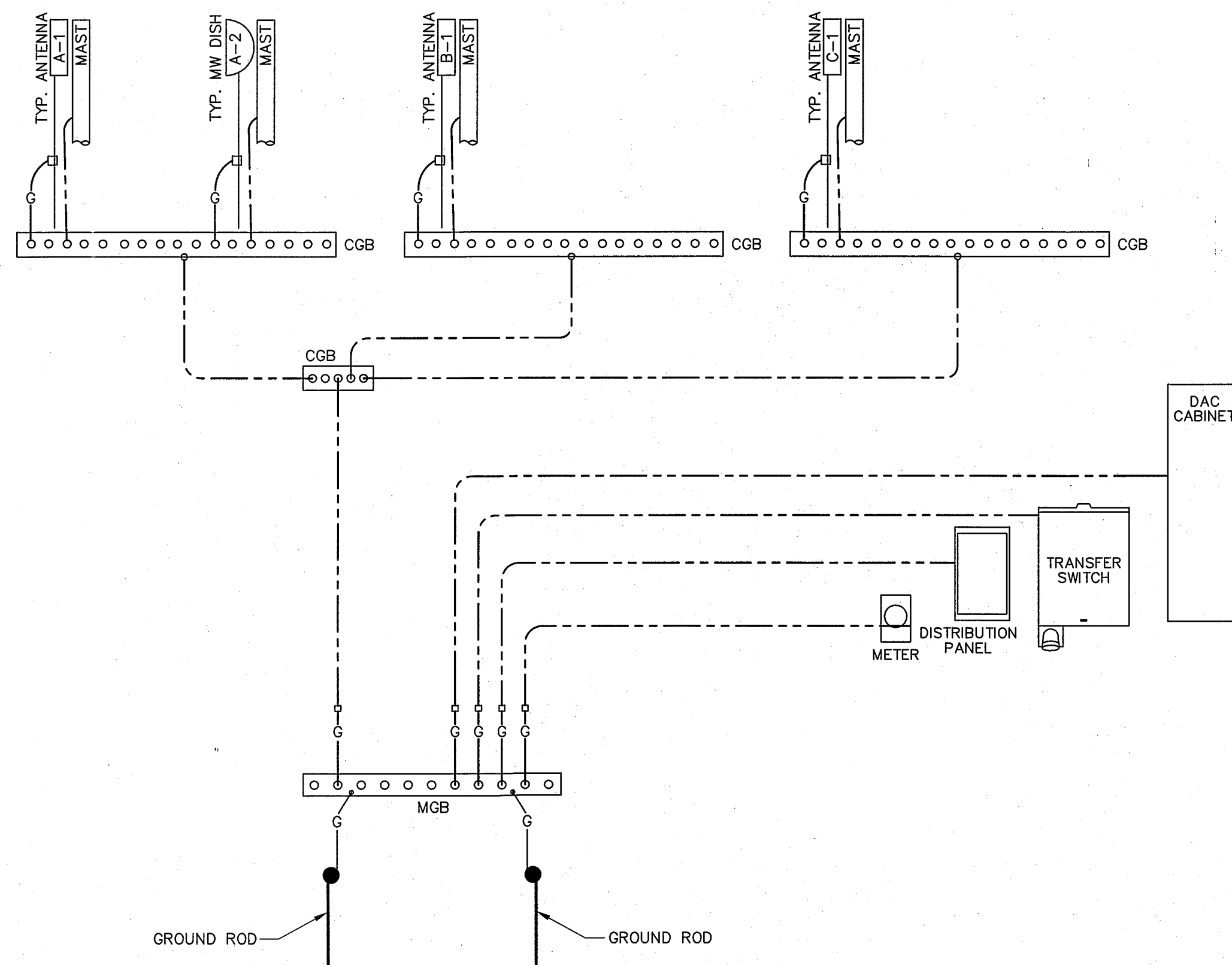


NOTE:

- "DOUBLING UP" OR "STACKING" OF CONNECTION IS NOT PERMITTED
- OXIDE INHIBITING COMPOUND TO BE USED AT ALL LOCATIONS

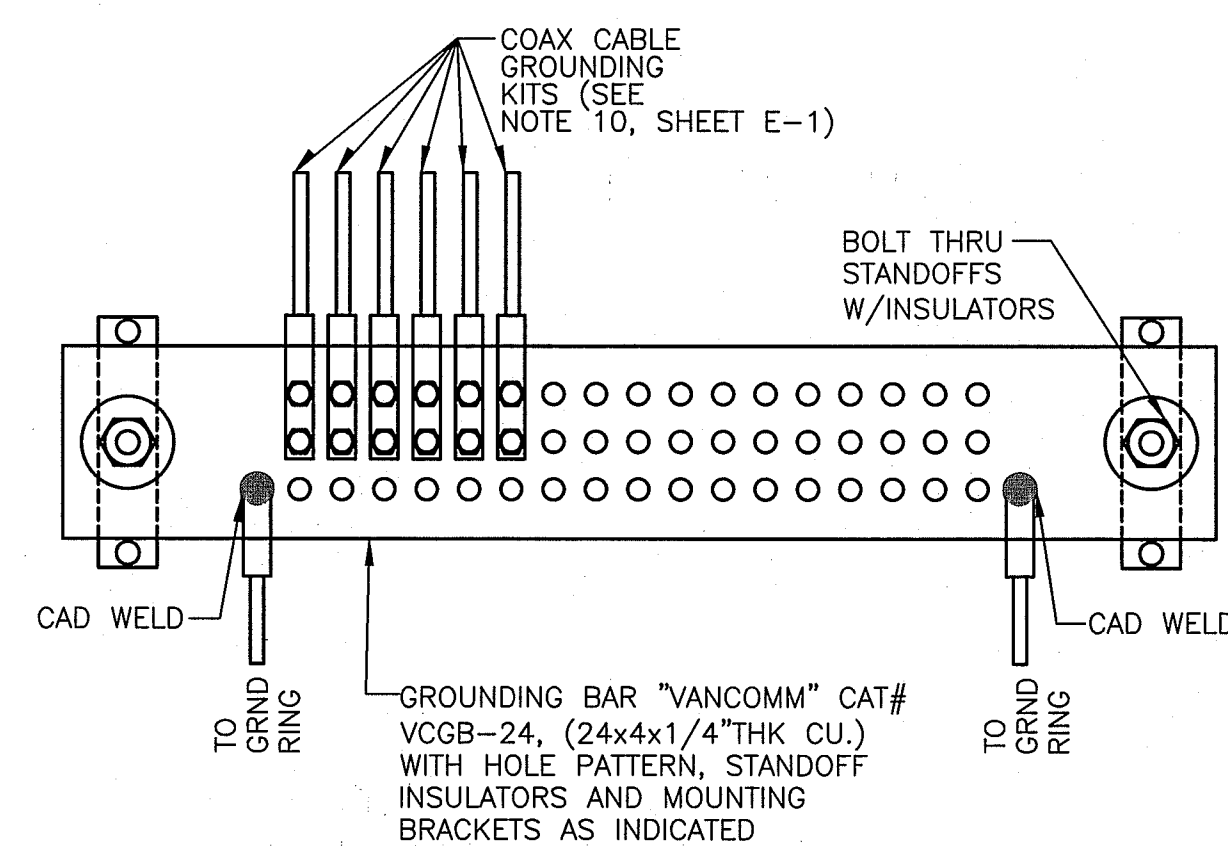
GROUND BAR CONNECTIONS

N.T.S.



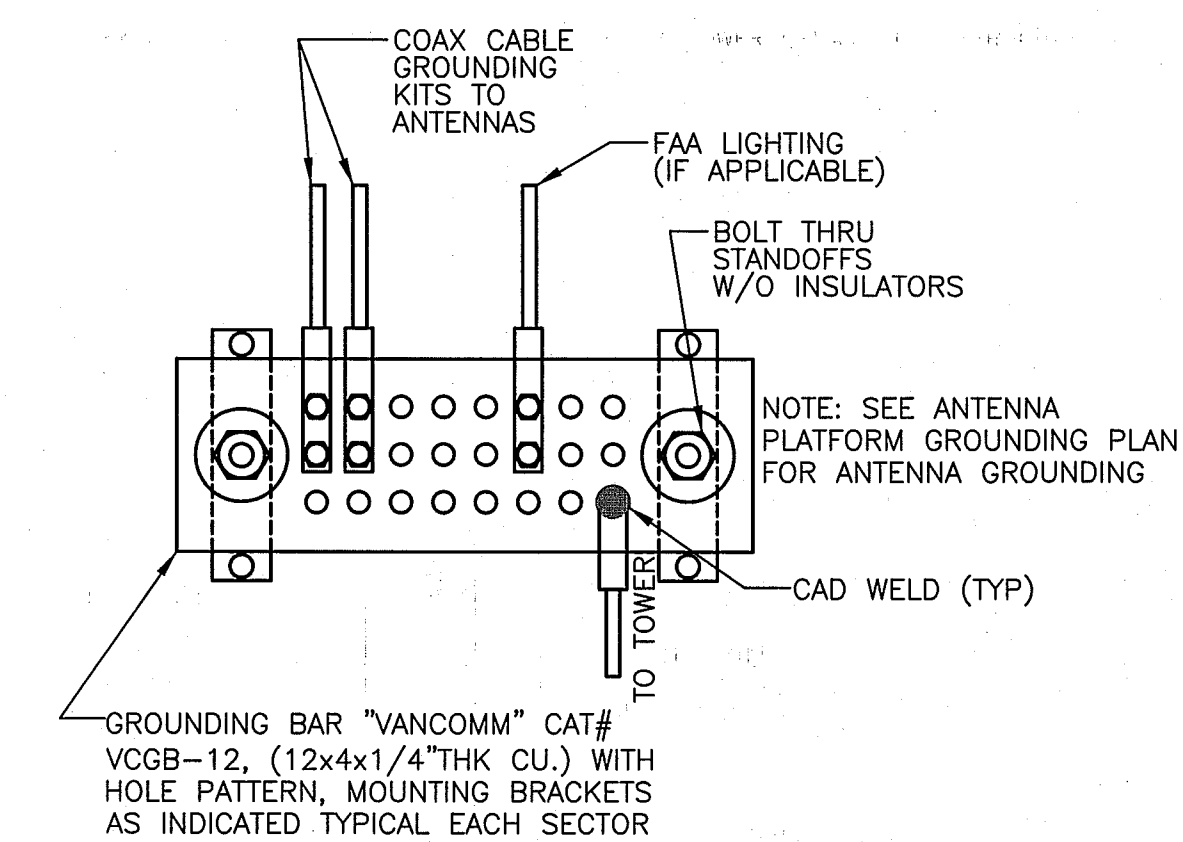
GROUNDING RISER DIAGRAM

N.T.S.



MASTER GROUND BAR (MGB)

N.T.S.



COLLECTOR GROUND BAR (CGB)

N.T.S.



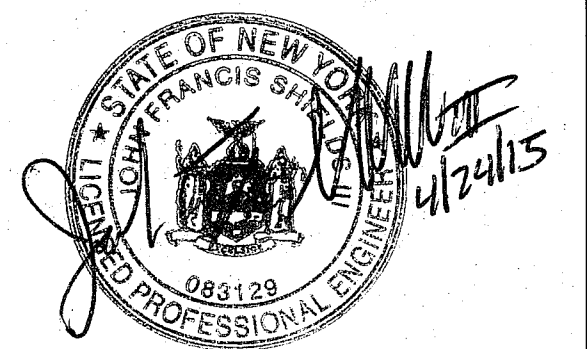
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| DESIGNED BY: | DRB | DATE: | 3/18/15 |
| APPROVED BY: | DWC | A&E PROJECT #: | 13-B-229 |

| PLAN REVISIONS | NO. | DATE | DESCRIPTION | BY | DRB |
|----------------|-----|---------|-------------------|----|-----|
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| | |
|---------------|------------------------------------|
| SITE NUMBER: | BUF-514 |
| SITE NAME: | HOLIDAY TWIN RINKS |
| SITE ADDRESS: | 3465 BROADWAY BUFFALO, NY 14227 |
| SITE TYPE: | CO-LOCATION |

| | |
|--------------|--------------------------|
| SHEET TITLE: | GROUNDING DETAILS |
| DRAWING #: | G-2 |
| REVISION: | 0 |



Town of Cheektowaga

Work Session

~ Minutes ~

Cheektowaga, NY 14227

<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, June 30, 2015

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on June 30, 2015 at Council Office, Conference Room, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

II. At 6:38 PM Resolutions



1. RESOLUTION 2015-359

Renewal of Excess Liability Insurance

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town's Excess Liability Insurance Coverage expires on July 1, 2015; and

WHEREAS, Holfoth Risk Management, the Town's insurance consultant, solicited proposals from brokers for the renewal of the Town's Excess Liability Insurance Coverage; and

WHEREAS, after review of the proposals received, Holfoth Risk Management recommends that the Town of Cheektowaga accept the proposal of Starr Indemnity & Liability Company (through Lawley Service, Inc.) for \$10,000,000 excess liability insurance coverage (including terrorism) (with \$1,000,000 retention/deductible); and

WHEREAS, this Town Board wishes to award the above referenced Town's Excess Liability Insurance to Starr Indemnity & Liability Company; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the Town's Excess Liability Insurance as stated above to Starr Indemnity & Liability Company (through Lawley Service, Inc.) for the period from July 1, 2015 to July 1, 2016 for a premium of \$202,981.00; and BE IT FURTHER

RESOLVED, that payment for said insurance premium shall be appropriated from budget line item number 101.1710.4101; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents to effectuate this excess liability insurance coverage.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-360

Renewal of Crime/Public Employee Dishonesty Insurance

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town's Crime/Public Employee Dishonesty Insurance Coverage expires on July 1, 2015; and

WHEREAS, Holfoth Risk Management, the Town's insurance consultant, solicited proposals from brokers for the renewal of the Town's Crime/Public Employee Dishonesty Insurance Coverage; and

WHEREAS, after review of the proposals received, Holfoth Risk Management recommends that the Town of Cheektowaga accept the proposal of Travelers Casualty and Surety Company of America (through Lawley Service, Inc.) for \$1,000,000 crime/public employee dishonesty insurance coverage (with \$10,000 retention/deductible); and

WHEREAS, this Town Board wishes to award the above referenced Town's Crime/Public Employee Dishonesty Insurance to Travelers Casualty and Surety Company of America; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the Town's Crime/Public Employee Dishonesty Insurance as stated above to Travelers Casualty and Surety Company of America (through Lawley Service, Inc.) for the period from July 1, 2015 to July 1, 2016 for a premium of \$4,256.00; and BE IT FURTHER

RESOLVED, that payment for said insurance premium shall be appropriated from budget line item number 101.1710.4101; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents to effectuate this crime/public employee dishonesty insurance coverage.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-361

Renew Flood Insurance Coverage for Anna Reinstein Library

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town's Flood Insurance Coverage for the Anna Reinstein Library at 2580 Harlem Road will be expiring on July 19, 2015, and

WHEREAS, Holfoth Risk Management, the Town's insurance consultant, solicited a renewal quote from American Bankers Insurance Company (guaranteed through the Federal Flood Program) for this flood insurance coverage, and has recommended that we renew said insurance through American Bankers Insurance Company, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the flood insurance for the Anna Reinstein Library with coverage to American Bankers Insurance Company in the amount of \$500,000 for Building and \$100,000 for Contents for an annual premium of \$3,816.00, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents to effectuate this flood insurance coverage.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-362

Installation of six (6) Fire Hydrants on the Southern Half of Zurbrick Road

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, Zurbrick Road is a public highway which runs from Borden Road to Transit Road, the northern one-half of which is owned and maintained by the Village of Depew and the southern one-half of which is owned and maintained by the Town of Cheektowaga, AND

WHEREAS, the Town of Cheektowaga and the Village of Depew entered into a Municipal Cooperation Agreement for the full depth reconstruction of Zurbrick Road by Town Board Resolution #2015-131 at a meeting held on March 2, 2015, AND

WHEREAS, said project also includes significant water main improvements to facilities owned by the Erie County Water Authority, including the relocation of four (4) existing fire hydrants and the installation of two (2) additional fire hydrants on the south side of Zurbrick Road at the following locations:

Station 4 + 25
Station 9 + 25
Station 14 + 25
Station 19 + 75
Station 25 + 25
Station 30 + 60

AND,

WHEREAS, the Erie County Water Authority has determined that relocation of the existing four (4) fire hydrants and the addition of two (2) fire hydrants to the south side of Zurbrick Road is necessary due to the Cayuga Creek Stabilization Project completed on the north side of Zurbrick Road, AND

WHEREAS, said hydrant relocation will enhance public safety, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board approves the relocation and additional installation of the aforesaid fire hydrants, which fees are billed directly to the Bellevue Fire District No. 9 under existing arrangements which are in place with the Town Accounting Department, AND, BE IT FURTHER

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

Mr. Richard Rosenberry, P.E.
Erie County Water Authority
3030 Union Road
Cheektowaga, New York 14227

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Gerald Kaminski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

III. At 6:50 PM Work Session Continues

IV. At 6:51 PM Exit Work Session to Enter Into Executive Session

Motion by Supervisor Holtz; Seconded by Councilmember Meyers to Enter into Executive Session To discuss personnel matters, including potential discipline of employees in various department and the termination and hiring of various employees in various departments. Motion Carried.

V. At 7:04 PM Exit Executive Session and Work Session Continues

Motion by Councilmember Meyers; Seconded by Councilmember Kaminski.. Motion Carried.

VI. At 7:14 PM Exit Work Session

Motion by Supervisor Holtz; Seconded by Councilmember Benczkowski. Motion Carried.



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, July 6, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on July 6, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Lisa Marie Bolognese, Director of the Department and Information Technology and Records Management

Patrick Bowen, Town Engineer

Robert Brandon, Zoning Board Chairman

Ellen Fischer, Executive Director - Youth Board

Carla A. Kosmerl, Director of Community Development

Brian Krause, Director of Finance and Administration

Karen Marchese, Coordinator of Employee Relations

Kevin Schenk, Town Attorney

Mark Wegner, Highway Superintendent

II. Public Comment Period

III. Public Hearings

1. Demolition of 2580 Union Road

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Christine Adamczyk, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Demolition of 15 Hedwig Avenue

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Christine Adamczyk, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

3. Install Curbing Along Southcrest Avenue

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Gerald Kaminski, Councilmember
SECONDER: Mary Holtz, Supervisor
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-363

Warrant

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to July 3, 2015 are hereby approved and made part hereof;

| | |
|------------------------|---------------|
| GENERAL FUND | 2,768,903.04 |
| RISK RETENTION FUND | 893,383.61 |
| DEBT | 789,584.50 |
| SPECIAL DISTRICTS FUND | 4,585,098.45 |
| HIGHWAY FUND | 541,085.82 |
| CAPITAL FUND | 806,766.15 |
| TRUST & AGENCY FUND | 89,254.31 |
| HUD CDBG FUND | 913.91 |
| PART TOWN FUND | 109,160.45 |
| | <hr/> |
| | 10,584,150.24 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-364

Amend Resolution 2015-185

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, by Resolution 2015-185 adopted April 6, 2015, this Town Board awarded the contract for grass cutting of Town-owned properties to Dreamscapes Development, Inc. db/a Dreamscapes Landscaping, 5 Indian Road, Cheektowaga, New York, 14227; and

WHEREAS, said Resolution inadvertently referred to the contract year "2014" instead of "2015"; and

WHEREAS, said Resolution must be amended to correct the mistake; NOW, THEREFORE, BE IT

RESOLVED, that Resolution 2015-185, adopted April 6, 2015, be and is hereby amended to read "Award Contract for Grass Cutting of Town-Owned Properties for 2015"; and BE IT FURTHER

RESOLVED, that this Resolution shall be effectively immediately.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-365

Negative SEQR Declaration 4960 Transit Road - Wegmans

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by Wegmans Food Markets, Inc. for the construction of a 15,700 s.f. retail building at 4960 Transit Road, 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, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of June 11, 2015, AND

WHEREAS, the Town of Cheektowaga Conservation Advisory Committee has reviewed the subject project and is recommending the preservation of as many trees as practicable and the replacement of trees elsewhere on premises consistent with , AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is recommending its approval, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on June 3, 2015 recommended a determination of non-significance, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee ,the Planning Board, the Traffic Safety Commission and the Conservation Advisory Council NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-366

Accept Site Plan-4960 Transit Road Wegmans

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Wegmans Food Markets submitted a development review application for the construction of a 15,700 s.f. retail building at 4960 Transit Road , AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of June 11, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The Town Engineer reviewing and approving the drainage /grading plan.
2. The applicant providing compensatory trees pursuant to section 229-5 of the Town Code.
3. The applicant permitting a driveway access easement to its Transit Road driveway from 4970 Transit Road, recognizing the conditions/limitations the applicant has expressed in its attached letter dated June 8, 2015, for such access easement.

Attachments:

Wegmans 6.8.15 Letter to Town RE Cross Access Driveway-Easement (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-367

Approval of the Improvement of Southcrest Avenue by the Construction and Installation of Curbing

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a written petition dated June 3, 2015 was heretofore presented and filed with the Town Board of the Town of Cheektowaga pursuant to Section 200 of the Town Law of the State of New York, praying for the improvement of the following portion of Southcrest Avenue (the area benefited by said improvement):

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 12, Township 11, Range 7 of the Holland Land Company's Survey, generally described as follows:
Southcrest Avenue, both sides, from the east side of Union Road to the west side of Orchard Place.

by the construction and installation of curbing and other necessary related improvements in connection therewith along the entire length on both sides of the portion of Southcrest Avenue described above, at a maximum cost of \$79,536.00, and

WHEREAS, a pavement has been heretofore constructed along said portion of Southcrest Avenue described in the petition, said petition was signed by the owners of real estate fronting or abutting upon either side of the portion of Southcrest Avenue to be improved, to the extent of at least one-half of the entire frontage or bounds on both sides of the portion of said street to be improved, and the resident owners owning not less than one-half of the frontage owned by resident owners residing in or along the portion of said street covered or represented by said petition, was duly acknowledged or proved by all signers thereof in the same manner as a deed to be recorded, and provided that the expense of the construction of said improvement shall be borne by local assessment upon the several parcels of land especially benefited thereby all as stated in said petition and as more fully provided by applicable law, and

WHEREAS, the Town Board thereafter adopted an Order reciting in general terms the filing of said petition, the improvements proposed, the maximum amount proposed to be expended for the improvement and the area benefited as stated in the petition, and stating that the Town Board would meet to hear all persons interested in the improvement of said portion of Southcrest Avenue described in the petition on July 6, 2015 at 6:45 P.M. at the Town Hall, and

WHEREAS, copies of said Order, certified by the Town Clerk, were duly published and posted pursuant to the provisions of Article 12 of the Town Law, and

WHEREAS, such public hearing was duly held by the Town Board on the 6th day of July, 2015 at the Town Hall in said Town at 6:45 P.M. and discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to the improvement of said portion of Southcrest Avenue,

NOW, THEREFORE, BE IT

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that

- (a) the notice of public hearing, hereinabove referred to in the recitals thereof, was published and posted as required by law and is otherwise sufficient;
- (b) it is in the public interest to so improve said portion of Southcrest Avenue, in the Town, as hereinabove referred to in the recitals hereof;
- (c) all the real property fronting or abutting upon both sides of said portion of Southcrest Avenue to be improved as described in the petition, being the area benefited by the improvement, is benefited thereby.

Section 2. Curbs and other necessary improvements shall be constructed and installed along both sides of said portion of Southcrest Avenue described in the petition, as hereinabove referred to in the recitals hereof, in accordance with the specifications required by the Town, now in effect, at a cost not to exceed \$79,536.00, the maximum amount proposed to be expended thereof as stated in the petition.

Section 3. The Town Engineer shall prepare definite plans and specifications and make a careful estimate of the expense of said improvement, and with the assistance of the Town Attorney, prepare a contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible.

Section 4. It is hereby determined that the expense of said improvement shall be paid initially out of the general fund of the Town of Cheektowaga and paid back through the levy and collection of special assessments from the several lots and parcels within the Town which the Town Board shall determine to be especially benefited by said improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same, to pay back the principal of and interest on said funds over a period of 5-10 years.

Section 5. The Town Clerk is hereby directed to record a certified copy of this Resolution Approving the Improvement of Southcrest Avenue by the Construction and Installation of Curbing in the Office of the Clerk of the County of Erie within ten (10) days after the adoption thereof.

Section 6. This resolution shall take effect immediately.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |




6. RESOLUTION 2015-368

Notice to Bidders for the Purchase of One Radar Speed Trailer for the Police Department (Bid 2015-23 PD)

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

BE IT RESOLVED, that the Town Clerk is hereby directed to publish a Notice to Bidders for the for the purchase of One (1) New and Unused Kustom Signal Model SMART 850 or RU-2 Fast Radar Speed Trailer (or Equivalent) for the Cheektowaga Police Department (Bid 2015-23 PD); and BE IT FURTHER

RESOLVED, that sealed bids will be received by the Town Clerk on the 22nd day of July 2015 at 11:00 A.M., at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, 14227.



NOTICE TO BIDDERS (BID 2015-23 PD)

Sealed proposals will be received and opened by the Town Clerk of the Town of Cheektowaga on July 22, 2015 at 1100 A.M. in the Council Chambers, Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, for the purchase of One (1) New and Unused Kustom Signal Model SMART 850 or RU-2 Fast Radar Speed Trailer (or Equivalent) (Bid 2015-23 PD) for the Cheektowaga Police Department.

Information for bidders and specifications may be obtained from the Town Clerk at her office in said Town. One bid is to be submitted for the purchase of One (1) New and Unused Kustom Signal Model SMART 850 or RU-2 Fast Radar Speed Trailer (or Equivalent) as 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.

Alice Magierski, Town Clerk

Dated: July 6, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-369

Notice to Bidders - Cleaning, Televising & Rehabilitation of Sanitary Sewer Facilities thru Cured-in-Place Pipe (Bid #2015-24)

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, it is in order that bids be advertised for the Cleaning, Televising and Rehabilitation of Sanitary Sewer Facilities thru Cured-in-Place Pipe in the Town of Cheektowaga, AND

WHEREAS, the Engineering Department has completed preparation of bid specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Cleaning, Televising and Rehabilitation of Sanitary Sewer Facilities thru Cured-in-Place Pipe in the Town of Cheektowaga (Bid #2015-24), said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 29th day of July, 2015 at 11:00 am 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 July 29, 2015 at 11:00 A.M., at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the Cleaning, Televising and Rehabilitation of Sanitary Sewer Facilities thru Cured-in-Place Pipe (CIPP) in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Rehabilitation of Sanitary Sewer Facilities thru Cured-in-Place Pipe (CIPP)" and submitted to the Town Clerk prior to bid opening.

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

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

Please be advised that in accordance with a resolution adopted by the Cheektowaga

Town Board on December 23, 2008, effective December 24, 2008, contractors on all construction contracts with a value in excess of \$1,000,000 and up to \$3,000,000 must have Apprenticeship Agreements appropriate for the type and scope of work to be performed that have been registered with and approved by the New York State Commissioner of Labor in accordance with Article 23 of the New York Labor Law.

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk

DATED: July 6, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-370

Authorize Town Clerk to Issue New/Renewal Ambulance Drivers/Attendants Licenses

Sponsored By: Supervisor Holtz, Councilmember Rogowski

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

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

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

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

| <u>Name</u> | <u>Expiration Date</u> |
|-----------------------------|------------------------|
| Carlucci III, Kenneth A , , | 3/31/2016 |
| Catalano, Cody A , , | 1/31/2018 |
| Colatosti, Paul M II , , | 4/30/2018 |
| Fenik, Brian M , , | 5/31/2018 |
| Fremming, Timothy J , , | 1/31/2018 |
| Greenwell, David A , , | 2/28/2018 |
| Ijaz, Abdullah , , | 2/28/2018 |
| Jarosz, Stephanie , , | 2/28/2017 |
| Jones, Bradley K , , | 6/30/2017 |
| Kruger, Wayne M , , | 8/31/2017 |
| Kuczmarski, Brandon J , , | 1/31/2018 |
| Liguori, Frank L , , | 4/30/2018 |
| Lines, Joel P , , | 4/30/2018 |
| Martin, Megan K , , | 2/28/2018 |
| McCartin, Robert W , , | 4/30/2018 |
| Nati, Frank A , , | 2/28/2018 |

| | | |
|-----------------------|-----|-----------|
| Nowak, Kate Lynn M | , , | 3/31/2018 |
| Pratt, Joseph M | , , | 9/30/2017 |
| Prims, Jenna R | , , | 2/28/2018 |
| Roessler, John R. | , , | 2/28/2017 |
| Smith, Eric D | , , | 2/28/2018 |
| Stromecki, Courtney E | , , | 1/31/2018 |
| Szewc, William O | , , | 4/30/2018 |
| Williams, Eugene A. | , , | 2/28/2018 |

RESULT: ADOPTED [UNANIMOUS]

MOVER: Mary Holtz, Supervisor

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



9. RESOLUTION 2015-371

Authorize Supervisor to Execute Agreement for Fiber Optic Communications Network

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga is interested in expanding our Wide Area Network in an effort to both manage the evolution of advanced technology and control scalability ; and

WHEREAS, Fibertech Networks, was awarded a New York State contract (OGS Contract # PS64720), through the Office of General Services to supply comprehensive Fiber Optic Communication Network services to local governments in New York State; and

WHEREAS, the Town has met with representatives of Fibertech Networks and they have submitted a proposal to the Town to provide the Fiber Optic Communications Network and to provide service for same, all as more fully set forth in the Master Facilities Agreement; and

WHEREAS, it is advantageous to the Town to enter into an agreement with Fibertech Networks for the above services; NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor shall have power to execute the necessary documents, and hereby is authorized to make any changes, insertions and omissions as agreed upon by Fibertech Network and the Town; and BE IT FURTHER

RESOLVED, that this Town Board hereby authorizes the Supervisor to execute the necessary contracts and all other necessary documents with Fibertech Technologies for the aforementioned Fiber Optic Communication Network services, at a cost not to exceed \$4,685.00 per month for sixty (60) months, together with an additional approximate \$2,400.00 for a Service Implementation Fee; and BE IT FURTHER

RESOLVED, that funds for Fiber Optic Communication Networks shall be appropriated through budget line item number 0100-1680-4204.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-372

Authorize Supervisor to Execute Agreement for Network Services

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga Information Technology Department manages the Town's Network Infrastructure which consists of Cisco Systems, and

WHEREAS, due to problems being experienced with the existing system, it is necessary to upgrade existing critical network equipment, and

WHEREAS, iNergex, LLC is the registered dealer for the Town of Cheektowaga's purchase of Cisco Systems Capital Equipment (Cisco: U.S. OIP [14852240](tel:14852240) <tel:14852240> for Town of Cheektowaga) and has highly qualified and certified technicians in immediate area for the installation of this critical equipment, and

WHEREAS, iNergex, LLC has submitted a proposal dated June 25, 2015 to the Department of Information Technology to upgrade the existing Town Network, and

WHEREAS, it is advantageous to the Town to enter into an agreement iNergex. LLC for the above services; and

WHEREAS, the Director of Information Technology has reviewed the proposal submitted by iNergex, LLC and has recommended that the Town accept this proposal, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the Supervisor to execute the necessary contracts with iNergex, LLC to provide project management and upgrade of the existing Network for the Town of Cheektowaga at a cost not to exceed \$31,995.00, and BE IT FURTHER

RESOLVED, that funds for iNergex, LLC shall be appropriated through budget line item number 0100-1680-4146.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-373

Authorize Supervisor to Execute Lease Agreement for Network Equipment

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town Board of the Town of Cheektowaga desires to obtain certain Cisco equipment described in Cisco Capital Master Lease Agreement (collectively, the "Lease") with Cisco Systems Capital Corporation ("Lessor"), the form of which has been available for review by this Town Board of the Town of Cheektowaga prior to this meeting; and

WHEREAS, the Equipment is essential for the Town to maintain and grow its technical infrastructure in order to perform day-to-day governmental functions; and

WHEREAS, the Town currently solely utilizes Cisco equipment in its network, and the Town must continue to utilize Cisco equipment to ensure proper functioning and stability of our network, especially due to our network maintaining system of public safety, and

WHEREAS, Cisco is the sole source for this type of compatible equipment, and

WHEREAS, the Town has taken the necessary steps to arrange for the acquisition of the Equipment; and

WHEREAS, the Town proposes to enter into the Lease with Cisco Systems Capital Corporation; and

WHEREAS, this Lease is authorized under Section 109-b of the General Municipal Law of the State of New York; **NOW, THEREFORE, BE IT**

RESOLVED, that the terms of the Lease Agreement (collectively, the "Financing Documents") in the forms presented to this Town Board and incorporated in this Resolution are in the best interests of the Town for the continuity of the Town's technical infrastructure by the purchase of the Equipment; and **BE IT FURTHER**

RESOLVED, that the Financing Documents and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved; and **BE IT FURTHER**

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to execute contracts with Lessor on behalf of the Town, and hereby is authorized to execute Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents; and **BE IT FURTHER**

RESOLVED, that this Town Board hereby authorizes the Supervisor to execute the necessary contracts and all other necessary documents with Cisco Systems Capital Corporation for the aforementioned Master Lease Agreement, at a cost not to exceed \$173,406 for five years and shall be appropriated through budget line item #0100-1680-4208, and **BE IT FURTHER**

RESOLVED, that the above resolution has not been repealed or amended and remains in full force and effect and, further that any changes, insertions and omissions shall be approved by the officers who executed the same.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-374

Execute Final Contract Acceptance Documents With Industrial Power and Lighting Corporation

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the contract for the Electrical Work at the Police and Court Building Renovation and Addition was awarded to Industrial Power & Lighting Corporation by Town Board Resolution dated September 7, 2010, AND

WHEREAS, Trautman Associates (Project Architect) and the Town Engineer have advised that work under the aforesaid contract has been completed in accordance with the contract documents, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board accepts the completed project and directs the Supervisor to execute final contract acceptance documents with Industrial Power & Lighting Corporation, 60 Depot Street, Buffalo, New York 14206.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-375

Accept Easement from Maryvale School District

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, the Town of Cheektowaga will be replacing the traffic signal on Maryvale Drive at the entrance to the Maryvale School property as an enhancement to public safety, and

WHEREAS, the Town has received Federal Safe Crossings Transportations Alternatives grant funding for crosswalk enhancements at this intersection, and

WHEREAS, the Town of Cheektowaga requires an easement from Cheektowaga-Maryvale Union Free School District ("Maryvale School District") for the placement of the traffic signal pole and appurtenances on the Maryvale School District property, and

WHEREAS, the Maryvale School District has agreed to convey said easement to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned easement from the Maryvale School District, and BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-376

Accept Proposal for Office Furniture Installation

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga Assessor's Department is currently under renovation and is in need of office furniture to complete the renovations, AND

WHEREAS, Innerspace Office Interiors has provided a proposal to furnish and install all required furnishings within New York State contract pricing, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Innerspace Office Interiors, 3901 Genesee Street, Suite 600, Buffalo, New York 14225, as submitted to the Engineering Department for the furnishing and installation of office furniture for the Assessor's Office is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the proposal in the amount of \$26,780.47 for said office furniture shall be chargeable to Account #500-1625-2520-5529.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-377

Approval of Successor Agreement with Public Safety Dispatchers Association

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association expired on December 31, 2012, and

WHEREAS, the Town and the Town of Cheektowaga Public Safety Dispatchers Association have negotiated and have agreed upon a successor agreement, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts and approves the successor agreement with the Town of Cheektowaga Public Safety Dispatchers Association from January 1, 2013 through December 31, 2015, and BE IT FURTHER

RESOLVED, that the Town Supervisor be and hereby is authorized to execute the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association for the term beginning on January 1, 2013 and ending on December 31, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-378

Approve Health Insurance Stop Loss Contract

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga is self insuring its health insurance, and

WHEREAS, stop loss insurance is utilized in this process, and

WHEREAS, Lawley insurance, the Town's health brokers, has solicited bids and recommended that HM Life Insurance Company of New York's proposal is most advantageous to the Town's self insurance plan, NOW THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the contents of the one (1) year stop loss contract with HM Life insurance company of NY, and BE IT FURTHER

RESOLVED, the this contract shall be effective as of August 1, 2015 and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the contract with HM Life Insurance Company of New York, and any and all other documents necessary to effectuate the insurance coverage called for under such contract.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-379

Order Replacement of Sidewalks

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, Chapter 210 of the Code of the Town of Cheektowaga (Streets and Sidewalks) sets forth the specifications for the construction of sidewalks in the Town of Cheektowaga, and

WHEREAS, Section 200-a of the Town Law of the State of New York authorizes a town board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks in towns between the town and property owners, and

WHEREAS, this Town Board, by Local Law No. 4 of the Year 1991 and Local Law No. 5 of the Year 2008 (amended by Local Law No. 3 of the Year 2013), adopted provisions to apportion the cost of relaying or repairing sidewalks in the Town of Cheektowaga between the Town and property owners, and

WHEREAS, the Town Superintendent of Highways has supplied this Town Board with the attached list of sidewalks in the Town which are in need of repair or replacement, NOW, THEREFORE, BE IT

ORDERED, that the owners of properties on the attached list be and hereby are directed to repair/replace the sidewalks abutting such properties on or before October 1, 2015, in accordance with the Town's Streets and Sidewalks Law, and BE IT FURTHER

ORDERED, that, should such property owners neglect to or choose to not repair/replace their sidewalks as so notified before October 1, 2015, the Town will cause such sidewalks to be repaired/replaced; will pay \$47.20 - \$48.80 for each 5-foot linear block repaired/replaced; and will assess/charge the property owner the balance over a period of five (5) years on the County/Town tax bill, with interest at the rate of 6.00 % as authorized by State law; or, at the property owner's option, payment may be made in one lump sum before December 1, 2015, and BE IT FURTHER

ORDERED, that the Town Clerk be and hereby is directed to notify the owners of properties identified on the attached list of the adoption of this Order by sending the attached Notice via certified mail to each owner at his/her/their address as it appears on the Town Assessment Roll.

NOTICE OF ADOPTION OF ORDER **OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA**

TAKE NOTICE THAT, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on July 6, 2015,

YOU ARE HEREBY ORDERED to repair the sidewalk in front of your property.

Such work must be completed on or before **October 1, 2015.**

In the event you neglect or choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done. The Town will audit and pay \$47.20 - \$48.80 for each 5-foot linear block replaced; and will assess the remaining expense thereof (including interest at the rate of 6.00%) against your property in five (5) annual installments; this amount will be added to your town tax bills for the next five (5) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so on or before December 1, 2015. You will be notified of the amount you owe for sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$70.80 - \$73.20 per 5-foot linear block of sidewalk.

If you choose to perform the work yourself or have a contractor perform such work, be advised that you will be responsible for paying 100% of the cost of the sidewalk work **(the Town will not pay anything towards your cost).**

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

DATED: July 6, 2015

ALICE MAGIERSKI
Town Clerk

Attachments:

Sidewalk list July 6 2015-06152015014319 (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-380

Authorize Entecco to Perform Energy Assessment of Town Buildings

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga, with its various Town-owned buildings, spends large sums of money annually for electricity, and

WHEREAS, Entecco, a private energy company, has approached the Town with a potential plan to save the Town thousands of dollars with a solar energy project(a/k/a Smart Energy Integration), and

WHEREAS, Entecco has offered, at no cost to the Town, as a Phase I to this project, to perform a broad assessment of Town buildings, to determine the feasibility of converting the electrical systems in additional Town buildings to this Smart Energy Integration, and

WHEREAS, this Board feels that this Phase I Assessment, at no cost to the Town, is worth looking into, NOW, THEREFORE, BE IT

RESOLVED, that representatives of Entecco are hereby authorized to perform the Phase I Assessment of Town buildings to determine whether Smart Energy Integration will work for the Town, subject to execution of a Confidentiality Agreement approved by the Town Attorney, and BE IT FURTHER

RESOLVED, that Town Department heads be and hereby are directed to cooperate with Entecco on this assessment.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-381

Direct Verizon to Provide Fiber-Optic Internet Access to the Town of Cheektowaga

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, reliable, affordable, high-speed internet is a necessity, not a luxury, in today's world, and the fastest, most reliable internet access is via fiber-optics; and

WHEREAS, the lack of high speed internet access required by local businesses is discouraging them from expanding into the Cheektowaga area; and

WHEREAS, all businesses, schools and residents in the Town of Cheektowaga should not be denied the same access and services that are readily available to consumers in West Seneca, Tonawanda, Kenmore, Orchard Park, and Lackawanna, along with parts of Amherst and other local communities; and

WHEREAS, Verizon is refusing to complete and expand the installation of its fiber-optic cable in remaining portions of Cheektowaga, claiming that it cannot justify the cost of the installation of fiber-optic cables, that hooking them up to the homes of potential customers is expensive, and that it takes a long time for Verizon to recover that investment; and

WHEREAS, despite such claims, FiOS is indeed profitable for Verizon; and

WHEREAS, New York State has appropriated \$500 million dollars of taxpayer monies in the State budget to enable Verizon to build a fiber-optic network across the State; and

WHEREAS, Verizon is a public utility and controls rights-of-way and, as such, has an obligation to provide high-speed services to all users; and

WHEREAS, the Public Service Commission has the regulatory authority to demand that Verizon act if it fails to do so; and

WHEREAS, Legislative and public pressure upon Verizon would raise the likelihood of it yielding to the demand the installation of fiber-optic cables and completion of work already begun locally, thereby favoring and benefiting the interests of consumers; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the Public Service Commission to use their regulatory authority and direct Verizon to immediately take all action necessary to deliver and make available to our community high speed internet access via the installation of fiber-optics; and BE IT FURTHER

RESOLVED, that this Town Board hereby encourages all residents to contact the Public Service Commission, request the voice mail of the Commissioners, and leave a detailed message (telephone number (518) 474-6530) demanding that Verizon make available fiber-optic services to all users; and BE IT FURTHER

RESOLVED, that this Town Board, on behalf of the residents of Cheektowaga, requests

that the Assembly and Senate support this action on behalf of their constituents.



Motion by Councilmember Rogowski; Seconded by Supervisor Holtz to amend the resolution. Motion Carried.



WHEREAS, reliable, affordable, high-speed internet is a necessity, not a luxury, in today's world, and the fastest, most reliable internet access is via fiber-optics; and

WHEREAS, the lack of high speed internet access required by local businesses is discouraging them from expanding into the Cheektowaga area; and

WHEREAS, all businesses, schools and residents in the Town of Cheektowaga should not be denied the same access and services that are readily available to consumers in West Seneca, Tonawanda, Kenmore, Orchard Park, and Lackawanna, along with parts of Amherst and other local communities; and

WHEREAS, Verizon is refusing to complete and expand the installation of its fiber-optic cable in remaining portions of Cheektowaga, claiming that it cannot justify the cost of the installation of fiber-optic cables, that hooking them up to the homes of potential customers is expensive, and that it takes a long time for Verizon to recover that investment; and

WHEREAS, despite such claims, FiOS is indeed profitable for Verizon; and

WHEREAS, New York State has appropriated \$500 million dollars of taxpayer monies in the State budget to enable Verizon to build a fiber-optic network across the State; and

WHEREAS, Verizon is a public utility and controls rights-of-way and, as such, has an obligation to provide high-speed services to all users; and

WHEREAS, the Public Service Commission has the regulatory authority to demand that Verizon act if it fails to do so; and

WHEREAS, Legislative and public pressure upon Verizon would raise the likelihood of it yielding to the demand the installation of fiber-optic cables and completion of work already begun locally, thereby favoring and benefiting the interests of consumers; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the Public Service Commission to use their regulatory authority and direct Verizon to immediately take all action necessary to deliver and make available to our community high speed internet access via the installation of fiber-optics; and BE IT FURTHER

RESOLVED, that this Town Board hereby encourages all residents to contact the Public Service Commission, request the voice mail of the Commissioners, and leave a detailed message (telephone number (518) 474-6530) demanding that Verizon make available fiber-optic services to all users; and BE IT FURTHER

RESOLVED, that this Town Board, on behalf of the residents of Cheektowaga, requests that the Assembly and Senate support this action on behalf of their constituents., and BE IT FURTHER

RESOLVED, that the Town Clerk notify the CEO of Verizon in New York City; the Local Verizon Representative, State Senator Timothy Kennedy and NYS Assemblywoman Angela Wozniak.

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| RESULT: | ADOPTED AS AMENDED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-382

SEQR Determination - Beach Road/ Vegola Avenue Relief Sanitary Sewer Project

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by the Town Engineering Department for the construction of a 30 inch sanitary relief sewer which is 6,500 lineal feet in length, and which will eliminate two existing sewer overflows, 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, pursuant to section 617.5(c)(11) of the SEQR regulations, the subject project is exempt from the provisions of the State Environmental Quality Review Act, AND

WHEREAS, the NY State Historic Preservation Office (SHPO), has review the project and has indicated that the project will not impact archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places, as shown on the attached determination dated June 16, 2015, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on June 3, 2015 recommended a determination of non-significance, 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 and has further determined pursuant to section 617.5(c)(11) of the State Environmental Quality Review Act regulations the project is an exempt action for purposes of the State Environmental Quality Review Act (SEQRA).

Attachments:

OPRHP No Impact Letter (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-383

Unsafe-Unsecured/155 Avery Place

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 155 Avery Place, Cheektowaga, New York SBL# 101.44-2-4 that is a danger to the safety of others, and records kept by the Assessors Office identify Joann Brown, 155 Avery Place, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 155 Avery Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-384

Unsafe Fence/10 Cloverdale Road

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 10 Cloverdale Road, Cheektowaga, New York SBL# 91.06-10-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Charles & Lynn Marie Champagne, 10 Cloverdale Road, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 10 Cloverdale Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-385

Unsecured Inground Pool/10 Cloverdale Road

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 10 Cloverdale Road, Cheektowaga, New York SBL# 91.06-10-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Charles & Lynn Marie Champagne, 10 Cloverdale Road, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 10 Cloverdale Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-386

Unsecured Inground Pool/138 Cunard Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 138 Cunard Avenue, Cheektowaga, New York SBL# 91.15-10-2 that is a danger to the safety of others, and records kept by the Assessors Office identify Richard & Teresa Liberti, 138 Cunard Avenue, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 138 Cunard Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-387

Unsafe-Unsecured/8 Dartwood Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Dartwood Drive, Cheektowaga, New York SBL# 125.11-1-11 that is a danger to the safety of others, and records kept by the Assessors Office identify Irene Hulse, 18 Buffum St, Buffalo, New York 14210, as the owner AND

WHEREAS, an inspection of such premises was conducted at 8 Dartwood Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



26. RESOLUTION 2015-388

Unsafe-Unsecured/51 Euclid Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 51 Euclid Avenue, Cheektowaga, New York SBL# 101.60-3-37 that is a danger to the safety of others, and records kept by the Assessors Office identify Clare Knoll, 51 Euclid Avenue, Cheektowaga, New York 14211, as the owner AND

WHEREAS, an inspection of such premises was conducted at 51 Euclid Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



27. RESOLUTION 2015-389

Unsafe-Unsecured/2585 Genesee Street

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 2585 Genesee Street, Cheektowaga, New York SBL# 91.78-1-2 that is a danger to the safety of others, and records kept by the Assessors Office identify Dyjon Robinson, 141 LaSalle Avenue, Buffalo, New York 14214, as the owner AND

WHEREAS, an inspection of such premises was conducted at 2585 Genesee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



28. RESOLUTION 2015-390

Unsecured Inground Pool/213 Maryvale Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 213 Maryvale Drive, Cheektowaga, New York SBL# 91.09-6-14 that is a danger to the safety of others, and records kept by the Assessors Office identify Wendy Wheeler, 213 Maryvale Drive, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 213 Maryvale Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



29. RESOLUTION 2015-391

Unsafe-Unsecured/261 North Meadowbrook Parkway

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 261 N Meadowbrook Pkwy, Cheektowaga, New York SBL# 112.76-2-18 that is a danger to the safety of others, and records kept by the Assessors Office identify Keith Schanne, 128 Wimbledon Court Apt 3, West Seneca, New York 14224, Amy Schanne, 261 N Meadowbrook Pkwy, Cheektowaga, New York 14206, as the owner AND

WHEREAS, an inspection of such premises was conducted at 261 N Meadowbrook Pkwy, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



30. RESOLUTION 2015-392

Unsafe-Unsecured/23 Randolph Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 23 Randolph Avenue, Cheektowaga, New York SBL# 101.60-2-29 that is a danger to the safety of others, and records kept by the Assessors Office identify Marie Ramos, 292 Plymouth Court, Uniondale, New York 11553, as the owner AND

WHEREAS, an inspection of such premises was conducted at 23 Randolph Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



31. RESOLUTION 2015-393

Unsafe-Unsecured/129 Ridge Park

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 129 Ridge Park , Cheektowaga, New York SBL# 102.45-4-35 that is a danger to the safety of others, and records kept by the Assessors Office identify Guy & Nicole Isidore, 6 Timbrook Road, Stony Point, New York 10980, as the owner AND

WHEREAS, an inspection of such premises was conducted at 129 Ridge Park Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



32. RESOLUTION 2015-394

Unsafe-Unsecured Rear Patio Overhang/135 Seminole Pkwy

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 135 Seminole Parkway, Cheektowaga, New York SBL# 102.08-1-21 that is a danger to the safety of others, and records kept by the Assessors Office identify Michelle Seavey, 3806 Union Road, Suite, 1A, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 135 Seminole Parkway, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



33. RESOLUTION 2015-395

Unsafe-Unsecured/125 Wheaton Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 125 Wheaton Drive, Cheektowaga, New York SBL# 91.18-5-43 that is a danger to the safety of others, and records kept by the Assessors Office identify Lynn Cavanaugh, 125 Wheaton Drive, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 125 Wheaton Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



34. RESOLUTION 2015-396

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Laborer - "Level I Participant" - 7310.1816 - \$8.75 - Seasonal

Mabel Lucas 14043

Lifeguard - "Level I" - 7180.1903 - \$9.75 - Regular Part-time - Retro to 6/27/15

Dante Peters 14225

Recreation Aide - 7140.1645 - \$8.75 - Part-time

Jessica Woods 14225

Recreation Attendant - 7140.1630 - \$8.75 - Seasonal

Jocelyn Strohm 14225

Recreation Attendant - 7140.1613 - \$8.75 - Regular Part-time

Jensine Nguyen 14225

Recreation Attendant - 7310.1814 - Teen Club - \$8.90 - Seasonal

Cerene Usinski 14225

Recreation Attendant - 7310.1801 - Alexander Day Camp - \$8.75 - Seasonal

Cassidy Moore 14225

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the reading of names for the following four (4) resolutions: 2015-396; 2015-397; 2015-398 and 2015-399. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Diane Benczkowski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



35. RESOLUTION 2015-397

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

| | | |
|------------------|--------------|-------|
| Timothy Cultara | Never worked | 14227 |
| Sarah DePriest | Never worked | 14225 |
| Cinthia Radomski | 5/20/15 | 14227 |
| Robyn Stanley | Never worked | 14225 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



36. RESOLUTION 2015-398

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Laborer - "Level I Participant"- 7310.1816 to Recreation Attendant - 7140.1632 - \$8.75 -

Seasonal

David Kovatchev

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



37. RESOLUTION 2015-399

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

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

POLICE DEPARTMENT Police Attendant \$17.35/hour effective 6/16/15
Andrew M. Morris, Cheektowaga, New York

SANITATION DEPARTMENT Laborer \$9.25/hour effective 6/12/15
Allen K. Steltermann, Cheektowaga, New York

SANITATION DEPARTMENT Laborer \$9.25/hour effective 6/15/15
Jordan C. Kumro, Cheektowaga, New York
Andrew J. Miller, Cheektowaga, New York

TOWN CLERK'S OFFICE (Tax Office) Clerk \$10.00/hour effective 6/29/15
Margaret Mary Brezowski, Cheektowaga, New York

FACILITIES DEPARTMENT (Parks Division) Laborer \$9.00/hour effective 7/7/15
Ronald J. Trowbridge, Cheektowaga, New York

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

POLICE DEPARTMENT
Barbara R. Wacienga effective 6/12/15

RESOLVED, that the following effective date of termination be and is amended as listed:

FACILITIES DEPARTMENT
Michael P. Wierzba effective 5/19/15

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



38. RESOLUTION 2015-400

Appointments to the Plumbing Board (Kandefer, Blaser and Detzler)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Chapter 70 of the Code of the Town of Cheektowaga ("Building Construction Codes Administration") was adopted by Local Law No. 5 of the Year 2004 for the purpose of administering the Building Codes of the State of New York; AND

WHEREAS, Section 70-17 of said Code establishes the Board of Plumbing and Drainage Examiners to oversee the licensing of plumbers in the Town of Cheektowaga; AND

WHEREAS, the Board of Plumbing and Drainage Examiners consists of the Town Engineer, the Town Supervising Code Enforcement Officer and three (3) persons who have engaged in the plumbing business for at least ten (10) years; AND

WHEREAS, the term for the existing board expired on March 16, 2015; AND

WHEREAS, the Supervising Code Enforcement Officer has recommended that the current board members be re-appointed to the Town's Board of Plumbing and Drainage Examiners; NOW, THEREFORE, BE IT

RESOLVED, that the following plumbers be and hereby are appointed to the Board of Plumbing and Drainage Examiners, effective retroactively from March 17, 2015 to March 16, 2017:

Matthew Kandefer, Depew, New York
Gary Blaser, Cheektowaga, New York
John Detzler, Depew, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



39. RESOLUTION 2015-401

Appointment of Park Maintenance Worker I (Labor/Competitive) Facilities Department (Parks Division) Jeffrey S. Kunkel

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Park Maintenance Worker I in the Facilities Department (Parks Division); AND

WHEREAS, notice of said 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 bargaining unit member bid on said vacancy; AND

WHEREAS, Jeffrey S. Kunkel, of Cheektowaga, New York, currently employed as a part-time Recreation Instructor in Youth and Recreational Services, applied for said position and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Jeffrey S. Kunkel, of Cheektowaga, New York, be and hereby is appointed to the position of Park Maintenance Worker I in the Facilities Department (Parks Division) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective July 7, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



40. RESOLUTION 2015-402

Appointment of Motor Equipment Operator - B (Non-Competitive/Permanent) Sanitation Department/Gerald E. Sprada

Sponsored By: Councilmember Kaminski, Supervisor Holtz

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

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

WHEREAS, Gerald E. Sprada, currently employed as a Fire Inspector in the Building and Plumbing Department, bid on said vacancy and meets the qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Gerald E. Sprada of Cheektowaga, New York, be and hereby is appointed to the position of Motor Equipment Operator - B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective July 7, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



41. RESOLUTION 2015-403

Appointment of Laborer (Labor/Permanent) Highway Department/Jeffrey P. Pijacki

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Laborer in the Highway 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, Jeffrey P. Pijacki, currently employed as a Maintenance Worker in the Facilities Department, bid on said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Jeffrey P. Pijacki of Cheektowaga, New York, be and hereby is appointed to the position of Laborer in the Highway Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective June 30, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



42. RESOLUTION 2015-404

Travel Authorization Police Department - Sergeant Lawrence Bauer and Police Officer Jonathan Ober

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Remington Armorer School is being held September 15 through September 18, 2015 in Ilion, New York; AND

WHEREAS, Police Sergeant Lawrence Bauer and Police Officer Jonathan Ober have been recommended to attend said school; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,189; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Sergeant Lawrence Bauer and Police Officer Jonathan Ober be and hereby are authorized to attend the Remington Armorer School being held September 15 through September 18, 2015 in Ilion, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



43. RESOLUTION 2015-405

Travel Authorization Police Department - Police Chief David Zack

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the New York State Association of Chiefs of Police Annual Training Conference is being held July 12 through July 16, 2015 in Saratoga Springs, New York; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,486; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Chief David Zack be and hereby is authorized to attend the New York State Association of Chiefs of Police Annual Training Conference being held July 12 through July 16, 2015 in Saratoga Springs, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



44. RESOLUTION 2015-406

Travel Authorization Police Department - Police Officer Brian Wesoloski

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Emergency Vehicle Operations Instructor Course is being held August 17 through August 21, 2015 and August 24 through August 26, 2015 in Rochester, New York; AND

WHEREAS, Police Officer Brian Wesoloski has been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,209.92; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officer Brian Wesoloski be and hereby is authorized to attend the Emergency Vehicle Operations Instructor Course being held August 17 through August 21, 2015 and August 24 through August 26, 2015 in Rochester, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Communications

A. Departmental Communications

1. **Supervisor's Statement of Funds - May 2015**
2. **State of New York, Office of the State Comptroller - Debt Statement of Town of Cheektowaga**
3. **Town of Cheektowaga Community Development Block Grant Program-Consolidated Annual Performance and Evaluation Report - 2014 Program**

4. **Building Permits - May 2015**
5. **Minutes: Town of Cheektowaga Environmental Advisory Committee - June 3, 2015**
6. **Minutes: Cheektowaga Conservation Advisory Council - June 4, 2015**
7. **Minutes: Cheektowaga Planning Board - June 11, 2015**
8. **Minutes: Cheektowaga Public Library - Board of Trustees - May 20, 2015**
9. **Minutes: Cheektowaga Public Library - Board of Trustees - June 17, 2015**

B. General Communications

1. **Summons: Citizens Bank, NA vs. Gerald Smith, Town of Cheekowaga Justice Court & Etal**
2. **Notice of Claim: Charles Gangi vs. Town of Cheektowaga**
3. **Notice of Claim: Joseph A. Janus vs. Town of Cheektowaga**

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjournment

Motion by Supervisor Holtz; Seconded by Councilmember Rogowski to adjourn the meeting at 7:58 PM.

Alice Magierski, Town Clerk

WEGMANS FOOD MARKETS, INC.

100 Wegmans Market Street

Rochester, New York 14624

[Mailing Address: P.O. Box 30844, Rochester, NY 14603-0844]

ARTHUR P. PIRES
PROJECT MANAGER
DEVELOPMENT GROUP / CIVIL ENGINEERING

(585) 720-5791
Fax: (585) 783-4255
Email: art.pires@wegmans.com

8 June 2015

Town of Cheektowaga
Alexander Community Center
275 Alexander Avenue
Cheektowaga, New York 14211
Attn: Mr. Dan Ulatowski

RE: Wegmans / Parcel South of 4972 Transit Road
Inter-Connecting Driveway
Cheektowaga, New York

Dear Mr. Ulatowski:

As requested, this letter is submitted as a follow-up to my May 4, 2015 letter to the Town Board, which stated that all costs relating to both the site and traffic signal improvements associated with the proposed inter-parcel cross access driveway must be the sole responsibility and obligation of the owner(s) of *Parcel South of 4972 Transit Road*, as part of the rezoning approval, with consideration of the fact that this driveway will not provide any benefit to Wegmans or its plaza tenants, and all benefits going to the adjacent landlord's businesses.

While Wegmans understands and respects the town's interest in an inter-parcel cross-access driveway, and is committed to working both in good faith and to the best of our ability with both the town and the adjacent property owner, Wegmans has no control whatsoever over the adjacent parcel owner's fulfillment of the stated responsibilities and obligations. It is with consideration of this key, critical fact that Wegmans respectfully requests that no condition, obligating that this driveway be constructed and operational, prior to the town's issuance of any site improvements approval, building construction permit or final certificate of occupancy, be part of the town's final Site Plan approval of Wegmans' Retail development Resolution. However, recognizing the town's desire for insurance that roadway access will be provided, we respectfully suggest the following language:

"Wegmans shall provide a driveway access easement on its lands leading to *Parcel South of 4972 Transit Road*, allowing for the construction of a cross-access driveway at the location shown on drawing titled Site Plan, by TY Lin International, dated xxxxx. Commencement of the driveway construction may take place upon completion of Wegmans' timely and reasonable review and acceptance of all requisite agreements and construction documents, including but not limited to cross access agreement, construction agreement, specifications, and driveway / traffic signal maintenance agreements."

Thank you for the opportunity to communicate our thoughts, concerns and request regarding this matter.

Respectfully,


Arthur Pires

EC: File

Wegmans 6.8.15 Letter to Town RE Inter-connecting Driveway

| SBL # | loc st nbr | loc prefix dir | loc st name | loc mail st suff | Blocks | | owner_name | Zowner_name | Attention To: | Address | City/State/Zip |
|--------------|---------------|----------------------|----------------|---------------------|-------------------|-------------------|-----------------------------|---------------------|-----------------------------|-------------------------|----------------------------|
| | | | | | (walk) | Approach | | | | | |
| | | | | | 4" SW Sections | 6" DW Sections | | | | | |
| 103.05-7-29 | 68 | | Bernice Drive | | 4 | | Emil F. Lennert | Florence E. Lennert | | 68 Bernice Dr. | Cheektowaga, NY 14225-4412 |
| 103.05-7-28 | 72 | | Bernice Drive | | 2 | | Thomas G. Truax | Dawn M. Emerson | | 72 Bernice Dr. | Cheektowaga, NY 14225-4412 |
| 103.05-7-27 | 76 | | Bernice Drive | | 3 | | Florence Kaczorowski | Nancy Agustyn | | 420 Elma Meadow Ln. | Elma, NY 14059 |
| 103.05-7-26 | 80 | | Bernice Drive | | 3 | | Donald F. Karl | Tiffany A. Karl | | 80 Bernice Dr. | Cheektowaga, NY 14225-4412 |
| 103.05-7-24 | 88 | | Bernice Drive | | 1 | | Betty Marie Schrimmel | & Etal | | 88 Bernice Dr. | Cheektowaga, NY 14225-4412 |
| 103.05-7-22 | 96 | | Bernice Drive | | | 2 | Evelyn W. Barbera | | | 96 Bernice Dr. | Cheektowaga, NY 14225-4412 |
| 103.05-7-21 | 100 | | Bernice Drive | | | 1 | Thomas T. Tran | Dunia A. Tran | | 100 Bernice Dr. | Cheektowaga, NY 14225-4412 |
| 103.05-7-20 | 104 | | Bernice Drive | | 4 | 1 | Gary A. Posluszny & W. | | | 104 Bernice Dr. | Cheektowaga, NY 14225-4412 |
| 103.05-7-19 | 108 | | Bernice Drive | | 3 | | Robert E. Kencel | Carol A. Kencel | | 108 Bernice Dr. | Cheektowaga, NY 14225-4412 |
| 103.05-7-18 | 190 | N Creek | Drive | | 8 | | Natina M. Perry-Watford | | | 190 N Creek Dr. | Cheektowaga, NY 14225 |
| 103.05-8-23 | 184 | N Creek | Drive | | 7 | | James McGrath | Karen M. McGrath | | 184 N Creek Dr. | Cheektowaga, NY 14225-4429 |
| 103.05-8-22 | 105 | Bernice | Drive | | 5 | 2 | Paul F. Weisenburger, Jr. | & Amy J. | | 105 Bernice Dr. | Cheektowaga, NY 14225-4411 |
| 103.05-8-21 | 101 | Bernice | Drive | | 3 | 1 | Andrew Gierlach | | | 101 Bernice Dr. | Cheektowaga, NY 14225 |
| 103.05-8-20 | 97 | Bernice | Drive | | 5 | | Eugene J. Zgoda & W. | | Attn.: Elizabeth Karolewski | 721 Beach Rd. | Cheektowaga, NY 14225-1757 |
| 103.05-8-19 | 93 | Bernice | Drive | | 1 | +1? | Michael Ambrose | Sharon Watson | | 93 Bernice Dr. | Cheektowaga, NY 14225 |
| 103.05-8-18 | 89 | Bernice | Drive | | 3 | | Ruth P. Reardon | | | 89 Bernice Dr. | Cheektowaga, NY 14225-4411 |
| 103.05-8-17 | 85 | Bernice | Drive | | 2 | | Thien V. Bui | Loan K. Nguyen | | 85 Bernice Dr. | Cheektowaga, NY 14225-4411 |
| 103.05-8-16 | 81 | Bernice | Drive | | 4 | | Ronald W. Endle | Geraldine F. Endle | | 81 Bernice Dr. | Cheektowaga, NY 14225-4411 |
| 103.05-8-15 | 77 | Bernice | Drive | | 1 | 1 | John F. Arnold & W. | | | 77 Bernice Dr. | Cheektowaga, NY 14225-4411 |
| 103.05-8-14 | 73 | Bernice | Drive | | 3 | 4 | James J. & Patricia N. Gelz | | | 73 Bernice Dr. | Cheektowaga, NY 14225-4411 |
| 103.05-8-13 | 69 | Bernice | Drive | | 1 | | Susan Lopez | | | 69 Bernice Dr. | Cheektowaga, NY 14225-4411 |
| 103.05-8-12 | 65 | Bernice | Drive | | 3 | | Donovan M. Uhlman | | | 65 Bernice Dr. | Cheektowaga, NY 14225 |
| 103.05-8-11 | 61 | Bernice | Drive | | 2 | | Kathleen M. Adymy | | | 61 Bernice Dr. | Cheektowaga, NY 14225-4409 |
| 103.05-8-10 | 57 | Bernice | Drive | | 2 | +1 | Lisa Lynn Johnson | | | 57 Bernice Dr. | Cheektowaga, NY 14225-4409 |
| 103.05-8-8 | 49 | Bernice | Drive | | 9 | | Randy G. Granger | & 1 | | 49 Bernice Dr | Cheektowaga, NY 14225-4409 |
| 103.05-8-5 | 35 | Bernice | Drive | | 2 | | Helen M. Kegler | Robert Kegler, Jr. | | 35 Bernice Dr. | Cheektowaga, NY 14225-4409 |
| 103.05-8-4 | 31 | Bernice | Drive | | 2 | | Brian D. Liska | Cheryl A. Liska | | 31 Bernice Dr. | Cheektowaga, NY 14225-4409 |
| 103.05-8-3 | 27 | Bernice | Drive | | | 2 | Norma Popadowski | Gregory Popadowski | | 27 Bernice Dr. | Cheektowaga, NY 14225-4409 |
| 103.05-8-2 | 169 | Joseph | Street | | 3 | | Omer Shaibi | | | 169 Joseph St. | Cheektowaga, NY 14225 |
| 103.05-14-26 | 168 | Joseph | Street | | 6 | | James A. Grandits | | | 168 Joseph St. | Cheektowaga, NY 14225-4450 |
| 103.05-14-25 | 7 | Bernice | Drive | | 4 | 2 | Robert A. Ruszanowski & W. | | | 7 Bernice Dr. | Cheektowaga, NY 14225-4401 |
| 103.05-14-24 | 1369 | George Ur | Boulevard | | 4 | | Maryann Baran | Gary J. Baran | | 1369 George Urban Blvd. | Cheektowaga, NY 14225-3870 |
| 103.05-4-43 | 1381 | George Ur | Boulevard | | 4 | | Theodore R. Ebert | | | 1381 George Urban Blvd. | Cheektowaga, NY 14225 |
| 103.05-4-42 | 8 | Bernice | Drive | | 1 | | Jeffrey L. Whiting & W. | | | 8 Bernice Dr. | Cheektowaga, NY 14225-4402 |
| 103.05-4-41 | 12 | Bernice | Drive | | 3 | 2 | George R. & Janet M. Bailey | | | 12 Bernice Dr. | Cheektowaga, NY 14225-4402 |
| 103.05-4-40 | 16 | Bernice | Drive | | 3 | 1 | Brian C. Anthon | | | 16 Bernice Dr. | Cheektowaga, NY 14225-4402 |
| 103.05-4-39 | 20 | Bernice | Drive | | 2 | 1 | Nicole S. Peters | | | 20 Bernice Dr. | Cheektowaga, NY 14225 |
| 103.05-4-37 | 28 | Bernice | Drive | | 7 | | Patricia J. Vacanti | | | 28 Bernice Dr. | Cheektowaga, NY 14225 |
| 103.05-4-36 | 32 | Bernice | Drive | | 3 | 1 | William D. Foeller | Monica J. Foeller | | 32 Bernice Dr | Cheektowaga, NY 14225-4410 |
| 103.05-4-35 | 36 | Bernice | Drive | | 1 | | R. Alfredo D'Agostino | | | 36 Bernice Dr. | Cheektowaga, NY 14225 |
| 103.05-4-34 | 40 | Bernice | Drive | | 4 | 3 | Darlene Stachowiak | | | 40 Bernice Dr. | Cheektowaga, NY 14225 |

| | | | | | | | | |
|-------------|-----|------------------|-------|-------|---------------------------|---------------------|---------------------------|-----------------------------|
| 103.09-1-2 | 35 | Christian Drive | 4 | 1 | Lillian Burgin | | 35 Christian Dr. | Cheektowaga, NY 14225-4449 |
| 103.09-1-3 | 39 | Christian Drive | 7 | 1 | John A. Reinard, Jr. | Patricia A. Reinard | 39 Christian Dr. | Cheektowaga, NY 14225-4449 |
| 103.09-1-4 | 43 | Christian Drive | 5 | | 43 Christian Trust | | 120 Moorman Dr., Apt. 237 | Cheektowaga, NY 14225 |
| 103.09-1-5 | 47 | Christian Drive | 2 | 1 | Timothy A. Diebold | Deborah J. Diebold | 47 Christian Dr. | Cheektowaga, NY 14225-4449 |
| 103.09-1-6 | 500 | Dick Road | 1 | 3 | James Nessia | Judith Nessia | 4017 Steeplechase Dr. | Alpharetta, GA 30004 |
| 103.05-4-6 | 52 | Christian Drive | 3 | | Rhode J. Brice | | 52 Christian Dr. | Cheektowaga, NY 14225-4448 |
| 103.05-4-7 | 48 | Christian Drive | 7 | 2 | James & Sharon Waddell | | 63 Old Orchard Ln. | Orchard Park, NY 14127-4630 |
| 103.05-4-9 | 40 | Christian Drive | 1 | 1 | Sheila L. Mahone | | 40 Christian Dr. | Cheektowaga, NY 14225-4448 |
| 103.05-4-10 | 36 | Christian Drive | 7 | 2 | Frank Briechle | Rita M. Briechle | 36 Christian Dr. | Cheektowaga, NY 14225-4448 |
| 103.05-4-12 | 28 | Christian Drive | 8 | | Michael Bednarek | | 28 Christian Dr. | Cheektowaga, NY 14225-4414 |
| 103.05-4-13 | 24 | Christian Drive | 2 | | Timothy J. Nietopski | Marie A. Nietopski | 24 Christian Dr. | Cheektowaga, NY 14225-4414 |
| 103.05-4-15 | 16 | Christian Drive | 2 | 1 | Everett J. Donahue | Tonya R. Donahue | 16 Christian Dr. | Cheektowaga, NY 14225-4414 |
| 103.05-4-16 | 12 | Christian Drive | 5 | 2 | Mildred Jasinski | James E. Jasinski | 400 Mill St., Apt. 111 | Williamsville, NY 14221 |
| 103.05-4-18 | 62 | Marlene Drive | 12 | | John & Mary Lyn Frisicaro | | 62 Marlene Dr. | Cheektowaga, NY 14225-4424 |
| 103.05-5-1 | 76 | Marlene Drive | 4+ | | Joseph M. Brandel | Linda Brandel | 76 Marlene Dr. | Cheektowaga, NY 14225-4444 |
| 103.05-5-2 | 11 | Christian Drive | 2 | | Linda Rine | | 11 Christian Dr. | Cheektowaga, NY 14225-4457 |
| 103.05-5-4 | 19 | Christian Drive | 3 | | Nicholas Piechowicz | Diane Piechowicz | 19 Christian Dr. | Cheektowaga, NY 14225-4457 |
| 103.05-5-5 | 23 | Christian Drive | 4 | 1 | Joseph D. Tymorek | | 23 Christian Dr. | Cheektowaga, NY 14225-4457 |
| 103.05-5-6 | 4 | Creek Viev Drive | 7 + | | Louis G. Gruber | Sarah A. Gruber | 4 Creek View Dr. | Cheektowaga, NY 14225-4416 |
| 103.09-1-1 | 5 | Creek Viev Drive | 14 + | | Andrew F. Ciesielski | Jill M. Ciesielski | 5 Creek View Dr. | Cheektowaga, NY 14225 |
| 103.05-5-7 | 10 | Creek Viev Drive | 2 | | Karen J. Jankowski | | 10 Creek View Dr. | Cheektowaga, NY 14225-4416 |
| 103.05-5-8 | 16 | Creek Viev Drive | 5 | 2 | Kim M. Pigeon | | 16 Creek View Dr. | Cheektowaga, NY 14225-4416 |
| 103.09-2-10 | 38 | Creek Viev Drive | 5 | | Robert F. Janish | Theresa J. Janish | 38 Creek View Dr. | Cheektowaga, NY 14225-4446 |
| 103.09-2-11 | 44 | Creek Viev Drive | 13 | | Todd R. & Linda M. Baron | | 44 Creek View Dr. | Cheektowaga, NY 14225-4446 |
| 103.09-1-11 | 45 | Creek Viev Drive | 3 | 1 | Arthur Urbanczyk | Patricia Urbanczyk | 45 Creek View Dr. | Cheektowaga, NY 14225-4447 |
| 103.09-1-12 | 41 | Creek Viev Drive | 2 | | Jeraldine Joy Powers | | 41 Creek View Dr. | Cheektowaga, NY 14225 |
| 103.09-1-13 | 37 | Creek Viev Drive | 1 | 1 | Raymond A. Toporczyk | Teresa F. Toporczyk | 37 Creek View Dr. | Cheektowaga, NY 14225-4447 |
| 103.09-1-14 | 33 | Creek Viev Drive | | 1 | Alexandra I. Santos | | 33 Creek View Dr. | Cheektowaga, NY 14225-4447 |
| 103.09-1-15 | 29 | Creek Viev Drive | 1 | | Anthony J. Lattuca | Donnae Mae Lattuca | 29 Creek View Dr. | Cheektowaga, NY 14225-4415 |
| 103.09-1-20 | 9 | Creek Viev Drive | 1 | | Adam M. Sanders | Jammie L. Sanders | 9 Creek View Dr. | Cheektowaga, NY 14225-4415 |
| 103.09-2-21 | 100 | Marlene Drive | 9 | 1 | Frank G. Smith, Jr | Kelly R. Smith | 100 Marlene Dr. | Cheektowaga, NY 14225-4442 |
| 103.09-2-22 | 96 | Marlene Drive | 2 | 5 | Leslie E. Pinzone | | 96 Marlene Dr. | Cheektowaga, NY 14225-4442 |
| 103.09-2-1 | 92 | Marlene Drive | 12 | | Richard E. Neth | Mary L. Neth | 92 Marlene Dr. | Cheektowaga, NY 14225-4442 |
| 103.05-5-15 | 84 | Marlene Drive | 5 | | Parwinder Singh | Harbir Kaur | 84 Marlene Dr | Cheektowaga, NY 14225-4444 |
| 103.05-4-19 | 58 | Marlene Drive | 4 | | James A. McVay | Irene M. McVay | 58 Marlene Dr. | Cheektowaga, NY 14225-4424 |
| 103.05-4-20 | 54 | Marlene Drive | 3 | | Hasin Seenha, Inc. | | 54 Marlene Dr. | Cheektowaga, NY 14225 |
| 103.05-4-5 | 540 | Dick Road | 19 | | D/Q Associates LLC | | 570 Delaware Ave. | Buffalo, NY 14202 |
| 103.05-6-3 | 39 | Marlene Drive | 15 | | Mark E. Nacke | | 39 Marlene Dr. | Cheektowaga, NY 14225-4423 |
| 103.05-6-4 | 45 | Marlene Drive | 1 | 2 | Vincent Burke | | 45 Marlene Dr. | Cheektowaga, NY 14225 |
| 103.05-6-5 | 51 | Marlene Drive | 1 | | Florence T. Rabent | Denise J. Towey | 51 Marlene Dr. | Cheektowaga, NY 14225-4423 |
| 103.05-6-6 | 55 | Marlene Drive | 7 | 1 | Dianne B. Waz | Wayne R. Waz | 55 Marlene Dr. | Cheektowaga, NY 14225-4423 |
| 103.05-6-7 | 59 | Marlene Drive | 1 | 1 | Eric Smith | Tiffany Smith | 59 Marlene Dr. | Cheektowaga, NY 14225-4423 |
| 103.05-6-8 | 63 | Marlene Drive | 1 +1? | 1 +1? | Thomas O. Cooper | Patricia J. Cooper | 63 Marlene Dr. | Cheektowaga, NY 14225-4423 |
| 103.05-6-9 | 67 | Marlene Drive | 2 | 1 +1? | Robert & Lorrie Germann | | 67 Marlene Dr. | Cheektowaga, NY 14225-4423 |
| 103.05-6-10 | 71 | Marlene Drive | 3 | ? | Michael J. Janusz | | 71 Marlene Dr. | Cheektowaga, NY 14225-4445 |
| 103.05-6-11 | 75 | Marlene Drive | 5+ | | Edward T. Lemiesz | Dorothy M. Lemiesz | 75 Marlene Dr. | Cheektowaga, NY 14225-4445 |
| 103.05-6-12 | 79 | Marlene Drive | 3 | | Joseph J. Snodgrass | & Katherine | 79 Marlene Dr. | Cheektowaga, NY 14225-4445 |

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|---------------|-----|-----------|-------|------|---|---------------------------------|----------------------|---------------------|----------------------------|
| 103.05-6-13 | 83 | Marlene | Drive | 3 | | Kimberly A. Cloen | | 83 Marlene Dr. | Cheektowaga, NY 14225-4445 |
| 103.05-6-14 | 87 | Marlene | Drive | 3 | 2 | Jeffrey J. Janulewicz | | 87 Marlene Dr. | Cheektowaga, NY 14225-4445 |
| 103.05-6-15 | 91 | Marlene | Drive | 4 | 1 | Thomas J. Green | Sharon Green | 91 Marlene Dr. | Cheektowaga, NY 14225-4443 |
| 103.05-6-16 | 95 | Marlene | Drive | 2 | | Julie A. Zawistowski | | 95 Marlene Dr. | Cheektowaga, NY 14225-4443 |
| 103.05-6-17 | 212 | N Creek | Drive | 10 | | Saddam Sifyan | | 212 N Creek Dr. | Cheektowaga, NY 14225-4441 |
| 103.05-4-22 | 38 | Marlene | Drive | 3 | 2 | John L. Bardini | Kathleen F. Bardini | 38 Marlene Dr. | Cheektowaga, NY 14225-4424 |
| 103.05-4-23 | 34 | Marlene | Drive | 2 | 2 | Zafran F. Davis | | 34 Marlene Dr. | Cheektowaga, NY 14225-4424 |
| 103.05-4-24 | 30 | Marlene | Drive | 5 + | | Amarjit S. Cheema | Kashmir K. Cheema | 30 Marlene D | Cheektowaga, NY 14225-4424 |
| 103.05-4-25 | 26 | Marlene | Drive | 3 | 3 | Roman W. Wojcik | Ewa Wojcik | 26 Marlene Dr. | Cheektowaga, NY 14225-4424 |
| 103.05-4-26 | 22 | Marlene | Drive | 2+ | 1 | Randolph J. Granat | | 22 Marlene Dr. | Cheektowaga, NY 14225-4422 |
| 103.05-4-28 | 14 | Marlene | Drive | 5 | 1 | David T. Costanzo | Debra L. Costanzo | 14 Marlene Dr. | Cheektowaga, NY 14225-4422 |
| 103.05-4-29 | 10 | Marlene | Drive | 3 | 1 | Victoria A. Chojnacki | | 110 Kenton Rd. | Kenmore, NY 14217 |
| 103.05-4-30.1 | 6 | Marlene | Drive | 13 | 1 | Joseph C. MacPeek | Marjorie M. MacPeek | 6 Marlene Dr. | Cheektowaga, NY 14225 |
| 103.05-7-1 | 9 | Marlene | Drive | 5 | 1 | Paul K. Isaac, Jr. | Michele M. Isaac | 9 Marlene Dr. | Cheektowaga, NY 14225-4421 |
| 103.05-7-2 | 13 | Marlene | Drive | 5 | 2 | Peter W. Hojczyk | Patricia Hojczyk | 13 Marlene Dr. | Cheektowaga, NY 14225-4421 |
| 103.05-7-3 | 17 | Marlene | Drive | 4+ | 2 | Norbert P. Schuhmann | Lois Schuhmann | 17 Marlene Dr. | Cheektowaga, NY 14225-4421 |
| 103.05-6-1 | 29 | Marlene | Drive | 13 | | Mark J. Barnas | | 29 Marlene Dr. | Cheektowaga, NY 14225-4423 |
| 103.05-6-2 | 33 | Marlene | Drive | 4 | 1 | Daryl Sobczak | Christine M. Sobczak | 33 Marlene Dr. | Cheektowaga, NY 14225-4423 |
| 103.05-7-5 | 14 | Paula | Drive | | 1 | Noukame Thongchanh | | 14 Paula Dr. | Cheektowaga, NY 14225 |
| 103.05-7-7 | 22 | Paula | Drive | | 2 | Robert M. Walter | | 22 Paula Dr. | Cheektowaga, NY 14225-4432 |
| 103.05-7-8 | 26 | Paula | Drive | | | Daniela Ciciotti | | 26 Paula Dr. | Cheektowaga, NY 14225 |
| 103.05-7-9 | 30 | Paula | Drive | 2+ | 1 | John N. Schank & W. | | 30 Paula Dr. | Cheektowaga, NY 14225-4432 |
| 103.05-7-10 | 34 | Paula | Drive | 2 | 1 | Debra Stelianou | | 328 Zimmerman Blvd. | Tonawanda, NY 14223 |
| 103.05-7-11 | 38 | Paula | Drive | 1 | | John W. Mamon | Marian A. Mamon | 38 Paula Dr. | Cheektowaga, NY 14225-4432 |
| 103.05-7-12 | 42 | Paula | Drive | 3 | | Jerry Marchionda | | 42 Paula Dr. | Cheektowaga, NY 14225-4432 |
| 103.05-7-13.1 | 46 | Paula | Drive | 7 | 4 | Michael A. Mc Elligott | & Jeanette M. | 46 Paula Dr. | Cheektowaga, NY 14225-4432 |
| 103.05-7-15 | 54 | Paula | Drive | 2 | 1 | Stephen Blackwell | Roberta Blackwell | 54 Paula Dr. | Cheektowaga, NY 14225-4432 |
| 103.05-7-16 | 198 | N Creek | Drive | 6 | | Scott Marshman | Gina Marshman | 198 N Creek Dr. | Cheektowaga, NY 14225-4430 |
| 103.05-6-31 | 11 | Paula | Drive | | 1 | Andrew G. Godfrey | | 11 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-30 | 15 | Paula | Drive | 2 | 1 | Robert G. Stalker | Pauline C. Stalker | 15 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-29 | 19 | Paula | Drive | 4 | | Michael P. Dziak & W. | | 19 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-28 | 23 | Paula | Drive | 3 | | Michael D. Barker | Helen R. Barker | 23 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-27 | 27 | Paula | Drive | 1 | | Sherman W. Hutcherson | Ronda L. Hutcherson | 27 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-26 | 31 | Paula | Drive | 1 | | Alan J. Minotti | Charlene M. Minotti | 31 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-25 | 35 | Paula | Drive | 1 +1 | 1 | Barbara Merkling | | 35 Paula Dr. | Buffalo, NY 14225-4431 |
| 103.05-6-24 | 39 | Paula | Drive | 3 | | Jerome L. Meyer, Jr. | | 39 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-23 | 43 | Paula | Drive | 2.5 | 3 | Marie C. Fronczak | William Fronczak | 43 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-22 | 47 | Paula | Drive | 5 +2 | | Eugene J. Drzyzga | Anne C. Drzyzga | 47 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-6-19 | 59 | Paula | Drive | 9 | 1 | Suzanne M. Borawski | | 59 Paula Dr. | Cheektowaga, NY 14225-4431 |
| 103.05-5-14 | 10 | Willow Wc | Drive | 2 | 2 | James V. Luczak | Carol L. Luczak | 10 Willow Wood Dr. | Cheektowaga, NY 14225-4434 |
| 103.05-5-13 | 14 | Willow Wc | Drive | 4+ | | Joseph D. Conti | Patricia A. Conti | 14 Willow Wood Dr. | Cheektowaga, NY 14225-4434 |
| 103.05-5-12 | 18 | Willow Wc | Drive | 2 | 1 | James H. Meyer | Lorraine A. Meyer | 18 Willow Wood Dr. | Cheektowaga, NY 14225-4434 |
| 103.05-5-11 | 22 | Willow Wc | Drive | | 1 | Son Nguyen | | 22 Willow Wood Dr. | Cheektowaga, NY 14225-4434 |
| 103.05-5-10 | 26 | Willow Wc | Drive | 7 | | Kevin J. Bonnas | Darcy A. De Santis | 26 Willow Wood Dr. | Cheektowaga, NY 14225-4434 |
| 103.05-5-9 | 30 | Willow Wc | Drive | 1 | | Dennis Makowski | Gary Makowski | 428 S. Ogden St. | Buffalo, NY 14206 |
| 103.09-2-9 | 39 | Willow Wc | Drive | 6 +1 | | Crystal Lynn Krzyzaniak | | 39 Willow Wood Dr. | Cheektowaga, NY 14225-4433 |
| 103.09-2-8 | 35 | Willow Wc | Drive | 5 | 1 | Debra J. Cahalan & David Brodka | | 35 Willow Wood Dr. | Cheektowaga, NY 14225-4433 |

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|------------|----|-----------------|---|----|------------------------|---------------------|--------------------|----------------------------|
| 103.09-2-7 | 31 | Willow Wc Drive | 1 | 1? | Alfred A. Waz | Agnes M. Waz | 31 Willow Wood Dr. | Cheektowaga, NY 14225-4433 |
| 103.09-2-6 | 27 | Willow Wc Drive | 1 | 2 | Chester J. Urban | Bernadette Urban | 27 Willow Wood Dr. | Cheektowaga, NY 14225-4433 |
| 103.09-2-5 | 23 | Willow Wc Drive | 4 | 2 | David C. Kunselman | | 23 Willow Wood Dr. | Cheektowaga, NY 14225-4433 |
| 103.09-2-4 | 19 | Willow Wc Drive | 8 | | Timothy R. Ryan | Gwyn A. Ryan | 19 Willow Wood Dr. | Cheektowaga, NY 14225-4433 |
| 103.09-2-3 | 15 | Willow Wc Drive | 4 | 1 | Timothy M. Grapczynski | Mary Jo Grapczynski | 15 Willow Wood Dr. | Cheektowaga, NY 14225-4433 |
| 103.09-2-2 | 11 | Willow Wc Drive | 2 | 2 | William J. Graczyk | | 224 Clover Pl. | Cheektowaga, NY 14225 |



Parks, Recreation, and Historic Preservation

ANDREW M. CUOMO
Governor

ROSE HARVEY
Commissioner

June 16, 2015

Mr. Pat Bowen
Town Engineer
Town of Cheektowaga
275 Alexander Ave.
Cheektowaga, NY 14211

Re: DEC
Beach Vegola Relief Sewer
Town of Cheektowaga, Erie County, NY
15PR03029

Dear Mr. Bowen:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

Based upon this review, it is the New York State Office of Parks, Recreation and Historic Preservation's opinion that your project will have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

Ruth L. Pierpont
Deputy Commissioner for Historic Preservation

Attachment: OPRHP No Impact Letter (RES-2015-382 : SEQR Determination - Beach Road/Vegola Avenue Relief Sewer)



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, July 20, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on July 20, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
James Speyer, Assistant Chief of Police
Mark Wegner, Highway Superintendent

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-407

Transfer of Funds-2015

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

CDBG

| | | | |
|-------|---------------|-----------------------------|-----------|
| FROM: | 700.1012.0600 | Housing Rehab-Single Family | \$600.00 |
| | 700.1012.0600 | Housing Rehab-Single Family | 23,848.02 |
| TO: | 700.1014.0606 | Disposition | \$600.00 |
| | 700.1011.2200 | Acquisition | 23,848.02 |

RESULT: ADOPTED [UNANIMOUS]

MOVER: Gerald Kaminski, Councilmember

SECONDER: Mary Holtz, Supervisor

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



2. RESOLUTION 2015-408

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to July 20, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$193,513.79 |
| RISK RETENTION FUND | 381,274.93 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 5,232.07 |
| HUD HOUSING REHABILITATION FUND | 7,850.00 |
| SPECIAL DISTRICTS FUND | 367,014.35 |
| HIGHWAY FUND | 46,313.37 |
| CAPITAL FUND | 341,395.95 |
| TRUST & AGENCY FUND | 7,125.20 |
| HUD CDBG FUND | 2,538.41 |
| PART TOWN FUND | 556.00 |
| NYS AFFORDABLE HOUSING | 7,035.00 |
| | <hr/> |
| | \$1,359,849.07 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-409

Negative SEQR Declaration - 4708 Transit Road

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by Lowell Dewey, PE on behalf of Dr. Michael Boyczuk for the construction of a 2,662 square foot building addition and the conversion of an existing dwelling at 4708 Transit Road for use as a medical office, 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, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of July 9, 2015, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is recommending its approval, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on July 8, 2015 recommended a determination of non-significance, AND

WHEREAS, the applicant has performed a wetland delineation and the amount of disturbance to the existing wetland will be less than a tenth of an acre for which a Nationwide Permit 39 application was submitted to the US Army Corps of Engineers as shown on the attached correspondence dated June 1, 2015 , AND

WHEREAS, the remaining portion of the existing wetland will be left undisturbed, AND

WHEREAS, the applicant has also performed a cultural resource inventory and the subject project will not impact archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, the Planning Board, the and the Traffic Safety Commission NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

Attachments:

USACOE Agency Submittal_1June2015 (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-410

Accept Site Plan- 4708 Transit Road Oral & Maxillofacial Surgeons Assoc. of WNY

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Lowell Dewey, PE on Behalf of Dr. Michael Boyczuk submitted a development review application for the construction of a 2,662 square foot building addition and the conversion of an existing dwelling at 4708 Transit Road for use as a medical office, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of July 9, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The installation of a solid fence along the north and south property lines adjacent to the rear parking area.
2. The installation of a 5 foot wide concrete walk from the public walk to an accessible entrance.
3. The review and approval of the grading/drainage plan by the Town Engineer.
4. The applicant providing evidence of a Jurisdictional Determination from the US Army Corps of Engineers prior to disturbance of a portion of the wetland.

Attachments:

site plan (PDF)

landscaping plan (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-411

Amend Agreement with Nussbaumer & Clarke, Inc.

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, by resolution dated April 14, 2015 (Resolution 2015-204), this Town Board retained Nussbaumer & Clarke, Inc. to perform engineering reviews for development projects which are submitted to the Town of Cheektowaga, and

WHEREAS, due to reduced staffing in the Engineering Department there are occasions where the Town Engineer, the only PE in the Engineering Department, is unable to grant engineering approval for plans which are reviewed by Nussbaumer & Clarke, Inc., and

WHEREAS, Nussbaumer & Clarke, Inc. has PE's on staff with the necessary expertise and NYS license who are able to officially sign off on engineering drawings and development plans, and

WHEREAS, there are various Town Codes which require that the Town Engineer and/or an authorized representative is required to sign off on plans before developers can proceed with projects, NOW, THEREFORE, BE IT

RESOLVED, that certified licensed PE's employed by Nussbaumer & Clarke, Inc. who have reviewed plans submitted by developers for projects proposed in the Town of Cheektowaga be and here are authorized and designated under the various Town codes to act as a representative of the Town of Cheektowaga and Town Engineering Department with authority to approve engineering plans for such projects in the event the Town Engineer is unable or unavailable to timely review these plans, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a revised agreement with Nussbaumer & Clarke, Inc. to accomplish the above.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-412

Notice to Bidders - One (1) New and Unused, 2015 Model or newer Compact Articulated Wheel Loader with a fully enclosed Cab (Bid #2015-25)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of One (1) New and Unused 2015 Model or newer Compact Articulated Wheel Loader with a fully enclosed cab (Bid 2015-25) for use by the Highway Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on August 5, 2015 at 11:00 A.M.

Information for bidders specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York, between the hour of 9:00 AM and 4:30 PM, Monday through Friday, NOW THEREFORE BE IT

RESOLOVED, that the Town Clerk is hereby designated as the Office to open bids on the aforesaid items at a public bid opening on Wednesday August 5, 2015 at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on August 5, 2015 at 11:00 AM at the Town Hall, corner of Broadway and Union Roads, for the One (1) New and Unused 2015 Model or Newer Compact Articulated Wheel Loader with a fully enclosed Cab (Bid #2015-25).

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "One (1) New and Unused 2015 Model or Newer Compact Articulated Wheel Loader with a fully enclosed Cab.

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk

DATED: July 20, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-413

Call for a Public Hearing - Amend Local Law Intro No. 2015-8

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga, on October 21, 1985, enacted a Traffic Violations Bureau Law (a/k/a Chapter 38 of the Code of the Town of Cheektowaga), and

WHEREAS, when a parking violations ticket is issued, the person charged must enter a plea of guilty or not guilty and return same to the Town Court, and

WHEREAS, on occasion, a person so charged may neglect to enter a plea, and

WHEREAS, Section 371(3) of the General Municipal Law permits the Town to specify a time frame for the return of such a plea, and

WHEREAS, the Cheektowaga Police Department has recommended that this Town Board amend Chapter 38 of the Town Code to specify a 90-day time frame for entry of a plea, and

WHEREAS, the Town Attorney has drafted a proposed amendment to Chapter 38 of the Town Code, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 3rd day of August, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-8, entitled "A Local Law to Amend the Traffic Violations Bureau Law 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 Hearing in the Cheektowaga Bee.



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 3rd day of August , 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2015-8 of the Year 2015, entitled "A Local Law to Amend the Traffic Violations Bureau Law of the Town of Cheektowaga". Following is a draft of the proposed Local Law Intro No. 2015-8:

Local Law Intro No. 2015-8**A Local Law to Amend the Traffic Violations Bureau Law of the Town of Cheektowaga**

1. A new section, **Section 38-9, entitled "Default"** shall be adopted to read as follows:

§38-9. Default. In the event a person charged with a traffic offense does not respond by pleading guilty or not guilty within 90 days after the issuance of the parking violations ticket, said default shall constitute a plea of guilty to the offense, and the right to a hearing shall be deemed waived.

Dated: July 20, 2015

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

ALICE MAGIERSKI, Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-414

Notice of Hearing for Demolition of 111 Edmund Street

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Supervising Code Enforcement Officer has received information that the building(s) located at **111 Edmund Street, Cheektowaga, New York (S.B.L. #113.64-3-38.1)** (**Record Owners: MALICKI, Paul M. and Sally**) has become dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; and

WHEREAS, said building(s) has been inspected and a written report of the condition has been completed by The Town of Cheektowaga Code Enforcement Officer setting forth the findings and recommendations in regard to the repair or demolition and removal of the building, and said written report describes extensive deterioration and damage to the building and premises and recommends that the building(s) be demolished and removed as soon as possible; and

WHEREAS, the Town Board has fully considered such written report and has determined that the building(s) is dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; NOW THEREFORE BE IT

RESOLVED, that this Town Board accepts the findings and recommendations of the Town of Cheektowaga Code Enforcement Officer dated June 5, 2015; and BE IT FURTHER

RESOLVED, that a notice shall be served, pursuant to Section 75-7 of the Cheektowaga Town Code, upon the owner, executor, administrator, agent, lessee or any person having a vested or contingent interest in such unsafe building as shown by the records of the Receiver of Taxes or of the County Clerk, which notice shall have the contents prescribed by Section 75-6 of said Town Code, including, but not limited to a date, time and place for a hearing before the Town Board in relation to such dangerous and unsafe building, which hearing shall be scheduled not less than five business days from the date of service of the notice; and BE IT FURTHER

RESOLVED, that a hearing before this Board in relation to said dangerous and unsafe building(s) shall be held on the **3rd day of August, 2015, at 6:45 P.M.** at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED, that the Code Enforcement Office and/or the Town Attorney's Office be and hereby are directed to serve notice of said hearing on all interested parties.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-415

Approve Health Insurance Plan

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga is self insuring its health insurance with Blue Cross Blue Shield as the administrator, NOW THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the contents of the one (1) year administrative health insurance contract with Blue Cross Blue Shield, and BE IT FURTHER

RESOLVED, that this contract shall be effective as of August 1, 2015, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the contract with Blue Cross Blue Shield, and any and all other documents necessary to effectuate the insurance coverage called for under such contract.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-416

Approve Annual Plan Amendment

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, the Town is required to amend its Annual Plans on the use of Community Development Block Grant Funds, and

WHEREAS, a Public Hearing was held on May 19, 2014 (Resolution 2014-262) at which time citizens and interested parties were provided the opportunity to comment on the proposed amendment pursuant to the Citizen Participation Plan previously adopted by the Town Board, and

WHEREAS, the Director of Community Development recommends approval of the proposed amendment as outlined in Resolution 2014-262 on the May 5, 2014 Town Board Meeting, NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby amends the Town of Cheektowaga's Annual Plans on the use of Community Development Block Grant Funds; and BE IT FURTHER

RESOLVED, that the Supervisor be authorized and directed to execute all related documents related to the Annual Plan Amendment.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-417

Approve Annual Plan Amendment

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, the Town is required to amend its Annual Plans on the use of Community Development Block Grant Funds, and

WHEREAS, a Public Hearing was held on November 17, 2014 (Resolution 2014-592) at which time citizens and interested parties were provided the opportunity to comment on the proposed amendment pursuant to the Citizen Participation Plan previously adopted by the Town Board, and

WHEREAS, the Director of Community Development recommends approval of the proposed amendment as outlined in Resolution 2014-592 on the November 3, 2014 Town Board Meeting, NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby amends the Town of Cheektowaga's Annual Plans on the use of Community Development Block Grant Funds; and BE IT FURTHER

RESOLVED, that the Supervisor be authorized and directed to execute all related documents related to the Annual Plan Amendment.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-418

Agreement with Polish Community Center of Buffalo, Inc. d/b/a Lt. Col. Matt Urban Human Services Center of WNY – 18 Stratford Place

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, the Town receives federal HUD HOME funds for the purpose of using to acquire and rehabilitate distressed properties, AND

WHEREAS, the property located at 18 Stratford Place in the Town of Cheektowaga was donated to the Town of Cheektowaga from Wells Fargo Home Mortgage for the purpose of rehabilitating said house for sale to an income-eligible person or family, AND

WHEREAS, HUD regulations require that the Town contract with a qualified Community Housing Development Organization (CHDO) to carry out the rehabilitation and sale of 18 Stratford Place to an income-qualified first-time homebuyer, AND

WHEREAS, Polish Community Center, Inc. d/b/a the Lt. Col. Matt Urban Human Service Center of WNY, a not-for-profit corporation meeting the HUD regulations for a (CHDO) has been identified, AND

WHEREAS, the Director of Community Development has recommended the Town contract with the Polish Community Center, Inc. d/b/a the Lt. Col. Matt Urban Human Service Center of WNY for the rehabilitation and sale of the property, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with the Polish Community Center, Inc. d/b/a the Lt. Col. Matt Urban Human Service Center of WNY, 1081 Broadway, Buffalo, NY 14212 to act as the CHDO developer for the property at 18 Stratford Place and sale to income-qualified homebuyers, subject to review and approval by the Town Attorney.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-419

Agreement with Polish Community Center of Buffalo, Inc. d/b/a Lt. Col. Matt Urban Human Services Center of WNY – 16-20 Randolph Street

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, the Town receives federal HUD HOME funds for the purpose of using to acquire and construct new homes, AND

WHEREAS, the Town is acquiring the property located at 18 Randolph Avenue in the Town of Cheektowaga for the purpose of demolishing and constructing two new homes on this parcel as well as on Town owned parcels at 16 and 20 Randolph Avenue for sale of the two new homes (new addresses to be determined) to income-eligible persons or families, AND

WHEREAS, HUD regulations allows the Town to contract with a qualified Community Housing Development Organization (CHDO) to carry out the construction and sale of the new homes to income-eligible first-time homebuyers, AND

WHEREAS, Polish Community Center, Inc. d/b/a Lt. Col. Matt Urban Human Service Center of WNY, a not-for-profit corporation meeting the HUD regulations for a (CHDO) has been identified, AND

WHEREAS, the Director of Community Development has recommended the Town contract with the Polish Community Center, Inc. d/b/a Lt. Col. Matt Urban Human Service Center of WNY for the construction and sale of the new homes, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with the Polish Community Center, Inc. d/b/a the Lt. Col. Matt Urban Human Service Center of WNY, 1081 Broadway, Buffalo, NY 14212 to act as the CHDO developer for the properties at 16, 18 & 20 Randolph Avenue and sale to income-qualified homebuyers, subject to review and approval by the Town Attorney.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-420

Authorize Supervisor to Extend Agreement with Baer & Associates, LLC

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, by resolution dated September 7, 2010, the firm of Trautman Associates, Project Architect, was retained to provide Professional Services during construction for the Addition and Renovations to the Police and Court Building Project, and

WHEREAS, Trautman Associates retained the services of Baer & Associates, LLC to provide day to day monitoring and supervision of this project, and

WHEREAS, the Town is involved in an arbitration proceeding with two of the contractors on this project, (Burgio & Campofelice, Inc.; and Industrial Power and Lighting Corporation), and

WHEREAS, the expertise of Baer & Associates, LLC is necessary to assist the Town with the arbitration, and

WHEREAS, by resolution dated February 18, 2015, this Town Board agreed to retain Baer & Associates, LLC for professional services for arbitration support, trial preparation and expert witness services at the hourly rates listed on its proposal in an amount not to exceed \$10,000.00 without further Town Board approval, and

WHEREAS, the arbitration proceeding is continuing and additional services above \$10,000.00 are required throughout this proceeding, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to extend the retention of Baer & Associates, LLC for professional services for arbitration support, trial preparation and expert witness services for the above referenced arbitration, in an additional amount not to exceed \$15,000.00 without further Town Board approval, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an amendment to the original letter of agreement with Baer & Associates for the above services, and BE IT FURTHER

RESOLVED, that funding for said professional services shall be chargeable to Account #500-1440-2528-5025.

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| RESULT: | ADOPTED [5 TO 1] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Meyers, Adamczyk |
| NAYS: | Diane Benczkowski |



15. RESOLUTION 2015-421

Approve Purchase of Four (4) New and Unused 2015 S650 T4 Bobcats Skid-Steer Loaders

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, the Highway Department currently owns four (4) 2014 S650 T4 Bobcat Skid-Steer Loaders purchased through New York State OSG contract PC 66576 AND

WHEREAS, said New York State OSG Contract PC 66576 runs through October 31, 2015, AND

WHEREAS, Bobcat of Buffalo offers a one year trade-in program for said equipment as long as the New York State OSG Contract remains in effect, AND

WHEREAS, said trade-in program is based on the hours of use of equipment and any price increase in the New York State OSG Contract, AND

WHEREAS, the Highway Department has requested authorization to Trade-in four (4) 2014 S650 T4 Bobcat Skid-Steer Loaders for four (4) new and unused 2015 S650 T4 Bobcat Skid-Steer Loaders as specified under the terms of the Bobcat's trade-in program and New York State OSG Contract PC 66576, AND

WHEREAS, funds for said purchase have been budgeted and are available under account number 300-5130-2407, NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby authorized to trade-in Four (4) 2014 S650 T4 Bobcat Skid-Steer Loaders for Four (4) New and Unused 2015 S650 T4 Bobcat Skid-Steer Loaders in the amount of \$16,000.00 from:

Bobcat of Buffalo
6511 South Transit Road
Lockport, NY 14094

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-422

Order Replacement of Sidewalks

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, Chapter 210 of the Code of the Town of Cheektowaga (Streets and Sidewalks) sets forth the specifications for the construction of sidewalks in the Town of Cheektowaga, and

WHEREAS, Section 200-a of the Town Law of the State of New York authorizes a town board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks in towns between the town and property owners, and

WHEREAS, this Town Board, by Local Law No. 4 of the Year 1991 and Local Law No. 5 of the Year 2008 (amended by Local Law No. 3 of the Year 2013), adopted provisions to apportion the cost of relaying or repairing sidewalks in the Town of Cheektowaga between the Town and property owners, and

WHEREAS, the Town Superintendent of Highways has supplied this Town Board with the attached list of sidewalks in the Town which are in need of repair or replacement, NOW, THEREFORE, BE IT

ORDERED, that the owners of properties on the attached list be and hereby are directed to repair/replace the sidewalks abutting such properties on or before October 1, 2015, in accordance with the Town's Streets and Sidewalks Law, and BE IT FURTHER

ORDERED, that, should such property owners neglect to or choose to not repair/replace their sidewalks as so notified before October 1, 2015, the Town will cause such sidewalks to be repaired/replaced; will pay \$47.20 - \$48.80 for each 5-foot linear block repaired/replaced; and will assess/charge the property owner the balance over a period of five (5) years on the County/Town tax bill, with interest at the rate of 6.00 % as authorized by State law; or, at the property owner's option, payment may be made in one lump sum before December 1, 2015, and BE IT FURTHER

ORDERED, that the Town Clerk be and hereby is directed to notify the owners of properties identified on the attached list of the adoption of this Order by sending the attached Notice via certified mail to each owner at his/her/their address as it appears on the Town Assessment Roll.

NOTICE OF ADOPTION OF ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE THAT, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on July 20, 2015,

YOU ARE HEREBY ORDERED to repair the sidewalk in front of your property.

Such work must be completed on or before **October 1, 2015.**

In the event you neglect or choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done. The Town will audit and pay \$47.20 - \$48.80 for each 5-foot linear block replaced; and will assess the remaining expense thereof (including interest at the rate of 6.00%) against your property in five (5) annual installments; this amount will be added to your town tax bills for the next five (5) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so on or before December 1, 2015. You will be notified of the amount you owe for sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$70.80 - \$73.20 per 5-foot linear block of sidewalk.

If you choose to perform the work yourself or have a contractor perform such work, be advised that you will be responsible for paying 100% of the cost of the sidewalk work **(the Town will not pay anything towards your cost).**

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

DATED: July 20, 2015

ALICE MAGIERSKI
Town Clerk

Attachments:

sidewalk list 7-20-15-07142015211351 (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-423

Memorialize New York State Department of Transportation to Conduct Traffic Study

Sponsored By: Meyers, Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk

WHEREAS, both Harlem Road and Walden Avenue in the Town of Cheektowaga are state highways and are maintained by the New York State Department of Transportation ("NYSDOT"), AND

WHEREAS, the intersection of Harlem Road and Walden Avenue has been the scene of two (2) fatalities within the last year, one being on July 9th, 2015 and the other on August 5, 2014, AND

WHEREAS, both accidents have involved pedestrians being struck by vehicles while attempting to cross said intersection, AND

WHEREAS, the intersection of Harlem Road and Walden Avenue is not only one of the busiest in the Town of Cheektowaga, but has since become one of the more dangerous for both pedestrian and vehicle traffic, AND

WHEREAS, this Town Board wants immediate action to be taken by the NYSDOT to prevent any further loss of life at said intersection, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NYSDOT to conduct an expedited traffic study of the Harlem Road at Walden Avenue intersection and take any and all steps necessary to ensure the safety of both pedestrian and vehicle safety, AND, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Governor Andrew Cuomo, Senator Timothy Kennedy, Assemblywoman Angela Wozniak and Darrell F. Kaminski, P.E., Regional Director, Region 5, NYSDOT.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-424

Bonfire-JFK High School

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Open Burning Law of the Town of Cheektowaga, the Fire Inspector Joseph Ehnes 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, Joseph Ehnes AND

WHEREAS, an application for a permit was submitted by the JFK High School to conduct an open fire on October 2, 2015 on the property located at 305 Cayuga Creek Road, Cheektowaga, New York AND

WHEREAS, the applicant intends to maintain a small bonfire with the assistance of the Doyle 1 & 2 Fire Departments in conjunction with summer youth activities, AND

WHEREAS, the Fire Inspector Joseph Ehnes has received this application and finds that all requirements have been met. And that this application is in compliance with conditions and requirement 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 JFK High School District and the recommendations of the Fire Inspector Joseph Ehnes, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, authorizes the Fire Inspector Joseph Ehnes to issue such permit.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-425

Demolition & Removal of Unsafe Pool & Deck/309 Cleveland Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 309 Cleveland Drive, Cheektowaga, New York SBL# 80.17-14-4 that is a danger to the safety of others, and records kept by the Assessors Office identify Joel Goodrich, 309 Cleveland Drive, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 309 Cleveland Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-426

Remove & Safeguard Unsafe Facade/71 Clearvale Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 71 Clearvale Drive, Cheektowaga, New York SBL# 91.11-5-15 That is a danger to the safety of others, and records kept by the Assessors Office identify Raymond O'Brien & Wife, 71 Clearvale Drive, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 71 Clearvale Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-427

Youth & Recreation Hire/Transfer

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Attendant - 7310.1801 - \$10.00 - Seasonal - Retro to 7/6/15

Sandra Schrader

14225

BE IT FURTHER RESOLVED that the below listed individuals be transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Specialist - 7310.1811 - \$17.75 - Regular Part-time

Brad Agen

Recreation Specialist - 7310.1811 - \$15.00 - Regular Part-time

Adam Skowron

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the Reading of Names for the Following two (2) resolutions: 2015-427 and 2015-248. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]

MOVER: Diane Benczkowski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



22. RESOLUTION 2015-428

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individual be and hereby is hired as a **SEASONAL EMPLOYEE**, not to exceed five (5) months in a calendar year, in the department listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.25/hour effective 7/6/15
Bryan A. McManus, Cheektowaga, New York

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

POLICE DEPARTMENT Dog Control Officer \$10.75/hour effective 7/21/15
Brandon J. Kuczmarski, Cheektowaga, New York

JUSTICE COURT Clerk \$9.25/hour effective 7/28/15
Viktoriya V. Vorobyeva, Cheektowaga, New York

IT/RECORDS MANAGEMENT Clerk (Temporary) \$15/hour effective 7/21/15
Sharon F. Sitniewski, Sloan, New York

BE IT RESOLVED, that the following part-time employees be and hereby are transferred to seasonal status as listed:

SANITATION DEPARTMENT Laborer \$9.25/hour effective 6/15/15
Jordan C. Kumro, Cheektowaga, New York
Andrew J. Miller, Cheektowaga, New York

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

SANITATION DEPARTMENT
Michael Aiken effective 7/9/15

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-429

Reappointment to Board of Ethics

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, the term of Eleanor Peinkofer as Member of the Board of Ethics expires on August 1, 2015, AND

WHEREAS, the Board of Ethics has recommended that Mrs. Peinkofer be reappointed to serve on the Board of Ethics for another term, AND

WHEREAS, Mrs. Peinkofer has expressed an interest in being reappointed to the Board of Ethics, NOW, THEREFORE, BE IT

RESOLVED, that Eleanor Peinkofer, of Cheektowaga, New York be and hereby is reappointed to the Board of Ethics, effective August 1, 2015 and expiring on August 1, 2020.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-430

Appointment to Traffic Safety Commission

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, a vacancy exists on the Traffic Safety Commission; and

WHEREAS, Richard G. Balbuzoski, a Senior Sanitary Engineer and exempt volunteer firefighter, has expressed an interest in serving on said Commission; and

WHEREAS, the Traffic Safety Commission has interviewed Mr. Balbuzoski, has determined that he has the necessary qualifications and recommends that he be appointed to serve as a member of the Cheektowaga Traffic Safety Commission; NOW THEREFORE, BE IT

RESOLVED, that Richard G. Balbuzoski of Cheektowaga, New York, be and hereby is appointed to the Traffic Safety Commission, effective immediately, said appointment terminating on December 31, 2017.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-431

Appointment of Maintenance Worker (Labor/Permanent) Facilities Department (Buildings and Grounds Division) - Christopher D. O'Neill

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Maintenance Worker position exists in the Facilities Department (Buildings and Grounds 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, no bargaining unit member bid on the vacancy; AND

WHEREAS, Christopher D. O'Neill of Depew, New York, currently employed as a part-time Laborer in the Facilities Department, applied for said vacancy and meets the qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Christopher D. O'Neill of Depew, New York be and hereby is appointed to the position of Maintenance Worker in the Facilities Department (Buildings and Grounds Division) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective July 21, 2015.

| | |
|----------------|------------------|
| RESULT: | WITHDRAWN |
|----------------|------------------|



26. RESOLUTION 2015-432

Appointment of Police Officers (Competitive/Permanent) Brendan Tomasulo and Joshua Donovan

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, two (2) vacancies exist in the position of Police Officer in the Town of Cheektowaga; AND

WHEREAS, the civil service list for said title has been canvassed and candidates have been interviewed; NOW, THEREFORE, BE IT

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

1. Brendan Tomasulo, Cheektowaga, New York
2. Joshua Donovan, Cheektowaga, New York; AND, BE IT FURTHER

RESOLVED, that these officers' seniority be based on the order of their appointment as enumerated above; AND, BE IT FURTHER

RESOLVED, that said appointments shall become effective July 30, 2015, and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



27. RESOLUTION 2015-433

Travel Authorization Police Department/Lieutenant Patrick Chludzinski and Sergeant James Patterson

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the IAPRO Annual Users Conference is being held November 2 through November 6, 2015 in Scottsdale, Arizona; AND

WHEREAS, Lieutenant Patrick Chludzinski and Sergeant James Patterson have been recommended to attend said conference; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,031.77; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Patrick Chludzinski and Sergeant James Patterson be and hereby are authorized to attend the IAPRO Annual Users Conference being held November 2 through November 6, 2015 in Scottsdale, Arizona.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



28. RESOLUTION 2015-434

Travel Authorization Police Department/Lieutenant Thomas Gerace

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Advanced Vice and Narcotics Investigations Conference is being held August 24 through August 28, 2015 in Charlottesville, Virginia; AND

WHEREAS, Lieutenant Thomas Gerace has been recommended to attend said conference; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,443.80; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Thomas Gerace be and hereby is authorized to attend the Advanced Vice and Narcotics Investigations Conference being held August 24 through August 28, 2015 in Charlottesville, Virginia.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

IV. Communications

A. Departmental Communications

1. **Minutes: Cheektowaga Traffic Safety Commission - June 16, 2015**
2. **Minutes: Cheektowaga Planning Board - July 9, 2015**
3. **Town of Cheektowaga Emergency Services - Quarterly Report for April to June 2015**
4. **Town of Cheektowaga Building Permit List - June 2015**

B. General Communications

1. **Drescher & Malecki - Auditor's Communication Letter for the Town of Cheektowaga for the Year Ended December 31, 2014**
2. **Drescher & Malecki - Management Letter for the Town of Cheektowaga for the Year Ended December 31, 2014**
3. **Drescher & Malecki - Comprehensive Annual Financial Report for the Town of Cheektowaga for the Year Ended December 31, 2014**
4. **Drescher & Malecki - Supplement to the Comprehensive Annual Financial Report for the Town of Cheektowaga for the Year Ended December 31, 2014**
5. **Summons: Citizens Bank, N.A. vs. Michele Ward aka Michele R. Ward, as Executrix of the Estate of Ruthann Schmidt; the Town of Cheektowaga & Etal**
6. **Notice of Claim: Kurtis Klein vs. Town of Cheektowaga**
7. **Notice of Claim: Glenn Seidel vs. Town of Cheektowaga**
8. **Notice of Petition: R & F Walden Avenue, LLC vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York**
9. **Notice of Petition: Holland Motor Express vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York**
10. **Notice of Petition: 151 Bennett Road, LLC; 225 Bennett Road, LLC vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York**
11. **Notice of Petition: Buffalo RHM Operating LLC vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York**
12. **Notice of Petition: Ken-Vil Associates Limited Partnership vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York**
13. **Notice of Petition: Macy's Retail Holdings, Inc. vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York**
14. **Notice of Petition: LT Propco, LLC vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York**
15. **Notice of Petition: French/Borden Partners LLC c/o Walgreens vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York**

16. Notice of Petition: Urban Assoc LLC c/o Walgreens vs. Assessor, Town of Cheektowaga, Board of Assessment Review of the Town of Cheektowaga and the Town of Cheektowaga, Erie County, New York

V. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VI. Adjournment

Motion by Councilmember Rogowski; Seconded by Councilmember Kaminski to adjourn the meeting at 7:32 PM

Alice Magierski, Town Clerk



EARTH DIMENSIONS, INC.

* Soil & Hydrogeologic Investigations * Wetland Delineations
 1091 Jamison Road, Elma NY 14059
 (716) 655-1717 * Fax (716) 655-2915 www.earthdimensions.com

Project Code: W11D15a

June 1, 2015

Mr. David Denk
 Regional Permit Administrator
 NYSDEC Region 9
 270 Michigan Avenue
 Buffalo, New York 14203-2999

Mr. Steven Metivier
 New York Section Chief
 Buffalo District U.S. Army Corps of Engineers
 1776 Niagara Street
 Buffalo, New York 14207

RE: Oral & Maxillofacial
 4708 Transit Road
 Town of Cheektowaga
 Erie County, New York


Dear Mr. Denk and Mr. Metivier:

On behalf of our client, C&S Engineers, Earth Dimensions, Inc. (EDI) is submitting the attached application package for the impact of 0.1± acre of federal jurisdictional wetland. The proposed project involves the construction of a 2,662 square foot building expansion and parking lot for a medical practice proposed on what is currently a single family residence. We are requesting a Nationwide 39 permit from USACE and Section 401 Water Quality Certification from NYSDEC.

Enclosed please find the Joint Application for Permit, site plans, wetland delineation report and Section 7 consultation statement.

If you have any questions or require further information, please contact our office at (716) 655-1717 or email livingstone@earthdimensions.com.

Very truly yours,
 Earth Dimensions, Inc.

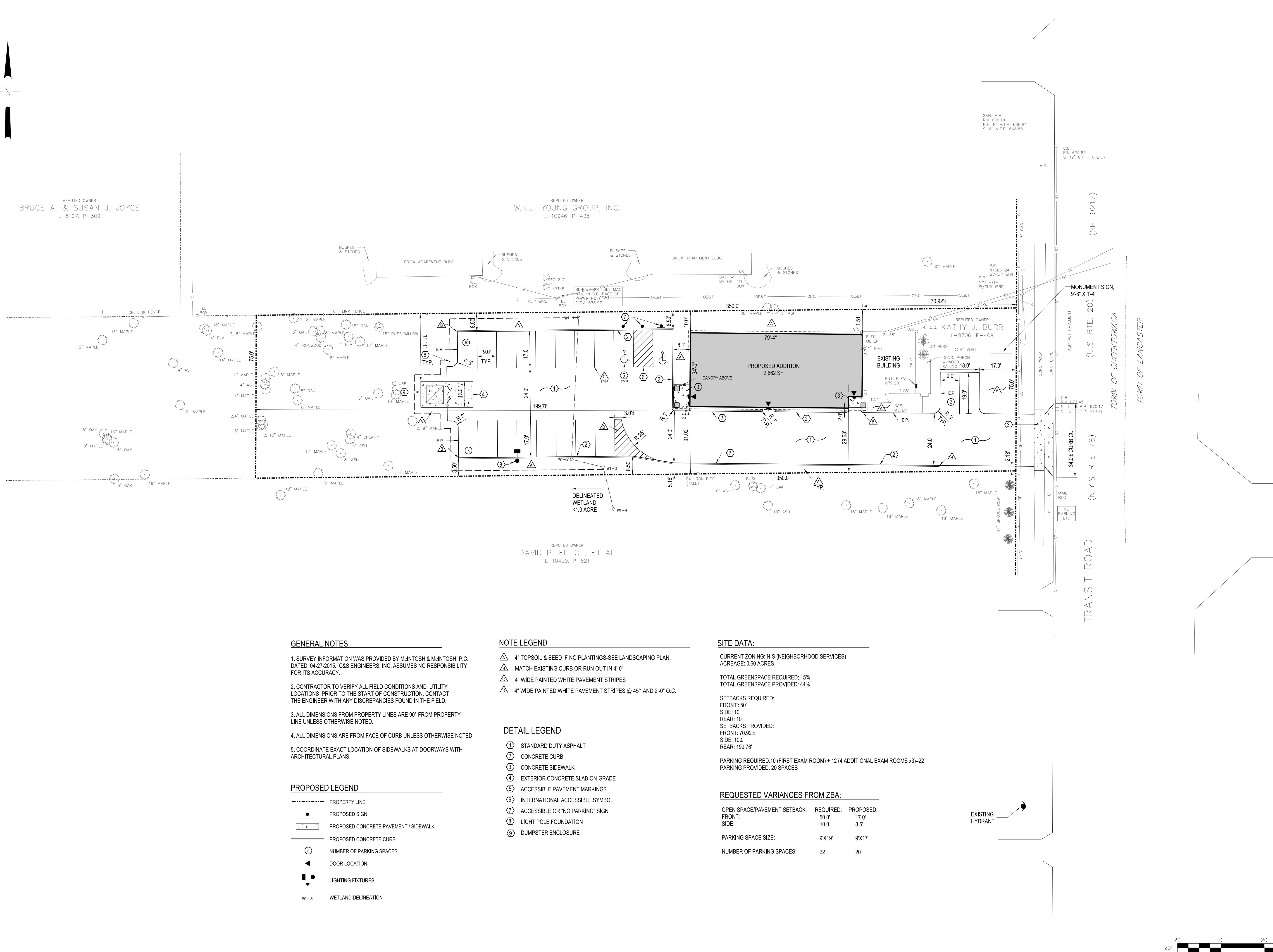
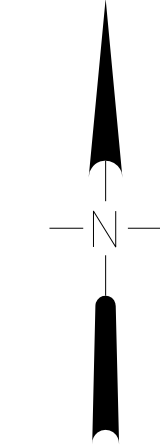

 Scott J. Livingstone
 Senior Soil Scientist

encl.

cc: Kathy Burr, owner
 Lowell Dewey, C&S Engineers
 Jim Bammel, Bammel Architects

Attachment: USACOE Agency Submittal_1June2015 (RES-2015-409 : Negative SEQOR Declaration - 4708 Transit road)

\\nas01\ba\Bammel\Architects\Project Files\2015\15.06_Ord Max\SitePlan.dwg
1/25/2016
C:\Users\ba\OneDrive\Documents\Bammel\Architects\Project Files\2015\15.06_Ord Max\SitePlan.dwg
Packet Pg. 41



GENERAL NOTES

1. SURVEY INFORMATION WAS PROVIDED BY McINTOSH & MINTOSH, P.C., DATED 04-27-2015. C&S ENGINEERS, INC. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.
2. CONTRACTOR TO VERIFY ALL FIELD CONDITIONS AND UTILITY LOCATIONS PRIOR TO THE START OF CONSTRUCTION. CONTACT THE ENGINEER WITH ANY DISCREPANCIES FOUND IN THE FIELD.
3. ALL DIMENSIONS FROM PROPERTY LINES ARE 90° FROM PROPERTY LINE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE FROM FACE OF CURB UNLESS OTHERWISE NOTED.
5. COORDINATE EXACT LOCATION OF SIDEWALKS AT DOORWAYS WITH ARCHITECTURAL PLANS.

PROPOSED LEGEND

- PROPERTY LINE
- PROPOSED SIGN
- PROPOSED CONCRETE PAVEMENT / SIDEWALK
- PROPOSED CONCRETE CURB
- NUMBER OF PARKING SPACES
- DOOR LOCATION
- LIGHTING FIXTURES
- W1-3 WETLAND DELINEATION

NOTE LEGEND

- 4" TOPSOIL & SEED IF NO PLANTINGS-SEE LANDSCAPING PLAN.
- MATCH EXISTING CURB OR RUN OUT IN 4'-0"
- 4" WIDE PAINTED WHITE PAVEMENT STRIPES
- 4" WIDE PAINTED WHITE PAVEMENT STRIPES @ 45° AND 2'-0" O.C.

DETAIL LEGEND

- STANDARD DUTY ASPHALT
- CONCRETE CURB
- CONCRETE SIDEWALK
- EXTERIOR CONCRETE SLAB-ON-GRADE
- ACCESSIBLE PAVEMENT MARKINGS
- INTERNATIONAL ACCESSIBLE SYMBOL
- ACCESSIBLE OR 'NO PARKING' SIGN
- LIGHT POLE FOUNDATION
- DUMPSTER ENCLOSURE

SITE DATA:

CURRENT ZONING: N-S (NEIGHBORHOOD SERVICES)
ACREAGE: 0.60 ACRES

TOTAL GREENSPACE REQUIRED: 15%
TOTAL GREENSPACE PROVIDED: 44%

SETBACKS REQUIRED:
FRONT: 50'
SIDE: 10'
REAR: 10'
SETBACKS PROVIDED:
FRONT: 70.92±
SIDE: 10.0'
REAR: 199.78'

PARKING REQUIRED: 10 (FIRST EXAM ROOM) + 12 (4 ADDITIONAL EXAM ROOMS x3)=22
PARKING PROVIDED: 20 SPACES

REQUESTED VARIANCES FROM ZBA:

| OPEN SPACE/PAVEMENT SETBACK: | REQUIRED: | PROPOSED: |
|------------------------------|-----------|-----------|
| FRONT: | 50.0' | 17.0' |
| SIDE: | 10.0 | 8.5' |
| PARKING SPACE SIZE: | 9'X19' | 9'X17' |
| NUMBER OF PARKING SPACES: | 22 | 20 |



BAMMEL ARCHITECTS
A PROFESSIONAL CORPORATION

6459 WEST QUAKER STREET
ORCHARD PARK, NY 14127
phone (716) 662-2482
fax (716) 662-2487

CONSULTANTS:



C&S Engineers, Inc.
141 Elm Street, Suite 100
Buffalo, New York 14203
Phone: 716-847-1630
Fax: 716-847-1454
www.cscos.com

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Any unauthorized alteration of or addition to this drawing/document is a violation of section 7307 of the New York State education law, article 14 of the constitution.

SEAL:

PROJECT IDENTIFICATION:

NEW ADDITION/ ALTERATION FOR:
ORAL & MAXILLOFACIAL
4708 TRANSIT ROAD
CHEEKTOWAGA, NY

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ISSUE

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|-----------------|----------|
| ISSUE DATE: | 6/1/2015 |
| FILE NAME: | |
| PROJECT NUMBER: | 15.06 |
| SCALE: | AS NOTED |
| DRAWN BY: | CJG |
| CHECKED BY: | ALL |

SHEET TITLE:

SITE PLAN

DRAWING NO:

C-101



CONSULTANTS:



Any unauthorized alteration of or addition to this drawing/document is a violation of section 7307 of the New York State education law, article 147-architecture

PROJECT IDENTIFICATION:

[illegible]

ISSUE

ISSUE DATE: 6/1/2015

FILE NAME:

PROJECT NUMBER: 15.06

SCALE: AS NOTED

DRAWN BY: CJG

CHECKED BY: _____ ALL

SHEET TITLE:

DRAWING NO:

C-104

3.4.



- | KEY | QTY. | PLANT LIST | | MINIMUM SIZE |
|-----|------|--|------------------------|----------------|
| | | BOTANICAL NAME | COMMON NAME | |
| AP | 3 | Acer Platanoides "Crimson King" | Crimson King Maple | 2 1/2" Caliper |
| AR | 8 | Acer Rubrum "Red Sunset" | Red Sunset Maple | 2 1/2" Caliper |
| BG | 13 | Buxus "Green Velvet" | Green Velvet Boxwood | 21-24" |
| JH | 8 | Juniperus Chinensis "Hetzi Columnaris" | Hetz Staked Juniper | 4' Ht. |
| SL | 6 | Spiraea Japonica "Little Princess" | Little Princess Spirea | 18-24" |

NOTE:

1. ALL TREES SHALL BE B&B (BALLED & BURLAP) #1 ACCORDING TO N.Y. NURSERYMAN ASSOCIATION STANDARDS.
2. ALL POTTED MATERIALS SHALL BE 3 GALLONS & UP.



NTS

TREE PLANTING DETAIL

NTS

| print key | loc st nbr | loc prefix dir | loc st name | loc mail st suff | Blocks | | owner name | Zowner name | P.O. Box | Address | City | State | Zip |
|---------------|---------------|----------------------|----------------|---------------------|-------------------|-------------------|---------------------------|----------------------|----------|------------------|-------------|-------|------------|
| | | | | | (walk) | Approach | | | | | | | |
| | | | | | 4" SW Sections | 6" DW Sections | | | | | | | |
| 114.04-5-31.1 | 1025 | | Borden | Road | 6 | | Lord Of Life Lutheran Chu | | | 1025 Borden Rd. | Depew | NY | 14043 |
| 114.16-2-4 | 11 | | Joel | Drive | 2 | | Jesse B. Mrugalski | | | 11 Joel Dr. | Depew | NY | 14043 |
| 114.16-2-5 | 15 | | Joel | Drive | 1.5 | | Joseph A. Zaccaria | | | 15 Joel Dr. | Depew | NY | 14043 |
| 114.16-2-6 | 19 | | Joel | Drive | 3.5 | 2 | Andrew G. Sedor | | | 19 Joel Dr. | Depew | NY | 14043-4610 |
| 114.16-2-7 | 23 | | Joel | Drive | 5 | 3 | Michael C. Lysiak & W. | | | 23 Joel Dr. | Depew | NY | 14043-4610 |
| 114.16-2-8 | 27 | | Joel | Drive | 3 | | Margaret E. Hinkle | | | 99 Shinbone Ln. | Commack | NY | 11725 |
| 114.16-2-9 | 31 | | Joel | Drive | 3.5 | 1 | Robert I. Fitzsimmons | Ann M. Fitzsimmons | | 31 Joel Dr. | Depew | NY | 14043-4610 |
| 114.16-2-10 | 35 | | Joel | Drive | 3.5 | 2 | Antonino Vaccaro | Lisa D. Vaccaro | | 35 Joel Dr. | Depew | NY | 14043-4610 |
| 114.16-2-11 | 39 | | Joel | Drive | 4 | | Sam Hunt Jr. | Marcella C. Hunt | | 39 Joel Dr. | Depew | NY | 14043-4610 |
| 114.16-2-12 | 43 | | Joel | Drive | 4 | | Christian J. Pawlak | Melissa M. Pawlak | | 43 Joel Dr. | Depew | NY | 14043-4610 |
| 114.16-2-13 | 47 | | Joel | Drive | 2 | 2 | Timothy P. Murphy & W. | | | 47 Joel Dr. | Depew | NY | 14043-4610 |
| 114.16-2-14 | 51 | | Joel | Drive | 1 | 1 | Thomas Wilczewski | | | 51 Joel Dr. | Depew | NY | 14043 |
| 114.16-2-15 | 55 | | Joel | Drive | 2 | 2 | Kenneth R. Egan & W. | | | 55 Joel Dr. | Depew | NY | 14043-4610 |
| 114.16-1-9 | 74 | | Joel | Drive | 6 | 1 | Linda D. Gerken | John M. Gerken | | 74 Joel Dr. | Depew | NY | 14043-4611 |
| 114.16-1-8 | 68 | | Joel | Drive | 5 | | Richard Kipler | Linda Kipler | | 68 Joel Dr. | Depew | NY | 14043-4611 |
| 114.16-1-7 | 62 | | Joel | Drive | 1 | | Kevin M. Frisch | | | 62 Joel Dr. | Depew | NY | 14043 |
| 114.16-1-5 | 50 | | Joel | Drive | 2 | | Francis J. Vallon | Janice C. Vallon | | 50 Joel Dr. | Depew | NY | 14043-4611 |
| 114.16-1-4 | 44 | | Joel | Drive | 4 | | Joseph Cummings | Susan Cummings | | 44 Joel Dr. | Depew | NY | 14043 |
| 114.16-1-3 | 38 | | Joel | Drive | 4 | 1 | Joseph L. Smaczniak | Wendy M. Smaczniak | | 38 Joel Dr. | Depew | NY | 14043-4611 |
| 114.16-1-2 | 32 | | Joel | Drive | 4 | 1 | Mark Visbisky | | | 32 Joel Dr. | Depew | NY | 14043-4611 |
| 114.16-1-1 | 26 | | Joel | Drive | 8 | | Dorothy Kaczmarek | Christine Daczmarek | | 26 Joel Dr. | Depew | NY | 14043 |
| 125.06-9-6 | 49 | | Denise | Drive | 7 | 3 | Lynda D. Ferriter | John Ferriter, Jr. | | 49 Denise Dr. | Cheektowaga | NY | 14227-3105 |
| 125.06-8-1 | 125 | | Towers | Boulevard | 7 | | Carole Filipiak | Daryl M. Filipiak | | 125 Towers Blvd. | Cheektowaga | NY | 14227-3138 |
| 125.06-8-2 | 8 | | Denise | Drive | 3 | | Daniel E. Marciniak | Shirley J. Marciniak | | 8 Denise Dr. | Cheektowaga | NY | 14227-3104 |
| 125.06-8-3 | 14 | | Denise | Drive | | 11 | Jaroslav N. Sedlarczuk | | | 14 Denise Dr. | Cheektowaga | NY | 14227-3104 |
| 125.06-8-4 | 18 | | Denise | Drive | 4 | 1 | Daniel D. McLaren | Lindsay C. McLaren | | 18 Denise Dr. | Cheektowaga | NY | 14227 |
| 125.06-8-5 | 24 | | Denise | Drive | 3 | 1 | Bette K. Hammer | Diane Bette Szeliga | | 24 Denise Dr. | Cheektowaga | NY | 14227-3106 |
| 125.06-8-6 | 28 | | Denise | Drive | 2 | | Timothy R. Krause | Julianne Krause | | 28 Denise Dr. | Cheektowaga | NY | 14227-3106 |
| 125.06-8-7 | 32 | | Denise | Drive | 1 | | Nicole M. Szeluga | | | 32 Denise Dr. | Cheektowaga | NY | 14227-3106 |
| 125.06-8-8 | 38 | | Denise | Drive | 5 | | Amy M. Streczywilk | | | 38 Denise Dr. | Cheektowaga | NY | 14227-3106 |
| 125.06-8-9 | 44 | | Denise | Drive | 1 | | Paul F. Morton Jr. | | | 44 Denise Dr. | Cheektowaga | NY | 14227-3106 |
| 125.06-8-10 | 48 | | Denise | Drive | 3 | 1 | Joseph F. Alba & W. | | | 48 Denise Dr. | Cheektowaga | NY | 14227-3106 |
| 125.06-8-12 | 56 | | Denise | Drive | 3 | | Mark R. Gallely | Jill M. Gallely | | 56 Denise Dr. | Cheektowaga | NY | 14227 |
| 125.06-8-13 | 60 | | Denise | Drive | 3 | | Maureen P. Rivera | | | 60 Denise Dr. | Cheektowaga | NY | 14227-3106 |
| 125.06-8-14 | 66 | | Denise | Drive | 3 | 3 | Andrew Pfeifer | Courtney Pfeifer | | 66 Denise Dr. | Cheektowaga | NY | 14227-3106 |
| 125.06-8-15 | 72 | | Denise | Drive | 1 | | Jacqlyn Lyons | Karen Clouden | | 72 Denise Dr. | Cheektowaga | NY | 14227 |
| 125.06-8-16 | 76 | | Denise | Drive | 2 | | James B. Dziekan | | | 76 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-17 | 80 | | Denise | Drive | 3 | | Donna M. Jablonski | | | 80 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-18 | 84 | | Denise | Drive | 2 | 4 | Shirley A. Morrison | | | 84 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-19 | 88 | | Denise | Drive | 2 | 1 | Norma J. Klinger | Stephen C. Klinger | | 88 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-22 | 100 | | Denise | Drive | 3 | | Marsha L. Fortuna | Theodore P. Fortuna | | 100 Denise Dr. | Cheektowaga | NY | 14227-3143 |

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| 125.06-8-23 | 104 | Denise | Drive | 1 | | Brenda S. Madison | | 104 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-24 | 110 | Denise | Drive | 4 | | Glenn A. Geddes | Lyn D. Geddes | 110 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-10-26 | 111 | Denise | Drive | 3.5 | | Paul Collier | Grane Ann Collier | 111 Denise Dr. | Cheektowaga | NY | 14227-3144 |
| 125.06-10-25 | 107 | Denise | Drive | 2 | | Carol E. Barber | | 107 Denise Dr. | Cheektowaga | NY | 14227 |
| 125.06-10-24 | 103 | Denise | Drive | 8 | | Gertrude Schilage | | 103 Denise Dr. | Cheektowaga | NY | 14227-3144 |
| 125.06-10-23 | 73 | Denise | Drive | 10 | | Katherine Olszowy | Martin Olszowy | 73 Denise Dr. | Cheektowaga | NY | 14227-3144 |
| 125.06-9-5 | 45 | Denise | Drive | 1 | 4 | Daniel M. Planter | | 45 Denise Dr. | Cheektowaga | NY | 14227-3105 |
| 125.06-9-4 | 41 | Denise | Drive | 7 | | Emil Mansour | Violette Mansour | 41 Denise Dr. | Cheektowaga | NY | 14227-3105 |
| 125.06-9-3 | 37 | Denise | Drive | 7 | 2 | Sean P. & Ewa B. Reilly | | 4601 Clinton St. | West Seneca | NY | 14224 |
| 125.06-9-2 | 31 | Denise | Drive | 1 | 1 | Patricia M. Arbore | c/o The Meadows | 2650 North Forest Rd., Apt. # 204 | Getzville | NY | 14068-1527 |
| 125.06-10-2 | 11 | Denise | Drive | 7.5 | | Jan M. Bracikowski | Beverly A. Bracikowski | 11 Denise Dr. | Cheektowaga | NY | 14227 |
| 125.06-10-1 | 115 | Towers | Boulevard | 8.5 | | Karen A. Glanowski | Ronald F. Glanowski | 115 Towers Blvd. | Cheektowaga | NY | 14227-3140 |
| 125.06-10-33 | 242 | North Seine | Drive | 4 | | Mark Herbold & W. | | 140 Hickory Hl. | Elma | NY | 14059 |
| 125.06-10-30 | 129 | Denise | Drive | 5 | | Kristin M. Wawrzeniec | | 129 Denise Dr. | Cheektowaga | NY | 14227-3144 |
| 125.06-10-29 | 125 | Denise | Drive | 5 | | Gary P. Milsom | Deanna Bower | 125 Denise Dr. | Cheektowaga | NY | 14227-3144 |
| 125.06-10-28 | 121 | Denise | Drive | 1 | | Mark Hopp | | 121 Denise Dr. | Cheektowaga | NY | 14227-3144 |
| 125.06-10-27 | 115 | Denise | Drive | 8.5 | 3 | Peter C. Alioto | Kathleen T. Alioto | 115 Denise Dr. | Cheektowaga | NY | 14227-3144 |
| 125.06-8-25 | 116 | Denise | Drive | 2 | | Ralph J. Maraszek | Barbara Maraszek | 116 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-26 | 120 | Denise | Drive | 2.5 | | Lawrence J. Edenholm | | 120 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-27 | 124 | Denise | Drive | 0.5 | | Michael A. Miller & W. | | 124 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-28 | 130 | Denise | Drive | 4 | | Raymond M. Pilarski | Margaret M. Pilarski | 130 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-29 | 134 | Denise | Drive | 3 | | Sabatino Rombola | | 134 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-31 | 144 | Denise | Drive | 1 | | Angela P. Curtis | The Angela P. Curtis Revocable Tru | 144 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-8-32 | 148 | Denise | Drive | 7 | | John C. & Karin M. Cywinski | | 148 Denise Dr. | Cheektowaga | NY | 14227-3143 |
| 125.06-9-1 | 5 | Janine | Court | 7 | | Michael Gawinski | | 5 Janine Ct. | Cheektowaga | NY | 14227-3111 |
| 125.06-9-18 | 25 | Janine | Court | 4 | | Joseph A. Minsterman & W. | | 25 Janine Ct. | Cheektowaga | NY | 14227-3111 |
| 125.06-9-17 | 31 | Janine | Court | 3 | 1 | Sara M. Petroci | | 31 Janine Ct. | Cheektowaga | NY | 14227 |
| 125.06-9-16 | 37 | Janine | Court | 5 | | Paul A. Bajer | Susan D. Bajer | 37 Janine Ct. | Cheektowaga | NY | 14227 |
| 125.06-9-15 | 43 | Janine | Court | 4 | 1 | Mary Allis | | 43 Janine Ct. | Cheektowaga | NY | 14227-3111 |
| 125.06-9-13 | 51 | Janine | Court | 3 | | Joan Lesinski | Wayne C. Lesinski | 51 Janine Ct. | Cheektowaga | NY | 14227-3111 |
| 125.06-9-12 | 55 | Janine | Court | 2 | 2 | Robert J. Wild | Diane D. Wild | 55 Janine Ct. | Cheektowaga | NY | 14227-3111 |
| 125.06-9-11 | 65 | Janine | Court | 9.5 | 1 | Barbara Horvath | | 65 Janine Ct. | Cheektowaga | NY | 14227-3111 |
| 125.06-9-10 | 87 | Janine | Court | 2.5 | | Eugene F. Wojtkowiak | Theresa Wojtkowiak | 87 Janine Ct. | Cheektowaga | NY | 14227-3111 |
| 125.06-9-9 | 91 | Janine | Court | 2 | | Edward C. Sibilio & W. | | 91 Janine Ct. | Cheektowaga | NY | 14227-3111 |
| 125.06-9-8 | 95 | Janine | Court | 8 | | James W. Fullagar, Jr. | Jane Fullagar | 95 Janine Ct. | Cheektowaga | NY | 14225 |
| 125.06-10-22 | 90 | Janine | Court | 3 | | Robert Breidenstein | Gail L. Breidenstein | 90 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-21 | 84 | Janine | Court | 3 | | Richard D. Chudzik | Janet M. Chudzik | 84 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-20 | 80 | Janine | Court | 4 | | Gerald R. Young | David G. Young | 80 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-17 | 68 | Janine | Court | 2 | 1 | Andrew R. Berggren | Jennifer Berggren | 68 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-16 | 64 | Janine | Court | 1 | | Donald D. Thompson | | 64 Janine Ct. | Cheektowaga | NY | 14227 |
| 125.06-10-15 | 60 | Janine | Court | 2 | | Robert J. Lombard & W. | | 60 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-14 | 56 | Janine | Court | 3 | | Robert F. Burgio | | 56 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-13 | 50 | Janine | Court | 5 | | Marion D. Waag | | 50 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-12 | 44 | Janine | Court | 4 | 2 | Russell J. Polisenio & W. | | 44 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-11 | 40 | Janine | Court | 4 | | Christine E. Wilczek | Cheryl Lesinski | 40 Janine Ct. | Cheektowaga | NY | 14227-3112 |

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| 125.06-10-10 | 36 | Janine Court | 1 | | Maria Bella | | 36 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-9 | 32 | Janine Court | 3 | | Thomas J. Krantz | Susan Krantz | 32 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-7 | 24 | Janine Court | 3 | 1 | Norman D. Schunke & W. | | 24 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-6 | 20 | Janine Court | 3 | | William R. Schworm & W. | | 20 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-5 | 16 | Janine Court | 3.5 | | Daniel Eyrick | Lauren Zillner | 16 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-4 | 12 | Janine Court | 0.5 | | Christina M. Kriegbaum | | 12 Janine Ct. | Cheektowaga | NY | 14227-3112 |
| 125.06-10-3 | 8 | Janine Court | 4 | 1 | Frank J. Mango | Caroline F. Mango | 180 S Enchanted Frst. | Depew | NY | 14043 |
| 125.09-6-25 | 165 | Marrano Parkway | 2 | 1 | Bruce Blossom | Kimberly Ostrowski | 165 Marrano Pky. | Cheektowaga | NY | 14227 |
| 125.10-12-62 | 169 | Marrano Parkway | | 2 | Norbert Pleban | Lucille Pleban | 169 Marrano Pky. | Cheektowaga | NY | 14227-3514 |
| 125.10-12-61 | 175 | Marrano Parkway | 0.5 | 1 | Michael G. Pugliese | | 175 Marrano Pkwy. | Cheektowaga | NY | 14227-3514 |
| 125.10-12-60 | 179 | Marrano Parkway | 0.5 | | Stanley L. Jozwiak | Christine Jozwiak | 179 Marrano Pkwy. | Cheektowaga | NY | 14227-3514 |
| 125.10-12-58 | 189 | Marrano Parkway | 2 | 2 | Patricia A. Krajna | Cheryl A. Krajna | 189 Marrano Pky. | Cheektowaga | NY | 14227-3516 |
| 125.10-12-57 | 193 | Marrano Parkway | 1 | | Eugene Kubik & W. | | 193 Marrano Pky. | Cheektowaga | NY | 14227-3516 |
| 125.10-12-56 | 197 | Marrano Parkway | 2 | | Robyn E. Lapenta | | 197 Marrano Pkwy. | Cheektowaga | NY | 14227-3516 |
| 125.10-12-55 | 201 | Marrano Parkway | 2.5 | | Richard D. & Lynn M. Kirsch | | 201 Marrano Pkwy. | Cheektowaga | NY | 14227 |
| 125.10-12-54 | 205 | Marrano Parkway | 4 | 1 | Richard E. Wilson & W. | | 50 E Royal Hill Dr. | Orchard Park | NY | 14127-1655 |
| 125.10-12-53 | 209 | Marrano Parkway | 1.5 | | Barbara E. Hails | | 209 Marrano Pky. | Cheektowaga | NY | 14227-3518 |
| 125.10-12-52 | 217 | Marrano Parkway | 2 | | Richard M. Kelly Maybach | And Barbara S. | 217 Marrano Pky. | Cheektowaga | NY | 14227 |
| 125.10-12-51 | 221 | Marrano Parkway | 2.67 | 1 | Arlene Gajewski | | 221 Marrano Pky. | Cheektowaga | NY | 14227-3547 |
| 125.10-12-50 | 225 | Marrano Parkway | 5.83 | 1 | Leonard M. Kusmierczyk | Rosemary Kusmierczyk | 225 Marrano Pkwy. | Cheektowaga | NY | 14227-3545 |
| 125.10-12-49 | 229 | Marrano Parkway | 4.5 | 1 | James F. Kisker | Arlene H. Kisker | 229 Marrano | Cheektowaga | NY | 14227-3545 |
| 125.10-12-48 | 233 | Marrano Parkway | 6 | | Joan A. Wisniewski | | 233 Marrano Pky. | Cheektowaga | NY | 14227-3545 |
| 125.10-12-47 | 237 | Marrano Parkway | 4 | | Ann Marie Lipinczyk | Attn.: John Lipinczyk | 8078 Middle Rd. | Springville | NY | 14141 |
| 125.10-12-46 | 241 | Marrano Parkway | 5 | | David R. Lindenau & W. | | 241 Marrano Pky. | Cheektowaga | NY | 14227-3545 |
| 125.10-12-45 | 245 | Marrano Parkway | 7 | | Ronald G. Fischer & W. | | 245 Marrano Pky. | Cheektowaga | NY | 14227-3543 |
| 125.10-12-44 | 249 | Marrano Parkway | 2.25 | | Dolores A. Tafelski | | 249 Marrano Pkwy. | Cheektowaga | NY | 14227-3543 |
| 125.10-12-43 | 253 | Marrano Parkway | 2.75 | | Sean Martin Spurlock | | 253 Marrano Pkwy. | Cheektowaga | NY | 14227-3543 |
| 125.10-12-42 | 257 | Marrano Parkway | 4.67 | | Matthew T. Koch | Stephanie M. Koch | 257 Marrano Pky. | Cheektowaga | NY | 14227-3543 |
| 125.10-12-41 | 261 | Marrano Parkway | 5.33 | | Kelly A. Goldsmith | | 261 Marrano Pky. | Cheektowaga | NY | 14227-3543 |
| 125.10-12-40 | 265 | Marrano Parkway | 3 | 1 | Lucille Buchwald | Michelle M. Buchwald | 265 Marrano Pkwy. | Cheektowaga | NY | 14227-3541 |
| 125.10-12-38 | 273 | Marrano Parkway | 7 | | Leonard J. Obstarczyk | | 273 Marrano Pky. | Cheektowaga | NY | 14227-3541 |
| 125.10-12-36 | 281 | Marrano Parkway | 2 | | William K. Larkin | Pamela K. Larkin | 281 Marrano Pky. | Cheektowaga | NY | 14227-3541 |
| 125.10-12-35 | 285 | Marrano Parkway | 1 | | Patricia J. Schuse | | 285 Marrano Pky. | Cheektowaga | NY | 14227-3539 |
| 125.10-12-34 | 289 | Marrano Parkway | 2 | | William J. Weston & 1 | | 289 Marrano Pky. | Cheektowaga | NY | 14227-3539 |
| 125.10-12-31 | 301 | Marrano Parkway | 1 | | Leszek A. Pulit & W. | | 301 Marrano Pky. | Cheektowaga | NY | 14227-3539 |
| 125.10-13-17 | 290 | Marrano Parkway | 5 | | Deborah A. Adamski | | 290 Marrano Pky. | Cheektowaga | NY | 14227-3538 |
| 125.10-13-18 | 77 | Maria Lane | 2 | | Michael D. Schuler | & Kathleen | 77 Maria Ln. | Cheektowaga | NY | 14227-3535 |
| 125.10-14-15 | 76 | Maria Lane | 3 | | Nelson R. Carabello & W. | And Gerald J. Griffiin & W. | 76 Maria Ln. | Cheektowaga | NY | 14227-3557 |
| 125.10-14-16 | 270 | Marrano Parkway | 3 | | Susan M. Kozlowski | Mark Kozlowski | 270 Marrano Pky. | Cheektowaga | NY | 14227-3540 |
| 125.10-14-17 | 266 | Marrano Parkway | 6 | | Julianne Fiakiewicz | | 266 Marrano Pky. | Cheektowaga | NY | 14227-3540 |
| 125.10-16-15 | 254 | Marrano Parkway | 4 | | Ronald M. Boss | | 254 Marrano Pky. | Cheektowaga | NY | 14227-3542 |
| 125.10-16-16 | 250 | Marrano Parkway | 3 | 1 | Richard J. Wierzbicki & W. | | 250 Marrano Pky. | Cheektowaga | NY | 14227-3542 |
| 125.10-16-17 | 87 | Nancy Place | 6 | | Jamie Murray | Sean Murray | 87 Nancy Pl. | Cheektowaga | NY | 14227-3537 |
| 125.10-17-24 | 236 | Marrano Parkway | 6 | | Kenneth J. Janik, Sr. | & Suzanne V. | 236 Marrano Pky. | Cheektowaga | NY | 14227-3544 |
| 125.10-17-25 | 232 | Marrano Parkway | 5 | | Carrie A. Brem | Matthew R. Brem | 232 Marrano Pkwy. | Cheektowaga | NY | 14227 |
| 125.10-17-26 | 228 | Marrano Parkway | 6 | | Phillip J. Dudziak | | 228 Marrano Pkwy. | Cheektowaga | NY | 14227 |

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| 125.10-18-23 | 220 | Marrano Parkway | 9 | | Gary Leighbody | Patricia J. Leighbody | 220 Marrano Pky. | Cheektowaga | NY | 14227-3546 |
| 125.10-18-24 | 214 | Marrano Parkway | 4 | 2 | John J. Space, Jr. | Jacqueline Space | 214 Marrano Pky. | Cheektowaga | NY | 14227-3519 |
| 125.10-18-25 | 208 | Marrano Parkway | 7 | 1 | Louis A. Catalano & W. | | 208 Marrano Pky. | Cheektowaga | NY | 14227-3519 |
| 125.10-19-22 | 90 | Louise Drive | 1 | | Timothy Bly | | 90 Louise Dr. | Cheektowaga | NY | 14227 |
| 125.10-19-23 | 194 | Marrano Parkway | 8 | | Kenneth D. Obstarczyk & W. | | 194 Marrano Pky. | Cheektowaga | NY | 14227-3517 |
| 125.10-20-26 | 182 | Marrano Parkway | 9 | | Rafael Velez | Mary Velez | 182 Marrano Pkwy. | Cheektowaga | NY | 14227-3515 |
| 125.10-20-27 | 172 | Marrano Parkway | 2 | 1 | Elizabeth M. Wichlacz | Danielle M. Gundel | 172 Marrano Pkwy. | Cheektowaga | NY | 14227 |
| 114.16-3-11 | 114 | Gregory Court | | 1 | Robert P. Warrington | | 114 Gregory Ct. | Depew | NY | 14043 |
| 114.16-3-10 | 110 | Gregory Court | 5 | | Hilary Peacock | William S. Pundt | 110 Gregory Ct. | Depew | NY | 14043 |
| 114.16-3-9 | 106 | Gregory Court | 4 | 1 | Wayne R. Hinterberger & W. | | 106 Gregory Ct. | Depew | NY | 14043-4631 |
| 114.16-3-8 | 102 | Gregory Court | 3 | | Darryl F. & Aileen Rybak | | 102 Gregory Ct. | Depew | NY | 14043-4631 |
| 114.16-3-7 | 98 | Gregory Court | 3 | 1 | Steven R. Messinger & W. | | 98 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-5 | 90 | Gregory Court | 5 | 2 | Michael R. Parks | Leya Parks | 90 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-3 | 82 | Gregory Court | 2 | | US Bank Trust, N.A. | | 13801 Wireless Way | Oklahoma City | OK | 73108 |
| 114.16-3-2 | 78 | Gregory Court | 2.5 | | Kenneth L. & Bernice Kruse | | 78 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-1 | 74 | Gregory Court | 1.5 | 1 | Joseph R. Cristina & W. | | 74 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-34 | 38 | Gregory Court | 1 | | Richard K. Wise, Jr. & W. | | 38 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-32 | 30 | Gregory Court | | 1 | George R. Hosmer | Audry A. Hosmer | 30 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-31 | 26 | Gregory Court | 1.5 | | Eric Pych | Danielle Latello | 26 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-30 | 22 | Gregory Court | 2 | | Michelle Pratt | | 22 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-29 | 18 | Gregory Court | 1.5 | | Robert L. Rodabaugh | Diane A. Rodabaugh | 18 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-28 | 14 | Gregory Court | 1 | 1 | Beverly A. Tomaka | | 14 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-27 | 10 | Gregory Court | 2 | | Daniel C. Paulter | | 10 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-3-26 | 6 | Gregory Court | 2.5 | | Karleene M. Epolito | | 6 Gregory Ct. | Depew | NY | 14043-4607 |
| 114.16-5-15 | 7 | Gregory Court | 4 | | James A. Lamprecht & W. | | 7 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-14 | 11 | Gregory Court | 1 | 1 | Ryan P. Kelly | Kimberly A. Majewski | 11 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-12 | 19 | Gregory Court | | 2 | Denise M. Staffa | | 19 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-10 | 27 | Gregory Court | 1 | | Eugene N. Schneller | Loretta S. Schneller | 27 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-9 | 31 | Gregory Court | 1 | 1 | Lynn M. Surdej | | 31 Gregory Ct. | Depew | NY | 14043 |
| 114.16-5-8 | 39 | Gregory Court | 1 | 1 | Richard DiCarlo | Dawn M. DiCarlo | 39 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-7 | 43 | Gregory Court | 2 | | Chong Pun Lewis | | 43 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-6 | 47 | Gregory Court | 1 | 1 | Gary S. Kent & W. | | 47 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-5 | 51 | Gregory Court | 3 | | Anne M. Olewink | | 51 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-4 | 55 | Gregory Court | 2 | 1 | Michael A. Burdzy | Suzanne C. Burdzy | 55 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-3 | 59 | Gregory Court | 3 | | Peter J. Groblewski | Vera Groblewski | 59 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-2 | 63 | Gregory Court | 2 | | Ellen M. Krupczyk | Christopher J. Krupczyk | 63 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-5-1 | 67 | Gregory Court | 1 | 3 | Daniel P. Bell | | 18846 Oak Rd. | Bridgeville | DE | 19933 |
| 114.16-2-28 | 71 | Gregory Court | 2 | 1 | Lorraine A. Aloisio | | 71 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-2-26 | 79 | Gregory Court | 1 | 1 | Heather A. Zajac-Beach | | 79 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-2-25 | 83 | Gregory Court | 1 | | Gregory T. Miller & W. | | 83 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-2-23 | 91 | Gregory Court | 4.5 | 1 | Kenneth S. Druszkowski | Rachael J. Druszkowski | 91 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-2-22 | 95 | Gregory Court | 0.5 | 2 | Sandra Arent | | 95 Gregory Ct. | Depew | NY | 14043-4606 |
| 114.16-2-21 | 99 | Gregory Court | 3.5 | 1 | Peter Osepchugov | Allana Marie Langen | 99 Gregory Ct. | Depew | NY | 14043 |
| 114.16-2-20 | 103 | Gregory Court | 2.5 | 1 | Chester J. Jelonek | Sophie H. Jelonek | 103 Gregory Ct. | Depew | NY | 14043-4630 |
| 114.16-2-19 | 107 | Gregory Court | 1 | 2 | Robert F. O'Dell | Susanne O'Dell | 107 Gregory Ct. | Depew | NY | 14043-4630 |
| 114.16-2-17 | 115 | Gregory Court | 4 | 2 | Lynn Kindt | | 115 Gregory Ct. | Depew | NY | 14043-4630 |
| 114.16-4-1 | 91 | Jeffrey Drive | 2 | 2 | Decmar Properties LLC | | 3020 Clinton St. | W. Seneca | NY | 14224 |

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| 114.16-4-2 | 87 | Jeffrey | Drive | | 1 | Glenn P. Williams | | 5860 Sheridan Dr. | Williamsville | NY | 14221 |
| 114.16-4-3 | 83 | Jeffrey | Drive | 1 | | Pamela A. Jarrett | | P.O. Box 266 | Depew | NY | 14043 |
| 114.16-4-5 | 75 | Jeffrey | Drive | 1 | 2 | Carolyn N. Jahn | Jeffrey J. Jahn | 2550 Hall Rd. | Depew | NY | 14043 |
| 114.16-4-6 | 71 | Jeffrey | Drive | | 2 | Tae S. Stark | Angela R. Czerniejewski | 99 Kennedy Ct. | Lancaster | NY | 14086 |
| 114.16-4-7 | 67 | Jeffrey | Drive | 2 | 1 | John Dutkiewicz | | 67 Jeffrey Dr. | Depew | NY | 14043-4621 |
| 114.16-4-8 | 63 | Jeffrey | Drive | 1 | 1 | Janina Dutkiewicz | John Dutkiewicz | 63 Jeffrey Dr. | Depew | NY | 14043-4621 |
| 114.16-4-9 | 59 | Jeffrey | Drive | | 1 | Decmar Properties LLC | | 3020 Clinton St. | W. Seneca | NY | 14224 |
| 114.16-4-10 | 55 | Jeffrey | Drive | | 1.25 | Dennis A. Woloszynski | Cherie L. Woloszynski | 3020 Clinton St. | West Seneca | NY | 14224 |
| 114.16-4-11 | 51 | Jeffrey | Drive | 1.75 | 1 | Belinda L. LaFalce | | 51 Jeffrey Dr. | Depew | NY | 14043-4621 |
| 114.16-4-12 | 47 | Jeffrey | Drive | 1 | 2 | David L. Burch | | 47 Jeffrey Dr. | Depew | NY | 14043 |
| 114.16-4-13.11 | 43 | Jeffrey | Drive | 2 | 1.5 | Thomas C. Suchy, Jr. & Marge | | 18 Westwood Rd. | Lancaster | NY | 14086 |
| 114.16-4-13.12 | 39 | Jeffrey | Drive | 2 | 0.5 | Matthew D. Librock | | 39 Jeffrey Dr. | Depew | NY | 14043 |
| 114.16-4-13.13 | 35 | Jeffrey | Drive | 1 | 3 | James E. Falkowski | Elinor C. Hart | 5190 Bank St. | Clarence | NY | 14031 |
| 114.16-4-13.14 | 31 | Jeffrey | Drive | 3 | 1.25 | Thomas C. Suchy, Jr. & Marge A. | | 18 Westwood Rd. | Lancaster | NY | 14086-9518 |
| 114.16-4-13.2 | 27 | Jeffrey | Drive | | 1.75 | Genevieve Anielski | Sharon Majewski | 212 Poinciana Pkwy. | Cheektowaga | NY | 14225 |
| 114.16-4-13.3 | 23 | Jeffrey | Drive | 1 | | Caleb J. Podraza | | 43 Rose St. | Lancaster | NY | 14043 |
| 114.16-4-14 | 19 | Jeffrey | Drive | 2 | | Lawrence K. Huber | John A. Huber | 19 Jeffrey Dr. | Depew | NY | 14043-4608 |
| 114.16-4-16 | 11 | Jeffrey | Drive | 3 | | Randy G. Hillman | Susan M. Calkins | 12451 Clinton St. | Alden | NY | 14004 |
| 114.16-4-17 | 7 | Jeffrey | Drive | 5 | | David J. Dachauer & Jennif | | 7 Jeffrey Dr. | Depew | NY | 14043-4608 |
| 114.16-4-18 | 3 | Jeffrey | Drive | | 1 | Christine T. Jarka | Raymond Jarka | 3 Jeffrey Dr. | Depew | NY | 14043-4608 |
| 114.16-5-16 | 1388 | Losson | Road | 4 | 2 | Heidner, Yormark, Suspenzi | Properties LLC | 399 Wall St., Unit H | Glendale Heights | IL | 60139 |
| 114.16-3-25 | 16 | Jeffrey | Drive | 5.5 | | Benetti E. Reali | | 9635 High St. | Clarence Center | NY | 14032 |
| 114.16-3-24 | 18 | Jeffrey | Drive | 1 | | Lorraine Julia Hoffman | | 18 Jeffrey Dr. | Depew | NY | 14043-4620 |
| 114.16-3-23 | 20 | Jeffrey | Drive | 1 | | Menwa H. Ahmad | | 20 Jeffrey Dr. | Depew | NY | 14043-4620 |
| 114.16-3-22.1 | 24 | Jeffrey | Drive | 1 | 3 | Eric A. Stumpf | Kurt A. Stumpf | 2187 Wehrle Dr. | Williamsville | NY | 14221 |
| 114.16-3-21.1 | 28 | Jeffrey | Drive | | 1 | Cherie Lynn Peterson | | 141 Oaknoll Ct. | Elma | NY | 14059 |
| 114.16-3-20.1 | 32 | Jeffrey | Drive | 1 | 2 | Dennis A. Woloszynski | Attn: Decmar Properties LLC | 3020 Clinton St. | West Seneca | NY | 14224-1373 |
| 114.16-3-19.1 | 36 | Jeffrey | Drive | 3 | 4 | Dennis A. Woloszynski | Attn: Decmar Properties LLC | 3020 Clinton St. | West Seneca | NY | 14224-1373 |
| 114.16-3-18 | 52 | Jeffrey | Drive | 2 | 2 | Arthur Kuczanski | & Katherine | 1151 Borden Rd. | Depew | NY | 14043-4221 |
| 114.16-3-17 | 66 | Jeffrey | Drive | 3 | | Gail M. Byreiter | | 66 Jeffrey Dr. | Depew | NY | 14043 |
| 114.16-3-16 | 76 | Jeffrey | Drive | | 2 | Harold J. McDonald | | 76 Jeffrey Dr. | Depew | NY | 14043 |
| 114.16-3-15 | 80 | Jeffrey | Drive | 1.5 | | Wayne M. Morlock & W. | | 11 Gary Ln. | Cheektowaga | NY | 14227-3234 |
| 114.16-3-14 | 84 | Jeffrey | Drive | 3 | 1 | Steven C. Daigler | | 84 Jeffrey Dr. | Depew | NY | 14043 |
| 114.16-3-13 | 88 | Jeffrey | Drive | 2.5 | 3 | Joanne F. Gazda | | 88 Jeffrey Dr. | Depew | NY | 14043-4620 |
| 114.16-3-12 | 92 | Jeffrey | Drive | 3 | 1 | Karen L. Roberto | | 92 Jeffrey Dr. | Depew | NY | 14043-4620 |
| 125.10-20-25 | 98 | East Cavalier | Drive | | 4 | Patricia A. Netzel | Karen A. Kassman | 4 Mayfield Dr. | West Seneca | NY | 14224 |
| 125.10-20-24 | 94 | East Cavalier | Drive | 3 | | John J. Russ | Shay M. Russ | 94 E. Cavalier Dr. | Cheektowaga | NY | 14227-3504 |
| 125.10-20-23 | 90 | East Cavalier | Drive | 1.5 | | Ian J. Spann | Betty A. Spann | 90 E. Cavalier Dr. | Cheektowaga | NY | 14227 |
| 125.10-20-22 | 86 | East Cavalier | Drive | 1.17 | | John Brownschidle | Lois Brownschidle | 8075 Clarence Center Rd. | East Amherst | NY | 14051-1916 |
| 125.10-20-21 | 82 | East Cavalier | Drive | 0.33 | | Geraldine A. Suraf | | 82 E. Cavalier Dr. | Cheektowaga | NY | 14227-3504 |
| 125.10-20-19 | 74 | East Cavalier | Drive | 8 | 1 | Stephen W. Milley | Carole A. Milley | 2490 Five Mile Rd. | Allegany | NY | 14706 |
| 125.10-20-18 | 70 | East Cavalier | Drive | | 2 | Karen Brzezinski | | 70 E. Cavalier Dr. | Cheektowaga | NY | 14227-3504 |
| 125.10-20-17 | 66 | East Cavalier | Drive | 0.67 | | Michael Kwiatkowski | | 66 E. Cavalier Dr. | Cheektowaga | NY | 14227-3504 |
| 125.10-20-16 | 62 | East Cavalier | Drive | 2.33 | | Robert E. Higgins | Bridgette M. Higgins | 62 E. Cavalier Dr. | Cheektowaga | NY | 14227-3504 |
| 125.10-20-15 | 58 | East Cavalier | Drive | 2 | | Robert T. Smigiera | Darrlyn A. Smigiera | 58 E. Cavalier Dr. | Cheektowaga | NY | 14227 |
| 125.10-20-14 | 54 | East Cavalier | Drive | 1 | 1 | Richard G. Schulz | Phyllis J. Schulz | 54 E. Cavalier Dr. | Cheektowaga | NY | 14227-3504 |
| 125.10-20-13 | 50 | East Cavalier | Drive | 6 | 1 | Dennis Wisz | Joyce Wisz | 50 E. Cavalier Dr. | Cheektowaga | NY | 14227 |

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|--------------|-----|---------------------|------|---|--------------------------------|------------------------|---------------------------|----------------|------------|
| 125.10-20-9 | 34 | East Cavalier Drive | 1 | 3 | Peter Sudyn, Jr. | Mary L. Swiatkowski | 34 E. Cavalier Dr. | Cheektowaga NY | 14227-3504 |
| 125.10-20-8 | 30 | East Cavalier Drive | 1.33 | 2 | Mary L. Swiatkowski | | 35 E. Cavalier Dr. | Cheektowaga NY | 14227 |
| 125.10-20-7 | 26 | East Cavalier Drive | 0.67 | 1 | Paul J. Cramer | Mary L. Cramer | 26 E. Cavalier Dr. | Cheektowaga NY | 14227-3504 |
| 125.10-20-6 | 22 | East Cavalier Drive | 1.25 | | Laura Murphy | | 22 E. Cavalier Dr. | Cheektowaga NY | 14227 |
| 125.10-20-5 | 18 | East Cavalier Drive | 7.42 | | Maureen Thauer | | 18 E. Cavalier Dr. | Cheektowaga NY | 14227-3504 |
| 125.10-20-4 | 14 | East Cavalier Drive | 4.33 | | James J. Larson | Cathleen A. Larson | 14 E. Cavalier Dr. | Cheektowaga NY | 14227-3504 |
| 125.10-20-3 | 10 | East Cavalier Drive | 3 | | Richard F. Kraft | | 10 E. Cavalier Dr. | Cheektowaga NY | 14227-3504 |
| 125.10-19-1 | 549 | East French Road | 2 | | Charles A. Scaccia | | 549 French Rd. | Cheektowaga NY | 14227-3527 |
| 125.10-19-46 | 11 | East Cavalier Drive | 2 | 1 | Ronald M. Redlinski | Lorraine Redlinski | 11 Terrace Ln. | Elma NY | 14059 |
| 125.10-19-45 | 15 | East Cavalier Drive | | 2 | Samuel R. Sciumeca | Catherine R. Sciumeca | 15 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-44 | 19 | East Cavalier Drive | 3 | | Don M. Robertson | Leanne Robertson | 19 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-43 | 23 | East Cavalier Drive | 6 | 1 | R.J. Gullo Properties #2, INC. | P.O. Box 434 | | West Seneca NY | 14224 |
| 125.10-19-42 | 27 | East Cavalier Drive | 5 | 1 | Phyliss K. Jonmaire | | 27 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-39 | 39 | East Cavalier Drive | 1 | | Narciso V. Vargas | Grace C. Vargas | 39 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-38 | 43 | East Cavalier Drive | 3 | | Leeman Odom | Phyllis A. Odom | 43 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-37 | 47 | East Cavalier Drive | 1 | 2 | Donna J. Warren | | 47 E. Cavalier Dr. | Cheektowaga NY | 14227 |
| 125.10-19-36 | 51 | East Cavalier Drive | | 1 | George J. Kron | | 51 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-35 | 55 | East Cavalier Drive | | 3 | Norman J. Wisniewski | Lawrence B. Jarnot | 55 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-34 | 59 | East Cavalier Drive | 3.25 | | Ronald L. Podgorny | Rose Ann Podgorny | 59 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-33 | 63 | East Cavalier Drive | 0.75 | | Patricia A. Killion | | 63 E. Cavalier Dr. | Cheektowaga NY | 14227 |
| 125.10-19-32 | 67 | East Cavalier Drive | 5 | 3 | Salah Mutasem | Debi Mutasem | 67 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-31 | 71 | East Cavalier Drive | 3 | 1 | Donna Owens | | 6086 Ward Rd. | Sanborn NY | 14132 |
| 125.10-19-30 | 75 | East Cavalier Drive | 2 | | Julia A. Morgan | | 75 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-29 | 79 | East Cavalier Drive | 5 | 1 | Douglas J. Spaeth | | 79 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-28 | 83 | East Cavalier Drive | 3 | 1 | Rachelle M. Dutka | Maryann Dutka | 83 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-27 | 87 | East Cavalier Drive | 4 | 2 | Stephen J. Thompson | Barbara Thompson | 87 E. Cavalier Dr. | Cheektowaga NY | 14227 |
| 125.10-19-26 | 91 | East Cavalier Drive | 6 | | John Ananiadis | Susan Ananiadis | 91 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-19-24 | 99 | East Cavalier Drive | 2 | | Marcia V. Sarama | | 99 E. Cavalier Dr. | Cheektowaga NY | 14227-3503 |
| 125.10-20-1 | 5 | West Cavalier Drive | 3 | | Ursula I. Poehler | Ingeborg Helenbrook | 5 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-48 | 9 | West Cavalier Drive | 4 | | Salvatore Tulumello & W. | | 9 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-46 | 21 | West Cavalier Drive | 2 | 2 | William H. Kapanek | & Antoinette M. | 21 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-45 | 25 | West Cavalier Drive | 1 | 3 | Lawrence N. Kaminski | | 56 Edgebrook Est., Apt. 9 | Cheektowaga NY | 14227 |
| 125.10-20-44 | 29 | West Cavalier Drive | | 1 | David J. Bulera | Rosemary Bulera | 29 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-43 | 33 | West Cavalier Drive | 3 | | Marion D. Waag | Michael T. Waag | 33 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-42 | 37 | West Cavalier Drive | 0.25 | | Salvatore A. Castro | Angeline I. Castro | 37 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-41 | 41 | West Cavalier Drive | 0.75 | | Kevin W. Daubner | Jennifer A. Schneegold | 41 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-40 | 45 | West Cavalier Drive | 5 | | Tammy M. Wheeler | | 45 W. Cavalier Dr. | Cheektowaga NY | 14227 |
| 125.10-20-39 | 51 | West Cavalier Drive | 3 | | Dorothy Rovillo | Marilou Nesteruk | 51 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-38 | 55 | West Cavalier Drive | 3 | | Donald M. Bockhahn | Barbara A. Bockhahn | 55 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-37 | 59 | West Cavalier Drive | 5 | | Sandra J. Hudson | Jill Zarazinski | 59 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-35 | 71 | West Cavalier Drive | 1 | | Emilia A. Wirth | | 71 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-34 | 75 | West Cavalier Drive | 2 | 1 | Nowel Eloudi | | 75 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-33 | 79 | West Cavalier Drive | 2 | 1 | Michael E. Gerrity | & Cheryl A. | 79 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-32 | 83 | West Cavalier Drive | 3 | | Antoun X. Jreige & W. | | 83 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-31 | 87 | West Cavalier Drive | 3 | | Melissa K. Pluta | | 87 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-30 | 91 | West Cavalier Drive | 1 | 1 | John T. & Tyrrell W. | | 91 W. Cavalier Dr. | Cheektowaga NY | 14227-3525 |
| 125.10-20-28 | 99 | West Cavalier Drive | | 2 | Jillian K. Mayers | | 99 W. Cavalier Dr. | Cheektowaga NY | 14227 |

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|-------------|-----|---------------------|---|---|----------------------------|--------------------------|---------------------|-------------|----|------------|
| 125.09-6-23 | 106 | West Cavalier Drive | 3 | 1 | John J. Musial | Christine Musial | 106 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-22 | 102 | West Cavalier Drive | 2 | | Gerald A. Palumbo & W. | | 102 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-19 | 86 | West Cavalier Drive | 3 | | Barbara S. Walczak | | 86 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-18 | 82 | West Cavalier Drive | 3 | 1 | Frank C. Falzone | Anthony C. Falzone | 82 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-17 | 78 | West Cavalier Drive | 6 | | Mark P. Renkas | | 78 W. Cavalier Dr. | Cheektowaga | NY | 14227 |
| 125.09-6-16 | 74 | West Cavalier Drive | 4 | 1 | Collette Monopolus | | 74 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-13 | 60 | West Cavalier Drive | 1 | | John J. Kaczorowski | Diane M. Kaczorowski | 60 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-12 | 56 | West Cavalier Drive | 2 | | Christopher J. Furlong | Maxine M. Furlong | 56 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-11 | 52 | West Cavalier Drive | 2 | 1 | Matthew Turk | | 52 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-10 | 48 | West Cavalier Drive | 3 | | Brandon S. Brzozowski | Lindsey N. Cullen | 48 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-9 | 42 | West Cavalier Drive | 6 | | Christopher S. Giarrantano | | 42 W. Cavalier Dr. | Cheektowaga | NY | 14227 |
| 125.09-6-8 | 38 | West Cavalier Drive | 2 | | Donna Marie Calamera | Charlotte M. Basher | 38 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-7 | 34 | West Cavalier Drive | 1 | 1 | Raymond B. Orlowski, Jr. | Wendy A. Orlowski | 34 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-5 | 26 | West Cavalier Drive | 3 | | Robin Leminger | | 26 W. Cavalier Dr. | Cheektowaga | NY | 14227-3526 |
| 125.09-6-4 | 20 | West Cavalier Drive | 1 | | Pietro Pinelli | Donatella Pinelli | 20 W. Cavalier Dr. | Cheektowaga | NY | 14227 |
| 125.09-6-3 | 14 | West Cavalier Drive | | 1 | Russell J. Andolina | Russell J. Andolina, Jr. | 170 Milbridge Dr. | Jupiter | FL | 33458 |
| 125.09-6-1 | 529 | French Road | 4 | | Paul S. Chojnacki | | 529 French Rd. | Cheektowaga | NY | 14227-3438 |



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, August 3, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on August 3, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Absent | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Lisa Marie Bolognese, Director of the Department and Information Technology and Records Management

Patrick Bowen, Town Engineer

Robert Brandon, Zoning Board Chairman

Brian Krause, Director of Finance and Administration

Karen Marchese, Coordinator of Employee Relations

Kevin Schenk, Town Attorney

II. Public Comment Period

III. Public Hearings

1. Amend Local Law Intro No. 2015-8 - Traffic Violations Bureau

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk
ABSENT: Mary Holtz

2. Demolition of 111 Edmund Street

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Christine Adamczyk, Councilmember
SECONDER: Gerald Kaminski, Councilmember
AYES: Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk
ABSENT: Mary Holtz

IV. Resolutions



1. RESOLUTION 2015-435

Transfer of Funds-2015

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;
GENERAL

| | | | |
|-------|---------------|-------------------------------------|----------|
| FROM: | 100.1356.4511 | Board of Assess. Review Transcripts | \$150.00 |
|-------|---------------|-------------------------------------|----------|

| | | | |
|-----|---------------|-----------------|----------|
| TO: | 100.1355.4001 | Office Supplies | \$150.00 |
|-----|---------------|-----------------|----------|

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Gerald Kaminski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

ABSENT: Mary Holtz



2. RESOLUTION 2015-436

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to August 3, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$4,363,829.80 |
| RISK RETENTION FUND | 1,167,754.38 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 35,625.00 |
| HUD HOUSING REHABILITATION FUND | 14,252.00 |
| SPECIAL DISTRICTS FUND | 709,624.29 |
| HIGHWAY FUND | 1,579,067.07 |
| CAPITAL FUND | 549,482.85 |
| TRUST & AGENCY FUND | 43,588.74 |
| HUD CDBG FUND | 1,573.85 |
| PART TOWN FUND | 141,724.91 |
| NYS AFFORDABLE HOUSING | 24,621.00 |
| | <hr/> |
| | \$8,631,143.89 |

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



3. RESOLUTION 2015-437

Adopt Local Law No. 8 of the Year 2015 - A Local Law to Amend the Traffic Violations Bureau Law of the Town of Cheektowaga

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, Chapter 38 of the Code of the Town of Cheektowaga, entitled "Traffic Violations Bureau" provides for the administration and enforcement of traffic laws, ordinances, rules and regulations in the Town of Cheektowaga; and

WHEREAS, there is a need to amend various sections of this law relating to parking violations tickets and failure to respond to same; and

WHEREAS, a draft of such amendment has been prepared by the Town Attorney; and

WHEREAS, a public hearing was held on the 3rd day of August, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law No. 2015-8, entitled "A Local Law to Amend the Traffic Violations Bureau Law of the Town of Cheektowaga"; and

WHEREAS, it is in the public interest to adopt said local law; NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 8 of the Year 2015 entitled "A Local Law to Amend the Traffic Violations Bureau " which is set forth herein, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 8 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



Local Law No. 8 of the Year 2015

A Local Law to Amend the Traffic Violations Bureau Law of the Town of Cheektowaga

1. A new section, **Section 38-9, entitled "Default"** shall be adopted to read as follows:

§ 38-9. Default. In the event a person charged with a traffic offense does not respond by pleading guilty or not guilty within 90 days after the issuance of the parking violations ticket, said default shall constitute a plea of guilty to the offense, and the right to a hearing shall be deemed waived.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



4. RESOLUTION 2015-438

Award of Bid - Radar Speed Trailer - (Bid 2015-23 PD)

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for a new Radar Speed Trailer for the Police Department, and which bids were duly received and opened at a public bid opening 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 a new Radar Speed Trailer be awarded to Kustom Signals, Inc., 9652 Loiret Boulevard, Lenexa, Kansas 66219-2406 at a total cost of \$12,127.00; said vendor meeting all set bidding conditions of the specifications, AND, BE IT FURTHER

RESOLVED, that funds for this purchase will be appropriated from Police Asset Forfeiture Account #600-0600-0881.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



5. RESOLUTION 2015-439

Negative SEQR Declaration - 4039 Genesee Street McGuire Development Co.

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by McGuire Development Co. for the construction of a 48,000 s.f. warehouse building at 4039 Genesee Street, 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, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of July 9, 2015, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is recommending its approval, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on July 8, 2015 recommended a determination of non-significance, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, the Planning Board and the Traffic Safety Commission NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



6. RESOLUTION 2015-440

Accept Site Plan- 4039 Genesee Street McGuire Development Co.

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, McGuire Development, Co. Submitted a development review application for the construction of a 48,000 s.f. warehouse building at 4039 Genesee Street, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the application at their meeting of July 9, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to :

1. The Town Engineer reviewing and approving the drainage/grading plan.
2. The Town Planner reviewing/approving a photometric plan.
3. The landscaping plan being amended as recommended by the Town Planner.

Attachments:

Site Layout Plan_06.29.15 (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



7. RESOLUTION 2015-441

Notice to Bidders - One (1) New and Unused, 2015 Model or Newer Diesel Powered, EPA Complaint, Solid Pneumatic Tire Lift Truck with 3-Stage Mast and side Shifting Fork Clamp

Sponsored By: Councilmember Kaminski, Supervisor Holtz

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of One (1) New and Unused, 2015 Model or Newer Diesel Powered, EPA Complaint, Solid Pneumatic Tire Lift Truck with 3-Stage Mast and Side Lifting Fork Clamp (Bid 2015-26) for use by the Highway Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on August 19, 2015 at 11:00 A.M.

Information for bidders specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York, between the hour of 9:00 AM and 4:30 PM, Monday through Friday, NOW THEREFORE BE IT

RESOLVED, that the Town Clerk is hereby designated as the Office to open bids on the aforesaid items at a public bid opening on Wednesday, August 19, 2015, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on August 19, 2015 at 11:00 AM at the Town Hall, corner of Broadway and Union Roads, for the One (1) New and Unused 2015 Model or Newer Diesel Powered, EPA Compliant, Solid Pneumatic Tire Lift Truck with 3-Stage Mast and Side Shifting Fork Clamp.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "One (1) New and Unused 2015 Model or Newer Diesel Powered, EPA Compliant, Solid Pneumatic Tire Lift Truck with 3-Stage Mast and Side Shifting Fork Clamp bid #2015-26(HWY).

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

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

By order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



8. RESOLUTION 2015-442

Notice to Bidders - Replacement of Five (5) Traffic Signals (Bid #2015-27)

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, the engineering firm of DiDonato Associates, P.E., P.C. has completed construction documents (plans & specifications) for the replacement of five (5) traffic signals located within the Town of Cheektowaga, Bid #2015-27, AND

WHEREAS, the completion of said construction documents enables the solicitation of competitive bids, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the replacement of five (5) traffic signals located within the Town of Cheektowaga, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 26th day of August, 2015 at 11:00 a.m. at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York 14227.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received by the Town Board of the Town of Cheektowaga until 11:00 am, local time, on the 26th day of August, 2015. All bids will be publicly opened and read at 11:00 am at the Town Hall, 3301 Broadway, Cheektowaga, New York 14227 for furnishing all tools, equipment, materials and labor for the Traffic Signal Improvements Project for five (5) intersections and all related work, complete in place, tested and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by the engineering firm of DiDonato Associates, P.E., P.C. and approved by the Town Board of the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within ten (10) business days following the bid opening will be refunded the full amount of the deposit. Deposit will not be refunded for non-bidders. Material suppliers and anyone returning the Plans and Specifications before the bid opening will be classified as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications may purchase the excess, but it is understood that these are non-refundable.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the Town Clerk's Office, Town Hall, 3301 Broadway, Cheektowaga, New York 14227. Copies may be purchased from the Town Clerk's Office and can be obtained upon payment of \$50.00 in the form of one check made payable to the Town of Cheektowaga for each copy requested. The Owner will not be responsible for full or partial sets of Contract Documents, including any Addenda obtained from any other source. The

Engineering Consultant for the project is DiDonato Associates, Engineering and Design Professionals, 689 Main Street, Buffalo, New York 14203. Any questions on this project should be referred to: Peter Ringo via email at pringo@didonato.cc.

All proposals shall be submitted on the forms furnished herein and the entire volume, including any addenda, shall be submitted in a sealed envelope and addressed to Alice Magierski, Town Clerk of the Town of Cheektowaga, 3301 Broadway, Cheektowaga, New York 14227.

The work shall be completed within one hundred twenty (120) consecutive calendar days, to begin five (5) days after the "Notice to Proceed" has been issued.

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 Owner and in accordance with law, are herewith reserved.

By Order Of: THE TOWN OF CHEEKTOWAGA

Alice Magierski, Town Clerk
Bid #2015-27

DATED: August 3, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



9. RESOLUTION 2015-443

Accept Proposal From DiDonato Associates, P.E., P.C. for Professional Services for Upgrades at the Cheektowaga Ice Rink

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga Ice Rink, located in the Recreation Center in Cheektowaga Town Park on Harlem Road, is in need of various upgrades, AND

WHEREAS, the EPA has deemed that the existing direct refrigeration system used to produce ice is a major contributor to global warming and ozone depletion and has further instituted regulations to curtail its use, AND

WHEREAS, DiDonato Associates, P.E., P.C., an engineering firm with extensive experience in ice rink renovations has submitted a comprehensive proposal dated June 1, 2015 for professional services for the preparation of construction documents (including schematic design, construction drawings and specifications) project bidding and perma-frost testing for a not to exceed fee of \$139,000, NOW, THEREFORE, BE IT

RESOLVED, that the proposal for professional services submitted by DiDonato Associates, P.E., P.C., 689 Main Street, Buffalo, NY 14203 is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to execute said proposal with DiDonato Associates for professional services, AND, BE IT FURTHER

RESOLVED, that the cost of said professional services shall be chargeable to an account designated by the Director of Finance.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



10. RESOLUTION 2015-444

Authorize Supervisor to Sign Agreement with O'Connell Electric Company, Inc. for Photovoltaic System Inspection & Maintenance

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, the Town operates four (4) solar energy photovoltaic rooftop systems located at the Town Hall, Highway Garage, Facilities Maintenance Garage and at the Main Pump Station, AND

WHEREAS, in order to ensure optimal system performance and energy output, minimize disruptions and to ensure that the equipment and system components perform as required, the Town Engineer has recommended that the Town renew a Preventative Maintenance Contract, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of O'Connell Electric Company, Inc., 830 Phillips Road, Victor, New York 14564, dated July 20, 2015 for photovoltaic system inspection and maintenance, deviation alert monitoring and solar module cleaning to renew on August 3, 2015 and end on May 31, 2016 is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign the agreement with O'Connell Electric Company, Inc., and the fee per site in the amount of \$1,250.00 shall be chargeable to the following utility accounts:

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| Highway | 100-5132-4211 |
| Facilities | 100-7110-4217 |
| Town Hall | 100-1625-4217 |
| Main Pump Station | 255-8135-4217 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



11. RESOLUTION 2015-445

Authorize Supervisor to Execute Credit Application

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, motorcycles used by the Police Department require ethanol fuel for their operation; and

WHEREAS, the Town's fuel farm does not supply ethanol to fuel the motorcycles; and

WHEREAS, Delta-Sonic Carwash Systems, Inc., offers ethanol fuel for sale and has agreed to sell same for use in Town motorcycles, on credit, with the cost of ethanol fuel being billed to the Town of Cheektowaga on a monthly basis (said cost minus any applicable taxes, from which the Town is exempt); and

WHEREAS, Delta-Sonic requires a credit application form to be completed authorizing the sale of same to the Town; NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized and directed to execute the Credit Application Form on behalf of the Town in order to allow the purchase by the Town of ethanol fuel from Delta-Sonic Carwash Systems, Inc., as herein set forth.



Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to amend this resolution as follows: Motion Carried.



WHEREAS, motorcycles used by the Police Department require ethanol free fuel for their operation; and

WHEREAS, the Town's fuel farm does not supply ethanol to fuel the motorcycles; and

WHEREAS, Delta-Sonic Carwash Systems, Inc., offers ethanol free fuel for sale and has agreed to sell same for use in Town motorcycles, on credit, with the cost of ethanol free fuel being billed to the Town of Cheektowaga on a monthly basis (said cost minus any applicable taxes, from which the Town is exempt); and

WHEREAS, Delta-Sonic requires a credit application form to be completed authorizing the sale of same to the Town; NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized and directed to execute the Credit Application Form on behalf of the Town in order to allow the purchase by the Town of ethanol fuel from Delta-Sonic Carwash Systems, Inc., as herein set for

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| RESULT: | ADOPTED AS AMENDED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



12. RESOLUTION 2015-446

Authorize Transfer of 18 Stratford Place

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, the property located at 18 Stratford Place in the Town of Cheektowaga was acquired for the purpose of rehabilitating said house for sale to an income-eligible person, and

WHEREAS, Polish Community Center d/b/a the Lt. Col. Matt Urban Human Service Center of WNY, Inc., a not-for-profit housing agency, has agreed to purchase property located at 18 Stratford Place from the Town of Cheektowaga for the purpose of rehabilitating and selling said property to an income-eligible homebuyer, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a deed and all other documents necessary to effectuate the transfer of 18 Stratford Place to Polish Community Center d/b/a the Lt. Col. Matt Urban Human Service Center of WNY, Inc., 1081 Broadway Street, Buffalo, New York 14212, subject to approval by the Town Attorney, and BE IT FURTHER

RESOLVED, that the sale of 18 Stratford Place is subject to Permissive Referendum under the Town Law of the State of New York, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to file the attached Notice of adoption of Resolution Subject to Permissive Referendum in the CHEEKTOWAGA BEE, the Town's official newspaper; and BE IT FURTHER

RESOLVED, that the sale and conveyance be made subject to easements and rights-of-way of record, if any.

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, on August 3, 2015, adopted a resolution authorizing the Town of Cheektowaga to sell property located at 18 Stratford Place, Cheektowaga, New York to Polish Community Center d/b/a the Lt. Col. Matt Urban Human Service Center of WNY, Inc. for \$1.00.

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

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

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

DATED: August 3, 2015

ALICE MAGIERSKI
Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



13. RESOLUTION 2015-447

SPECIAL EVENT - "Great Amazing Race-Family Fitness Activity"

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

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

WHEREAS, the "Great Amazing Race-Family Fitness Activity" has made application to hold its Family Fitness Activity to benefit Family Initiative and Pediatric Cancer Research on Saturday, August 15, 2015 at Stiglmeier Park from 3:00 p.m. until 7:00 p.m.; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the application of the "Great Amazing Race-Family Fitness Activity" for this event to be held on Saturday, August 15, 2015 in Stiglmeier Park.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



14. RESOLUTION 2015-448

SPECIAL EVENT - John F. Kennedy High School Homecoming Parade

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, the Student Council of John F. Kennedy High School has made application to hold its Homecoming Parade on Saturday, October 3rd, 2015, beginning at 12:00 p.m. (parade route attached to application); and

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

WHEREAS, due to the nature of the event, this Town Board hereby waives the following requirements: Submittal of plan for sanitary facilities;

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Student Council of John F. Kennedy High School for their Homecoming Parade to be held on Saturday, October 3rd, 2015, and BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



15. RESOLUTION 2015-449

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and herby are terminated in the Department of Youth & Recreational Services effective as indicated:

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| Andrew Matyjakowski | Never worked | 14212 |
| Kelly Mayer | 10/11/14 | 14225 |

Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to waive the reading of names for the follow three (3) resolutions: 2015-449; 2015-450 and 2015-451. Motion Carried.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



16. RESOLUTION 2015-450

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide to Recreation Attendant - 7310.1801 - \$8.75 - Regular Part-time -

Retro to 7/27/15

Alexis Krueger

Recreation Aide to Recreation Attendant - 7140.1630 - \$8.75 - Regular Part-time

Janelle Thompson

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



17. RESOLUTION 2015-451

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individual be and hereby is hired as a **SEASONAL EMPLOYEE**, not to exceed five (5) months in a calendar year, in the department listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SEWER MAINTENANCE Laborer \$9.00/hour effective 8/4/15
Paul M. Gerace Jr., Cheektowaga, New York

BE IT RESOLVED, that the following individual be and hereby is hired as a **PART-TIME EMPLOYEE** in the department listed, not to exceed nineteen (19) hours on a weekly basis, in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT Police Attendant (Matron) \$15.25/hour effective 8/4/15
Julie A. Bojarski, Cheektowaga, New York

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

POLICE DEPARTMENT
Laura A. Sobczak effective 7/31/15

TAX OFFICE
Patricia M. Miller effective 6/12/15

FACILITIES DEPARTMENT
Ryan E. Pocobello effective 7/19/15
Michael F. Sciabarrasi effective 7/2/15

BE IT RESOLVED, that the following employee's name be and hereby is corrected as follows:

SANITATION DEPARTMENT
Michael A. Aiken to Michael A. Aikin effective 7/9/15

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



18. RESOLUTION 2015-452

Appointment of Maintenance Worker (Labor/Permanent) Facilities Department (Buildings and Grounds Division)/Tyler M. Pocobello

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a Maintenance Worker position exists in the Facilities Department (Buildings and Grounds 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, no bargaining unit member bid on said vacancy; AND

WHEREAS, Tyler M. Pocobello of Cheektowaga, New York, currently employed as a temporary Maintenance Worker in the Facilities Department, applied for said position and meets the qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Tyler M. Pocobello of Cheektowaga, New York be and hereby is appointed to the position of Maintenance Worker in the Facilities Department (Buildings and Grounds Division) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective August 4, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



19. RESOLUTION 2015-453

Travel Authorization Police Department - Police Officer Anthony Nazzarett

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Drug Recognition Expert (DRE) Certification Training is being held August 17 through August 28, 2015 and September 24 through September 28, 2015 in Batavia, New York and Jacksonville, Florida; AND

WHEREAS, Police Officer Anthony Nazzarett has been recommended to attend said training; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,468.90; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officer Anthony Nazzarett be and hereby is authorized to attend the Drug Recognition Expert (DRE) Certification Training being held August 17 through August 28, 2015 and September 24 through September 28, 2015 in Batavia, New York and Jacksonville, Florida.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |

V. Suspension of Rules

Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to waive the rules to include the following resolution: 2015-454. Motion Carried



1. RESOLUTION 2015-454

Hosted VoIP Phone System

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga Information Technology Department manages the Town's Telecommunications Infrastructure which includes Telephone Systems, and

WHEREAS, due to critical problems being experienced with the existing system, it is necessary to upgrade the existing telecommunications services immediately, and

WHEREAS, iEvolve Technology Services is a cloud based telecommunications service provider and has highly qualified and certified technicians in the immediate area for the management of this service, and

WHEREAS, iEvolve Technology Services has submitted a proposal dated July 23, 2015 to the Department of Information Technology to upgrade the existing services for our Telephone System, and

WHEREAS, it is advantageous to the Town to enter into an agreement with iEvolve Technology for the above services; and

WHEREAS, the Director of Information Technology has reviewed the proposal submitted by iEvolve Technology Services and has recommended that the Town accept this proposal, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the Supervisor to execute the necessary contracts with iEvolve Technology Services to provide Telephone Services and supply a direct internet connection for the Town of Cheektowaga at a cost not to exceed \$11,697.00 Setup Fee and Monthly Services Charges of \$5,000.00 for thirty -six months, and BE IT FURTHER

RESOLVED, that funds for iEvolve Technology Services shall be appropriated through budget line item number 0100-1625-4202.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |

VI. Communications

A. Departmental Communications

1. Supervisor's Statement of Funds - June 2015
2. 2015 Board of Assessment Review Hearings and Results
3. Minutes: Cheektowaga Conservation Advisory Council - July 2, 2015

B. General Communications

1. Summons: Wells Fargo Bank, NA vs. Christopher Bragg, The Town of Cheektowaga & Etal Premises: 122 Burdette
2. Summons & Complaint: Debra Walenka, Individually and as Parent & Natural Guardian of Isabelle Walenka vs. Town of Cheektowaga and Mark L. Mecca
3. Notice of Claim: Gerald W. Habermann vs. Town of Cheektowaga
4. Notice of Petition: Marshall Kimmins vs. Town of Cheektowaga
5. Notice of Petition: Bhavani Group, Inc., vs. Town of Cheektowaga
6. Notice of Petition: Bhavani Associates, Inc., vs. Town of Cheektowaga
7. Notice of Petition: McDonald's USA., LLC. vs. Town of Cheektowaga
8. Notice of Petition: P. Lebourg, Inc. vs. Town of Cheektowaga
9. Notice of Petition: Hutch Enterprises, Inc., vs. Town of Cheektowaga
10. Notice of Petition: Kabir Group, Inc., Kabir Hotels, Inc. and Matajis, Inc. vs. Town of Cheektowaga
11. Notice of Petition: Kabir's, LLC. vs. Town of Cheektowaga
12. Notice of Petition: Goldi Group, Inc., vs. Town of Cheektowaga
13. Notice of Petition: Rocco M. Santoro aka 3031-3041 Genesee Street vs. Town of Cheektowaga
14. Notice of Petition: Rocco M. Santoro vs. Town of Cheektowaga
15. Notice of Petition: 3500 Genesee Associates, LLC vs. Town of Cheektowaga
16. Notice of Petition: Urbandale Development vs. Town of Cheektowaga
17. Notice of Petition: Rotor Motion, Inc. vs. Town of Cheektowaga
18. Notice of Petition: 3770 Union Road vs. Town of Cheektowaga
19. Notice of Petition: LoVullo Associates, Inc. & Marauder Enterprises LLC vs. Town of Cheektowaga

20. Notice of Petition: Shaw Partners vs. Town of Cheektowaga
21. Notice of Petition: Marygold Manor, Inc. vs. Town of Cheektowaga
22. Notice of Petition: RMF Holding, Inc. vs. Town of Cheektowaga
23. Notice of Petition: Walden Avenue Realty vs. Town of Cheektowaga
24. Notice of Petition: Keller Chevrolet, Inc. vs. Town of Cheektowaga
25. Notice of Petition: Frank E. Bork, III vs. Town of Cheektowaga
26. Notice of Petition: Har-Wal Associates, Inc vs. Town of Cheektowaga
27. Notice of Petition: US Food Service Corporation vs. Town of Cheektowaga
28. Notice of Petition: UPS Supply Chain Solutions vs. Town of Cheektowaga
29. Notice of Petition: HD Development of Maryland, Inc. vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York
30. Notice of Petition: Lakeshore Distribution LLC. vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York
31. Notice of Petition: Tim Donut US Limited vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga
32. Notice of Petition: Hertz Cheektowaga vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga
33. Notice of Petition: JMDH Real Estate of Buffalo, LLC vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga
34. Notice of Petition: Cayuga Village Senior Housing, LP vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York
35. Notice of Petition: Tim Donut US Limited. vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga
36. Notice of Petition: KQ Bell Towers of Erie LLC, MM Bell Towers of Erie LLC and Tri City Rentals vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga
37. Notice of Petition: AMF Bowling Centers, Inc. vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga
38. Notice of Petition: Joseph R. Lajudice. vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York
39. Notice of Petition: Erie Logistics, LLC vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York

40. Notice of Petition: Tops Markets, LLC vs. Board of Assessment Review and/or Assessor of the Town of Cheektowaga and the Town of Cheektowaga, County of Erie, New York
41. Notice of Petition: WVP Associates, LLC vs. Town of Cheektowaga, New York, its Assessor and Board of Assessment Review
42. Notice of Petition: 2331 GB Properties, LLC and Colvin Oakdale, LLC vs. The Board of Assessment Review for the Town of Cheektowaga, the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York
43. Notice of Petition: 1460 French Road, LLC vs. The Board of Assessment Review for the Town of Cheektowaga, the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York
44. Notice of Petition: Sky Harbor Property, LLC vs. The Board of Assessment Review for the Town of Cheektowaga, the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York
45. Notice of Petition: Idylwood LLC and Morgan Management for itself and as agent-in-charge for Idylwood LLC vs. The Board of Assessment Review for the Town of Cheektowaga, the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York
46. Notice of Petition: 4455 Genesee St., LLC, Genesee Holdings LLC; 4455 Genesee St LLC, 4455 Genesee St., LLC, 4455 Genesee Street and DeanGenesee LLC and 4455 Genesee Street LLC vs. The Board of Assessment Review for the Town of Cheektowaga, the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York
47. Notice of Petition: 2060 Auto Parts, Inc; 2150 Recycling Center, Inc., Matthew J. Serwacki and Matthew & W. Serwacki vs. The Board of Assessment Review for the Town of Cheektowaga, the Assessor of the Town of Cheektowaga and the Town of Cheektowaga, New York
48. Notice of Petition: 270 West Main, Inc. vs. Jeneen McSkimming etal
49. Notice of Petition: EPO-Stovroff Housing Development Fund Corporation vs. The Town of Cheektowaga, its Assessor and Board of Assessment Review

VII. Comments

A. Supervisor's Comments

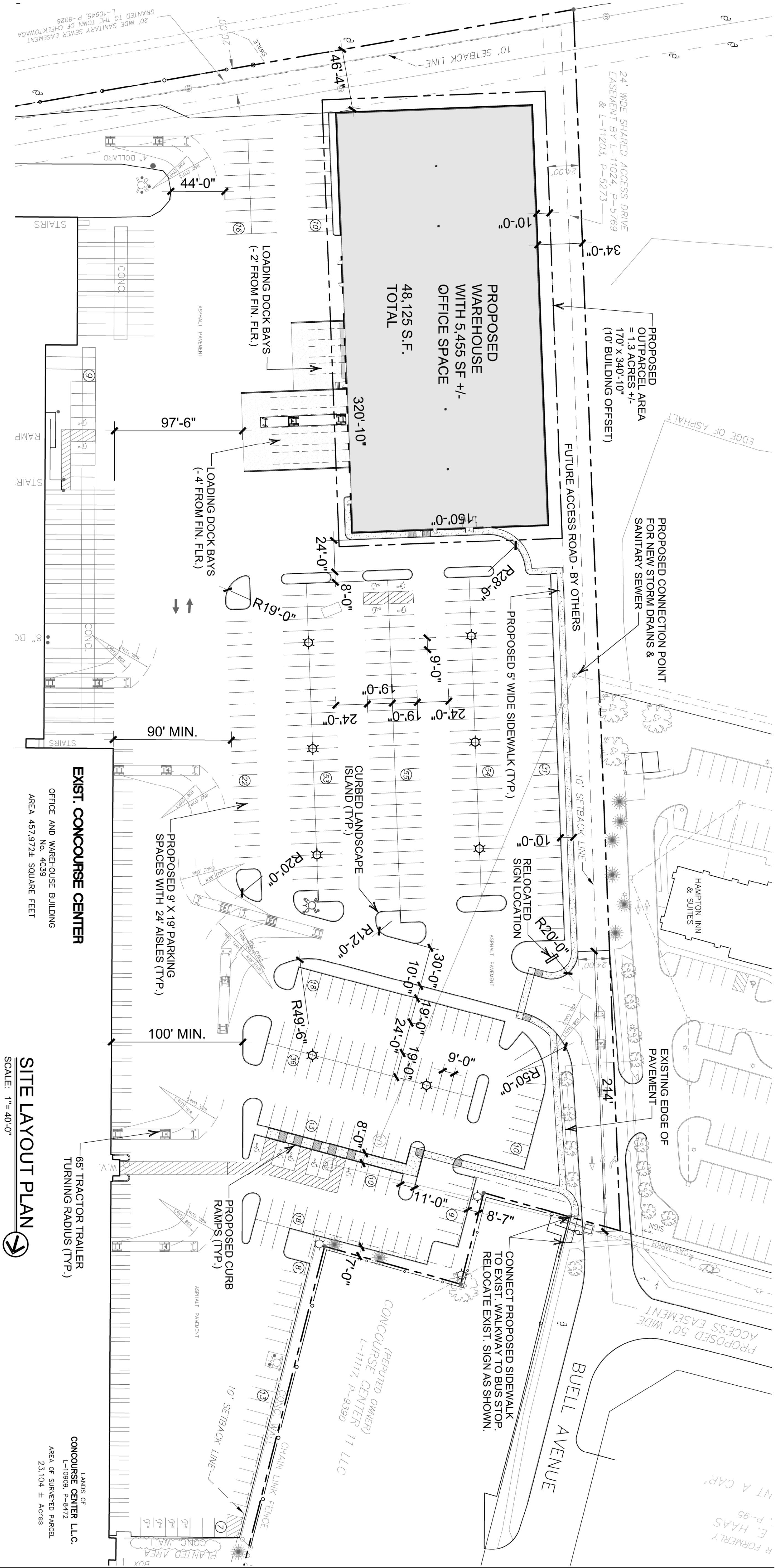
B. Councilmember's Comments

C. Public Comments

VIII. Adjournment

Motion by Councilmember Rogowski; Seconded by Councilmember Kaminski to adjourn the meeting at 7:48 PM

Alice Magierski, Town Clerk



GENERAL NOTES

1. FOR REFERENCE INFORMATION SEE TOPOGRAPHIC SURVEY PREPARED BY GEOTECHNICAL & SURVEYING LTD. DATED APRIL 8, 2015 AND IDENTIFIED AS JOB NO. 2898 INCLUDED WITH THIS SET OF SITE PLANS.
2. ALL CONSTRUCTION SHALL CONFORM TO TOWN OF CHEEKTOWAGA STANDARDS AND NEW YORK STATE CODE REQUIREMENTS, AS WELL AS THE LATEST A.I.S.C., A.C.I., O.S.H.A., AND A.S.T.M. STANDARDS, WHERE CODES OVERLAP. THE CONTRACTOR SHALL COMPLY WITH THE MORE STRINGENT CODE.
3. WHERE A SPECIFIC MANUFACTURER'S PRODUCT IS CALLED OUT ON THIS SHEET OR ANY OTHER PLAN IN THIS SET OF DRAWINGS, THE CONTRACTOR MUST COMPLY WITH THE MANUFACTURER'S LATEST PRINTED INSTRUCTIONS AND RECOMMENDATIONS FOR INSTALLATION.
4. DURING CONSTRUCTION THE CONTRACTOR SHALL ERECT AND MAINTAIN AS NECESSARY ALL TEMPORARY BARRICADES, SAFETY FENCING, CAUTION LIGHTS, OR SIGNAGE TO PROTECT THE WORK ACTIVITY AND TO ENSURE PUBLIC SAFETY. LAUER-MANGUSO & ASSOC. IS NOT RESPONSIBLE FOR ANY INJURIES TO WORKERS OR PEDESTRIANS AS RESULT OF EXCAVATION OR CONSTRUCTION ACTIVITIES.
5. ANY TEMPORARY TRAFFIC CONTROL AND WARNING SIGNS USED DURING CONSTRUCTION SHALL CONFORM TO N.Y.S.D.O.T. MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.
6. THE CONTRACTOR SHALL MAINTAIN ACCESSIBLE PASSAGEWAYS FOR TRAFFIC AND PEDESTRIANS TO EXISTING SURROUNDING BUILDINGS WHICH REMAIN IN OPERATION THROUGHOUT THE DURATION OF THE CONSTRUCTION.
7. THE CONTRACTOR SHALL VERIFY EXISTING CONDITIONS IN THE FIELD PRIOR TO THE START OF WORK. ANY DISCREPANCIES BETWEEN REAL LIFE CONDITIONS AND THIS SET OF SITE PLANS/DRAWINGS SHALL BE IMMEDIATELY FOR FURTHER INSTRUCTIONS. FAILURE TO NOTIFY LAUER-MANGUSO CONSTITUTES THE CONTRACTOR'S ACCEPTANCE OF ALL THE CONDITIONS SHOWN ON THIS SET OF SITE PLANS.
8. ANY DEVIATION FROM ANY PLANS IN THIS DRAWING SET SHALL REQUIRE APPROVAL OF LAUER-MANGUSO & ASSOC. AND THE TOWN OF CHEEKTOWAGA BUILDING & ZONING DEPARTMENT, AS WELL AS THE APPROPRIATE UTILITY COMPANIES AND SERVICE PROVIDERS.
9. ALL CONSTRUCTION OR EXCAVATION ACTIVITIES AND UTILITY INSTALLATIONS SHALL STRICTLY COMPLY WITH THE LATEST SAFETY STANDARDS AND REGULATIONS SET FORTH BY O.S.H.A., THE NEW YORK STATE HIGH VOLTAGE PROXIMITY ACT, AND NEW YORK STATE INDUSTRIAL CODE RULE 83.
10. THE CONTRACTOR SHALL MAINTAIN INSURANCE THAT SHALL PROTECT THEM FROM ANY LIABILITY UNDER WORKERS COMPENSATION ACTS OF NEW YORK STATE, AND FROM LIABILITY FOR PROPERTY DAMAGES, BODILY INJURY, OR DEATH.
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PAYING ALL NECESSARY FEES AND OBTAINING ALL NECESSARY PERMITS PRIOR TO THE START OF CONSTRUCTION. CONTACT TOWN OF CHEEKTOWAGA BUILDING DEPARTMENT (888-3867) FOR INSTRUCTIONS, PERMIT APPLICATIONS, AND FEES.

LEGEND

- EXISTING DECIDUOUS TREE TO REMAIN
- EXISTING CONIFEROUS TREE TO REMAIN
- EXISTING LIGHT POLE LOCATION
- PROPOSED LIGHT POLE LOCATION
- EXISTING UTILITY POLE
- EXISTING SEWER LINE & MANHOLE
- EXISTING EDGE OF PAVEMENT
- NEW CURB (6')
- NEW EDGE OF PAVEMENT
- SITE PROPERTY LINE
- ADJACENT PROPERTY LINE
- EXISTING EASEMENT
- PROPOSED CONCRETE WALK & CURB RAMPS

PRELIMINARY

NOT FOR CONSTRUCTION

| No. | Description | Date |
|-----|--------------------------|----------|
| - | ISSUED FOR CLIENT REVIEW | 6/29/15 |
| 1 | REV'D PER TOWN COMMENTS | 4/17/15 |
| - | ISSUED FOR DEV. REVIEW | 3/30/15 |
| - | PRELIM. TOWN REVIEW MTG. | 3/18/15 |
| - | ISSUED FOR CLIENT REVIEW | 11/13/14 |

REVISIONS

CONCOURSE CENTER WAREHOUSE

4039 GENESEE STREET

MCQUIRE DEVELOPMENT INC.

560 DELAWARE AVE., BLFO, N.Y. 14202

SITE LAYOUT PLAN



LAUER-MANGUSO & ASSOCIATES ARCHITECTS
4080 Ridge Lea Road
Buffalo, N.Y. 14228
(716) 837-0833

Date: 11/13/14 Drawing No.
Drawn By: RBJ/JAM
Checked By: JMM
Job Number: 13011001



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227

<http://www.town.cheektowaga.ny.us>

Alice Magierski

716-686-3400

Monday, August 17, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on August 17, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Mark Wegner, Highway Superintendent

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-455

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to August 14, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|---------------|
| GENERAL FUND | \$ 213,617.43 |
| RISK RETENTION FUND | 26,195.83 |
| DEBT | 1,646.00 |
| HUD HOUSING REHABILITATION FUND | 8,879.00 |
| SPECIAL DISTRICTS FUND | 189,529.08 |
| HIGHWAY FUND | 36,549.33 |
| CAPITAL FUND | 248,165.60 |
| TRUST & AGENCY FUND | 28.78 |
| HUD CDBG FUND | 1,267.42 |
| PART TOWN FUND | 156.00 |
| NYS AFFORDABLE HOUSING | 15,270.00 |
| | <hr/> |
| | \$ 741,304.47 |

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-456

Change Order No. 1 to Contract for Demolition of 274 Cherokee Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the contract for the Demolition and Asbestos Abatement of 36 Peachrow Lane and 257 Chapel Avenue (Bid 2015-15 LAW) was awarded to Regional Environmental Demolition, Inc. by Resolution 2015-341, adopted May 18, 2015 for the contract amount of \$68,550.00 (apportioned \$34,770 to 36 Peachrow Lane and \$33,780 to 274 Cherokee Drive); and

WHEREAS, subsequent to said bid award, the Town was notified that an additional 65 square feet of asbestos-containing tar used on roof repairs, penetrations, and vents was found over a wide-spread area on the roof of the structure at 274 Cherokee Drive, which was not observable at the time of the pre-demolition asbestos survey due to an excessive amount of snow, and thus was not included in bid specifications for demolition; and

WHEREAS, the removal and proper disposal of said asbestos material will cost an additional \$2,100.00; and

WHEREAS, the Town's Supervising Building Inspector recommends the approval of Change Order No. 1 (final) which provides for contract modifications for the removal of said additional asbestos-containing material; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the revised project and directs the Supervisor to execute the necessary Change Order No. 1 document with Regional Environmental Demolition, Inc., providing for an increase of \$2,100.00 to the initial award of \$68,550.00, for a total contract price of \$70,650.00, which shall be chargeable to budget line item number 800-0800-0440.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-457

Accept Site Plan- 4455 Genesee Street Calspan Corporation

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, 4455 Genesee St., LLC submitted a development review application for a 4,000 s.f addition to an existing testing facility building at 4455 Genesee Street, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of August 13, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The Town Engineer's review and approval of the drainage and grading plan.
2. The Fire Inspectors acceptance of a fire access plan.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-458

Extend Agreement with SimplexGrinnell for Alarm Testing at Police & Court Building

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga has an existing agreement with tyco SimplexGrinnell to provide fire alarm testing and inspections at the Town Police and Court building located at 3223 Union Road, and

WHEREAS, a proposal has been submitted by tyco SimplexGrinnell to extend the services stated in said agreement until June 30, 2016 for \$1,984.00, and

WHEREAS, the General Crew Chief of the Facilities Department has recommended that the Town continue its existing agreement with tyco SimplexGrinnell until June 30, 2016, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves the aforementioned extension of the agreement with tyco SimplexGrinnell, and

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents to extend said agreement, and BE IT FURTHER

RESOLVED, that fees for said services shall be appropriated from budget line item number 100-7110-4451.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-459

Removal of Collapsing Fence/116 David Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 116 David Avenue, Cheektowaga, New York SBL# 102.21-6-48 that is a danger to the safety of others, and records kept by the Assessors Office identify George & Marsha Costuros, 7865 Clearwood Avenue, Las Vegas, NV 89123, as the owner AND

WHEREAS, an inspection of such premises was conducted at 116 David Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-460

Demolition and Removal of Above Ground Pool/3624 Genesee Street

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 3624 Genesee Street, Cheektowaga, New York SBL# 91.16-2-53.11 that is a danger to the safety of others, and records kept by the Assessors Office identify David Rubel, 3624 Genesee Street, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 3624 Genesee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-461

Removal of Stockade Fence/3624 Genesee Street

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 3624 Genesee Street, Cheektowaga, New York SBL# 91.16-2-53.11 that is a danger to the safety of others, and records kept by the Assessors Office identify David Rubel, 3624 Genesee Street, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 3624 Genesee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-462

Removal of Unsafe Soffit and Gutter/49 Gualbert Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 49 Gualbert Avenue, Cheektowaga, New York SBL# 101.60-7-36 that is a danger to the safety of others, and records kept by the Assessors Office identify Sheila Craft, 7888 Utley Road, East Otto, New York 14729, as the owner AND

WHEREAS, an inspection of such premises was conducted at 49 Gualbert Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-463

Demolition and Removal of Above Ground Pool/93 Willowlawn Pkwy

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 93 Willowlawn Parkway, Cheektowaga, New York SBL# 123.28-5-12 that is a danger to the safety of others, and records kept by the Assessors Office identify Sherry Palermo, 93 Willowlawn Pkwy, Cheektowaga, New York 14206, as the owner AND

WHEREAS, an inspection of such premises was conducted at 93 Willowlawn Parkway, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-464

SPECIAL EVENT - Cheektowaga Central High School Homecoming Parade

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, the Cheektowaga Central School District has made application to hold its Homecoming Parade on Friday, September 25th, 2015, beginning at 5:45 p.m. (parade route - Union Road, only to cross over to Zoerb and back again from South Creek); and

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

WHEREAS, due to the nature of the event, this Town Board hereby waives the following requirements: Submittal of plan for sanitary facilities;

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Central School District for the aforementioned Homecoming Parade to be held on Friday, September 25th, 2015, and BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-465

SPECIAL EVENT - "Runners HUB" Run/Walk

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, "Runners HUB" has made application to hold a 1 mile, 2 mile, 3 mile run/walk starting at 698 1/2 S. Ogden Street and continuing through various neighborhoods in Cheektowaga on Sunday, September 27, 2015 from 10:00 a.m. - 1:00 p.m.; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the application of "Runners HUB" for their 1 mile, 2 mile, 3 mile run/walk to be held on Sunday, September 27, 2015 from 10:00 a.m. - 1:00 p.m.; BE IT FURTHER

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-466

Bonfire-Cheektowaga Central/3600 Union Road

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

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 Joseph Ehnes, Fire Inspector, AND

WHEREAS, an application for a permit was submitted by the Cheektowaga Central High School to conduct a open fire on September 22, 2015 (rain date of September 23, 2015) on the property located at 3600 Union Road, Cheektowaga, New York AND

WHEREAS, the applicant intends to maintain a small bonfire with the assistance of the Forks Fire Department in conjunction with summer youth activities, AND

WHEREAS, Joseph Ehnes, Fire Inspector has received this application and finds that all requirements have been met. And that this application is in compliance with conditions and requirement 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 Joseph Ehnes, Fire Inspector, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, authorizes Joseph Ehnes, Fire Inspector to issue such permit.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-467

Bonfire-Maryvale School/1050 Maryvale Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Open Burning Law of the Town of Cheektowaga, Joseph Ehnes, 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 Joseph Ehnes the Town Fire Inspector, AND

WHEREAS, an application for a permit was submitted by the Maryvale High School to conduct a open fire on September 23, 2015 with a rain date of September 24, 2015 on the property located at 1050 Maryvale Drive, Cheektowaga, New York AND

WHEREAS, the applicant intends to maintain a small bonfire with the assistance of the U-Crest Fire Department in conjunction with summer youth activities, AND

WHEREAS, Joseph Ehnes, Fire Inspector has received this application and finds that all requirements have been met. And that this application is in compliance with conditions and requirement 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 Maryvale High School and the recommendations of Joseph Ehnes, Fire Inspector, NOW, THEREFORE, BE IT

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-468

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individual listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

Brad Bauman - effective 8/22/15

Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to waive the reading of names for the following two (2) resolutions: 2015-468 and 2015-469. Motion Carried.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-469

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

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

SENIOR SERVICES - Van Driver \$9.50/hour effective 8/18/15
Douglas H. Keating, Cheektowaga, New York

POLICE DEPARTMENT Police Attendant \$17.35/hour effective 8/18/15
Brian J. Lillis, Depew, New York

TOWN CLERK (Tax Office) Clerk \$10.00/hour effective 8/4/15
Jennifer S. Armstrong, Cheektowaga, New York

POLICE DEPARTMENT Student Assistant \$8.75/hour effective 8/23/15
Brad J. Bauman, Cheektowaga, New York

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

SENIOR SERVICES
Alex J. Gabryszak effective 7/31/15

JUSTICE COURT
Barbara T. Lukasik effective 7/28/15

SEWER MAINTENANCE
Christopher D. Gentile effective 8/1/15

POLICE DEPARTMENT
Hannah N. Benson effective 8/4/15

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-470

Appointment of Zoning Board Member

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, there is a vacancy in the position of member of the Zoning Board of Appeals, and

WHEREAS, John Marriott has applied for said position and meets the qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Marriott of Cheektowaga, New York be and hereby is appointed to the position of Member of the Zoning Board of Appeals, effective immediately and terminating on December 31, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-471

Appointment of Assessment Clerk (Competitive/Permanent) Assessor's Office/Michael G. Milks and Robin M. Anderson

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town Board appointed Michael G. Milks and Robin M. Anderson to the position of Assessment Clerk on a provisional basis on July 8, 2014 and December 3, 2014 respectively; AND

WHEREAS, the Town has been notified that Erie County Civil Service has established a competitive list for said title; AND

WHEREAS, Mr. Milks and Ms. Anderson are reachable on said list and eligible for permanent appointment; NOW, THEREFORE, BE IT

RESOLVED, that Michael G. Milks of Cheektowaga, New York, and Robin M. Anderson of Depew, New York, be and hereby are permanently appointed to the position of Assessment Clerk in the Assessor's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective August 18, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-472

Travel Authorization Police Department - Chief of Police David Zack, Lieutenants Thomas Gerace, Brian Gould and Patrick Chludzinski, and Sergeants Lawrence Bauer and James Patterson

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the 2015 International Association of Chiefs of Police Conference and Law Enforcement Education and Technology Exposition is being held October 24 through October 27, 2015 In Chicago, Illinois; AND

WHEREAS, Police Chief David Zack, Lieutenants Thomas Gerace, Brian Gould and Patrick Chludzinski and Sergeants Lawrence Bauer and James Patterson have been recommended to attend said conference and exposition; AND

WHEREAS, a request for travel authorization along with the proper paperwork has been filed in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$8,768.40; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Chief David Zack, Lieutenants Thomas Gerace, Brian Gould and Patrick Chludzinski and Sergeants Lawrence Bauer and James Patterson be and hereby are authorized to attend the 2015 International Association of Chiefs of Police Conference and Law Enforcement Education and Technology Exposition being held October 24 through October 27, 2015 In Chicago, Illinois.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-473

Travel Authorization Police Department - Lieutenant Thomas Gerace, Detectives Robert Laskowski, Kevin Schmitt, Michael Pilat and John Skonecki

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Introduction to Narcotics Surveillance Tactics Seminar is being held September 16, 2015 at Niagara University; AND

WHEREAS, Lieutenant Thomas Gerace and Detectives Robert Laskowski, Kevin Schmitt, Michael Pilat and John Skonecki have been recommended to attend said seminar; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$267; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Thomas Gerace and Detectives Robert Laskowski, Kevin Schmitt, Michael Pilat and John Skonecki be and hereby are authorized to attend the Introduction to Narcotics Surveillance Tactics Seminar being held September 16, 2015 at Niagara University.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

IV. Suspension of Rules

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| Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to Suspend the Rules to Include the following six (6) resolutions 2015-474; 2015-475, 2015-476, 2015-477, 2015-478 and 2015-479. Motion Carried. |
|---|



1. RESOLUTION 2015-474

Award of Bid - Cleaning, Televising & Rehabilitation of Sanitary Sewer Facilities thru Cured-in-Place Pipe (Bid #2015-24)

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, as a result of advertisement, bids were received on July 29, 2015 for the Cleaning, Televising & Rehabilitation of Sanitary Sewer Facilities thru Cured-in-Place Pipe in the Town of Cheektowaga, AND

WHEREAS, six (6) perspective bidders picked up specifications but only one (1) bid was received and was referred to the Engineering Department for analysis and tabulation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Cleaning, Televising & Rehabilitation of Sanitary Sewer Facilities thru Cured-in-Place Pipe be awarded to:

Insituform Technologies, LLC
17988 Edison Avenue
Chesterfield, MO 63005

for their submission of the lowest bid meeting the requirements of the specifications in the amount of \$4,410,620.60, AND, BE IT FURTHER

RESOLVED, that the cost of said professional services shall be chargeable to an account designated by the Director of Finance.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-475

Award of Bid - One (1) New and Unused, 2015 Model or Newer Compact Articulated Wheel Loader with a fully enclosed Cab (Bid 2015-25)

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening held on August 5, 2015, for One (1) New and Unused, 2015 Model or Newer Compact Articulated Wheel Loader with a fully enclosed Cab for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bid was referred to the Superintendent of Highway for analysis, tabulation and reports, AND

WHEREAS, bids were analyzed and completed, and

WHEREAS, the lowest responsible bidder meeting specifications for One (1) New and Unused, 2015 Model or Newer Compact Articulated Wheel Loader with a fully enclosed Cab is Admar Construction and Equipment Supplies, and

WHEREAS, the Town of Cheektowaga negotiated with this lowest responsible bidder who met specifications to lower the price, NOW THEREFORE BE IT

RESOLVED, the Town of Cheektowaga hereby awards the bid for the purchase of One (1) New and Unused, 2015 Model or Newer Compact Articulated Wheel Loader with a fully enclosed Cab to Admar Construction Equipment and Supplies, 1394 Military Road, Buffalo, NY 14217, at a total bid price of \$64,650.00 said bidder meeting specifications of bid, and BE IT FURTHER

RESOLVED, that monies be charged to line 300.5130.2407.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-476

Authorize Supervisor to Execute Application for Tactical Team Targeted Grant

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, federal funding is available for a "Tactical Team Targeted Grant" under the FY2015 State Homeland Security Program (SHSP), made available by the New York State Division of Homeland Security and Emergency Services (DHSES), AND

WHEREAS, NYS DHSES would reimburse the Town of Cheektowaga for the offset of equipment costs related to providing a tactical robot and tactical surveillance equipment to significantly enhance the Cheektowaga Police Department's SWAT capabilities; fill gaps in current tactical surveillance or reconnaissance capabilities identified within the NCCAD SWAT Team Assessment; develop a plan to enhance efforts and implement the tactical surveillance and reconnaissance capabilities; and execute the implementation plan in our community; AND

WHEREAS, the Town of Cheektowaga wishes to avail itself of said funding in an amount not to exceed \$100,000, to enhance tactical surveillance and reconnaissance capabilities of the Cheektowaga Police Department; NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga Police Department is authorized and directed to make application for the above-referenced Tactical Team Targeted Grant Program funding on behalf of the Town, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents pertaining to the acquisition of the FY2015 Tactical Team Targeted Grant funding on behalf of the Town of Cheektowaga, including all contractual and reporting documents.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-477

Authorize Supervisor to Execute Temporary Agreement for Disposal of Solid Waste

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga has an existing agreement with Modern Landfill, Inc. to dispose of the Town's solid waste at the East Side Transfer Station at 793 South Ogden Street in the City of Buffalo; the term of said agreement expires on December 31, 2017, and

WHEREAS, by letter dated August 3, 2015, Modern Landfill, Inc. notified the Town of Cheektowaga that the East Side Transfer Station was no longer available for use by the Town of Cheektowaga through Modern Landfill, Inc. as of September 1, 2015, and

WHEREAS, this notification constitutes anticipatory breach of contract by Modern Landfill, Inc., and

WHEREAS, the Town of Cheektowaga does not have adequate time to issue bids specifications and award a new contract for the disposal of solid waste prior to September 1, 2015; and

WHEREAS, a public emergency situation exists affecting the health of residents of the Town and immediate action is necessary to enter into a temporary contract to dispose of the Town's solid waste commencing on September 1, 2015 until such time as the Town can issue bid specifications and award a contract for the disposal of solid waste, and

WHEREAS, Waste Management of New York LLC ("Waste Management") holds the contract with the City of Buffalo to operate the East Side Transfer Station as of September 1, 2015; and

WHEREAS, the Town of Cheektowaga negotiated a temporary agreement with Waste Management to utilize the East Side Transfer Station from September 1, 2015 to October 31, 2015 at a rate of \$41.59 per ton, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned temporary agreement with Waste Management, said agreement being subject to the approval of the Town Attorney, and BE IT FURTHER

RESOLVED, that moneys for said agreement shall be appropriated from budget line item number 150.8160.4469.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-478

Call for Public Hearing - Increase and Improvement of Facilities of the Consolidated Sewer District

Sponsored By: Councilmember Meyers, Supervisor Holtz

In the Matter

of the

Increase and Improvement of Facilities of the Consolidated Sewer District, in the Town of Cheektowaga, in the County of Erie, New York, pursuant to Section 202-b of the Town Law

Offered by: Councilmember Timothy Meyers

Seconded by: Supervisor Mary Holtz

ORDER CALLING FOR A PUBLIC HEARING TO BE HELD ON SEPTEMBER 8, 2015

WHEREAS, the Town Board of the Town of Cheektowaga (herein called the "Town"), in the County of Erie, New York, on behalf of the Consolidated Sewer District, in the Town (herein referred to as the "District"), has caused Nussbaumer & Clark, Inc., competent engineers duly licensed by the State of New York (the "Engineer"), to prepare a map, plan and report for the increase and improvement of facilities of the District, consisting of construction of a 30-inch sanitary relief sewer (approximately 6,500 feet in length), sewer lining and related improvements, manhole rehabilitation, lateral connector rehabilitation, improvements to the Roycroft Pump Station, and other related or ancillary work in connection therewith, at the estimated maximum cost of \$12,000,000; and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for said increase and

improvement of facilities of the District and has estimated the total cost thereof to be \$12,000,000; and

WHEREAS, the Town Board, as lead agency, has duly considered the project pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617 and has determined that the project is a Type II action and is therefore exempt from the provisions of SEQRA, pursuant to Section 617.5 (c) (11) of the SEQRA regulations;

NOW, THEREFORE, BE IT

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 3301 Broadway, Cheektowaga, New York, on the 8th day of September, 2015 at 6:45 o'clock P.M. (Prevailing Time) to consider said proposed increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it,

FURTHER ORDERED, that the Town Clerk publish at least once in the "*Cheektowaga Bee*," hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing, substantially in the form attached hereto as Exhibit A, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

DATED: August 17, 2015

TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

(SEAL)

Exhibit A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, in the County of Erie, State of New York, will meet at the Town Hall, 3301 Broadway, Cheektowaga, New York, on September 8, 2015, at 6:45 o'clock P.M. (Prevailing Time), for the purpose of conducting a public hearing in relation to the proposed increase and improvement of facilities of the Consolidated Sewer District, consisting of construction of a 30-inch sanitary relief sewer (approximately 6,500 feet in length), sewer lining and related improvements, manhole rehabilitation, lateral connector rehabilitation, improvements to the Roycroft Pump Station, and other related or ancillary work in connection therewith, at the estimated maximum cost of \$12,000,000.

At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.

Dated: August 17, 2015
Cheektowaga, New York

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

Alice Magierski, Town Clerk

Town of Cheektowaga

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-479

Engage Design Consultant for the Cheektowaga Safe Crossings Transportation Alternatives Program

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, a Project for the Cheektowaga Safe Crossings TAP 2014, PIN 5761.10 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs for such program to be borne at the ratio of 80% federal funds and 20% non-federal funds, AND

WHEREAS, by resolution dated March 16, 2015 this Town Board authorized the Town Supervisor to execute a Federal Aid Local Project Agreement for the Preliminary Engineering (Design I-VI) phase of said project with the apportionment cost of this project to be at the ratio of 80% federal funds and 20% non-federal funds, AND

WHEREAS, under the Procedures for Locally Administered Federal Aid Projects, the Town is required to retain a consultant to design the project, which selection is to be performed by an appointed Selection Committee, AND

WHEREAS, the Town of Cheektowaga Consultant Selection Committee has completed the review of the Expression of Interest/Qualification Statement submissions received from eight (8) firms associated with the provision of Preliminary and Final Design Services, Phases I-VI for the subject federally and locally funded project, and has recommended that the firm of Watts Architecture & Engineering, 95 Perry Street, Buffalo, New York 14203 be retained for the aforesaid design and related tasks for this Safe Crossings Project, NOW, THEREFORE, BE IT

RESOLVED, that the professional services proposal of Watts Architecture & Engineering, as submitted to the Town Engineer for the various tasks associated with the Safe Crossings Project, as outlined in an Engineering Consultant Agreement which is subject to review and approval by the Town Attorney, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign said agreement with Watts Architecture & Engineering, AND, BE IT FURTHER

RESOLVED, that the cost of said professional services in an amount not to exceed \$41,654.00 shall be chargeable to Account #500-1440-4830-5429, of which 80% is eligible for federal grant funded reimbursement.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Communications

A. Departmental Communications

1. Minutes: Town of Cheektowaga Environmental Advisory Committee - July 8, 2015

B. General Communications

1. Summons & Complaint: Flower City Masonry, Inc. vs. Town of Cheektowaga, Burgio & Campofelice, Inc.
2. Notice of Claim: Gary Tefft vs. Town of Cheektowaga
3. Notice of Claim: Ricky Zawadzki vs. Town of Cheektowaga
4. Notice of Petition: Rite Aid Corporation/Eckerd Corporation vs. Town of Cheektowaga Board of Assessment Review, the Assessor of the Town of Cheektowaga, and the Town of Cheektowaga, Erie County, New York
5. Notice of Amended Verified Petition: Joseph R. LaJudice vs. Assessor for the Town of Cheektowaga, the Board of Assessment Review for the Town of Cheektowaga and the Town of Cheektowaga in the County of Erie, New York

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjournment

Motion by Supervisor Holtz; Seconded by Councilmember Adamczyk to adjourn the meeting in memory of John Ptak, Member of the Zoning Board and Patriotic Commission; and Chief Leonard Smolarek, retired Chief of Police. Time of adjournment was 7:08 PM

Alice Magierski, Town Clerk



Town of Cheektowaga

Work Session

~ Minutes ~

Cheektowaga, NY 14227

<http://www.town.cheektowaga.ny.us>

Alice Magierski

716-686-3400

Tuesday, September 1, 2015

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on September 1, 2015 at Council Office, Conference Room, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Resolutions



1. RESOLUTION 2015-480

Amend Resolution 2015-477 for Temporary Agreement for Disposal of Solid Waste

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, by resolution adopted August 17, 2015 (Resolution No. 2015-477), this Town Board authorized a temporary agreement with Waste Management of New York LLC ("Waste Management") for the disposal of the Town's solid waste; and

WHEREAS, said resolution stated the per-ton rate of \$41.59 when in fact the correct per-ton rate is \$41.79; and

WHEREAS, it is necessary to amend the Resolution to correctly state said per-ton cost; NOW, THEREFORE, BE IT

RESOLVED, that the last "WHEREAS" paragraph of Resolution 2015-477 be and hereby is amended to read as follows:

"WHEREAS, the Town of Cheektowaga negotiated a temporary agreement with Waste Management to utilize the East Side Transfer Station from September 1, 2015 to October 31, 2015 at a rate of \$41.79 per ton, NOW THEREFORE, BE IT"

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-481

Authorize Supervisor to Execute Right of Entry Agreement with the Niagara Frontier Transportation Authority

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Niagara Frontier Transportation Authority (herein referred to as "NFTA") is the owner of property commonly known as the Buffalo Niagara International Airport located in the Town of Cheektowaga (herein referred to as "Town"); and

WHEREAS, the Town requires entry onto NFTA airport property to accomplish certain electrical repairs to light poles located on Genesee Street, to access underground conduits, and to temporarily store light poles in designated areas of the Airport; and

WHEREAS, the Town has requested permission from the NFTA and the NFTA has agreed to allow the Town and its employees limited access to the Airport property for the purpose of performing said repairs and related work; and

WHEREAS, the NFTA has prepared a Right of Entry Agreement outlining the terms and conditions under which the Town may enter its land, and indemnifying the NFTA from liability relating to the Town's work on said property; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the request of the NFTA for a Right of Entry Agreement allowing the Town access to NFTA property to perform the necessary electrical repairs and to temporarily store light poles in designated areas of the airport, in accordance with the terms and conditions outlined in said Right of Entry Agreement; and BE IT FURTHER

RESOLVED, that the Supervisor be and is hereby authorized and directed to execute a Right of Entry Agreement with the NFTA, subject to review and approval by the Town Attorney.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-482

Authorize Supervisor to Execute Agreement with Erie County Water Authority for Zurbrick Road

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, Zurbrick Road is a Town of Cheektowaga and Village of Depew highway, maintained by the Town and Village Highway Departments, and

WHEREAS, in 2015, the Town will be reconstructing that portion of Zurbrick Road between Borden Road and Transit Road, and

WHEREAS, the Erie County Water Authority ("ECWA") was planning on installing a new waterline in the Zurbrick Road in the near future, and

WHEREAS, rather than install the water line itself, the ECWA has offered to remit the sum of \$315,500 to the Town if the Town or its contractor would install the waterline along Zurbrick Road while the Town reconstructs Zurbrick Road, and

WHEREAS, the attorney for the ECWA has prepared a municipal cooperation agreement to accomplish this, which agreement has been approved as to form by the Town Attorney, NOW, THEREFORE, BE IT

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Vickie L. Dankowski
716-686-3434

Tuesday, September 8, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on September 8, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Robert Brandon, Zoning Board Chairman
Lt. Brian Gould, Cheektowaga Police Department
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Public Hearing

1. Increase and Improvement of Facilities of the Consolidated Sewer District

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: Mary Holtz, Supervisor
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-483

Transfer of Funds-2015

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

FROM: 100.1110.4013 Law Books \$1,000.00

TO: 100.1110.2105 Equipment \$1,000.00

CDBG

FROM: 700.1015.0679 Summer Day Camp \$991.74

TO: 700.1015.0600 Housing Rehab.-Single Family \$991.74

RESULT: ADOPTED [UNANIMOUS]

MOVER: Mary Holtz, Supervisor

SECONDER: Gerald Kaminski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



2. RESOLUTION 2015-484

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to September 8, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|-----------------|
| GENERAL FUND | \$3,844,782.75 |
| RISK RETENTION FUND | 827,273.79 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 34,353,139.96 |
| HUD HOUSING REHABILITATION FUND | 10,880.00 |
| SPECIAL DISTRICTS FUND | 1,265,715.55 |
| HIGHWAY FUND | 1,875,349.12 |
| CAPITAL FUND | 599,023.45 |
| TRUST & AGENCY FUND | 21,001.30 |
| HUD CDBG FUND | 61,952.90 |
| PART TOWN FUND | 86,465.50 |
| NYS AFFORDABLE HOUSING | 12,526.00 |
| | <hr/> |
| | \$42,958,110.32 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-485

Award of Bid for One (1) New and Unused, 2015 Model or Newer Diesel Powered, EPA Compliant, Solid Pneumatic Tire Lift Truck with 3-Stage Mast and Side Shifting Fork Clamp (Bid 2015-26 HWY)

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, bids were received and opened by the Town Clerk at a public bid opening held on August 19, 2015 for One (1) New and Unused, 2015 Model or Newer Diesel Powered, EPA Compliant, Solid Pneumatic Tire Lift Truck with 3-Stage Mast and Side Shifting Fork Clamp for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bid was referred to the Superintendent of Highway for analysis, tabulation and reports, AND

WHEREAS, bids were analyzed and completed, NOW THEREFORE BE IT

RESOLVED, the responsible bidder meeting bid specs for One (1) New and Unused, 2015 Model or Newer Diesel Powered, EPA Compliant, Solid Pneumatic Tire Lift Truck with 3-Stage Mast and Side Shifting Fork Clamp be awarded to Buffalo Lift Trucks, 5100 Broadway, Depew, NY 14043 at a total bid price of \$33,396.00 said bidder meeting specifications of bid. AND, BE IT FURTHER

RESOLVED, that monies be charged to line 300.5130.2407.

TABULATION FOR
ONE (1) NEW AND UNUSED 2015 MODEL OR NEWER DIESEL POWERED, EPA COMPLAINT, SOLID PNEUMATIC TIRE LIFT TRUCK WITH 3-STAGE MAST AND SIDE SHIFTING FORK CLAMP

| | |
|---|-------------|
| Buffalo Lift Trucks 5100 Broadway Depew, NY 14043 716-651-0200 | \$33,396.00 |
|---|-------------|

| | |
|---|-------------|
| JIT Toyota-Lift 999 Harlem Road West Seneca, NY 14224 716-893-6105 | \$39,178.00 |
|---|-------------|

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-486

Reject Bids - Replacement of Five (5) Traffic Signals (Bid #2015-27)

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, this Town Board authorized the receipt of bids for the Replacement of Five (5) Traffic Signals located within the Town of Cheektowaga, Bid #2015-27, and said bids were duly received and opened on August 26, 2015, AND

WHEREAS, only one (1) bid was received, which bid was much higher than the budget available for the replacement of said traffic signals, NOW, THEREFORE, BE IT

RESOLVED, that the only bid received for the Replacement of Five (5) Traffic Signals be and hereby is rejected, and it is the intent of this Town Board to reschedule the acceptance of bids for said traffic signal improvements at a later date.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-487

Correct Title of Resolution #2015-346

Sponsored By: Meyers, Holtz, Kaminski

WHEREAS, on June 15, 2015 this Town Board approved Resolution #2015-346 titled "Approval of Change Order No. 3 – Equipment & Operators for Public Works Projects", AND

WHEREAS, the Change Order number identified in the full title/summary on this resolution was mistakenly typed as Change Order No. 3, when it actually should have been called Change Order No. 1, NOW, THEREFORE, BE IT

RESOLVED, that the title of Resolution #2015-346 officially be changed to read "Approval of Change Order No. 1 – Equipment & Operators for Public Works Projects".

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-488

Approval of Change Order No. 2 - Equipment & Operators for Public Works Projects

Sponsored By: Meyers, Holtz, Kaminski

WHEREAS, the contract for Equipment and Operators for Public Works Projects, based on hourly rates for certain pieces of equipment, was awarded by Town Board Resolution dated March 16, 2015 to C.M.H. Company, Inc., 12704 North Road, Alden, New York 14004, AND

WHEREAS, the Town has received a Violation Notice from the New York State Department of Environmental Conservation for an illegal discharge at the Town Park Pool, AND

WHEREAS, the Town Engineer has recommended that C.M.H. Company, Inc., under the aforesaid contract, perform the work necessary to correct the aforementioned illegal discharge, AND

WHEREAS, materials will be purchased separately under County contract, AND

WHEREAS, the additional cost to perform this work is estimated at \$19,240 beyond the original scope of the project as further detailed in the Change Order Document, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 2 for the Equipment and Operators for Public Works Projects in the amount of \$19,240, as an addition to the original contract for the aforementioned Public Works Project, be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that moneys for said Change Order shall be appropriated from a budget line from the Director of Finance, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 2 on behalf of this Town Board.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-489

Resolution and Order After Public Hearing for Sewer Bonding

Sponsored By: Councilmember Meyers, Councilmember Kaminski

In the Matter

of the

Increase and Improvement of Facilities of the
Consolidated Sewer District, in the Town of
Cheektowaga, in the County of Erie, New York,
pursuant to Section 202-b of the Town Law

RESOLUTION AND ORDER AFTER PUBLIC HEARING

WHEREAS, the Town Board of the Town of Cheektowaga (herein called the “Town”), in the County of Erie, New York, on behalf of the Consolidated Sewer District, in the Town (herein referred to as the “District”), has caused Nussbaumer & Clark, Inc., competent engineers duly licensed by the State of new York (the “Engineer”), to prepare a map, plan and report for the increase and improvement of facilities of the District, consisting of construction of 30-inch sanitary relief sewer (approximately 6,500 feet in length), sewer lining and related improvements, manhole rehabilitation, lateral connector rehabilitation, improvements to the Roycroft Pump Station, and other related or ancillary work in connection therewith, at the estimated maximum cost of \$12,000,000; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and

improvement of facilities on September 8, 2015 at 6:45 o'clock P.M. (Prevailing Time) at the Town Hall, 3301 Broadway, Cheektowaga, New York; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on this 8th day of September, 2015 at 6:45 o'clock P.M. (Prevailing Time) at the Town Hall, 3301 Broadway, Cheektowaga, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board, as lead agency, has duly considered the project pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617 and has determined that the project is a Type II action and is therefore exempt from the provisions of SEQRA, pursuant to Section 617.5 (c) (11) of the SEQRA regulations;

Now, therefore, it is hereby

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated maximum cost of \$12,000,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that a careful estimate of the cost of the improvement shall be made and a proposed contract for the improvement shall be prepared and presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$12,000,000 bonds of the Town, and the costs of said increase and improvement of facilities, including payment of principal of and interest on

said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-490

Bond Resolution Approving District Improvements - Replacement of Sanitary Sewers

Sponsored By: Councilmember Meyers, Councilmember Kaminski

BOND RESOLUTION OF THE TOWN OF CHEEKTOWAGA,
NEW YORK, ADOPTED SEPTEMBER 8, 2015,
APPROPRIATING \$12,000,000 FOR THE INCREASE AND
IMPROVEMENT OF FACILITIES OF THE CONSOLIDATED
SEWER DISTRICT, AND AUTHORIZING THE ISSUANCE OF
\$12,000,000 SERIAL BONDS OF SAID TOWN TO FINANCE
SAID APPROPRIATION

Recital

WHEREAS, following a public hearing duly called and held, the Town Board of the Town of Cheektowaga, in the County of Erie, New York (the "Town") has determined that it is in the public interest to increase and improve the facilities of the Consolidated Sewer District (the "District"), and ordered that such facilities be so increased and improved;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA,
IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of \$12,000,000 for the increase and improvement of facilities of the District, consisting of construction of 30-inch sanitary relief sewer (approximately 6,500 feet in length), sewer lining and related

improvements, manhole rehabilitation, lateral connector rehabilitation, improvements to the Roycroft Pump Station, and other related or ancillary work in connection therewith. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$12,000,000. The plan of financing includes the issuance of \$12,000,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District which the Town Board shall deem especially benefited by said facilities, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$12,000,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity

prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and

an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the "*Cheektowaga Bee*," a newspaper having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-491

Call for Public Hearing to Amend Traffic Ordinance

Sponsored By: Councilmember Meyers, Councilmember Rogowski

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on **September 17, 2015 at 6:45 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 BEE, said amendments being set forth in said Notice of Hearing.



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, 3301 Broadway in said Town of Cheektowaga on **September 17, 2015** at 6:45 P.M. to consider the advisability of adopting amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

- **ARTICLE IV, Parking, Standing and Stopping**, shall be amended by **adding** thereto the following:

§ 235-33(A). Alternate Side Parking.

No person shall park a vehicle upon the North or East sides from 5:00 p.m. Monday to 5:00 p.m. Thursday, nor upon the South or West sides from 5:00 p.m. Thursday to 5:00 p.m. Monday, on any of the streets or parts of streets listed in **Schedule X(1)**, attached to and made part of this chapter.

- **ARTICLE V. Schedules, Section 235-46, Schedule VII: Stop Intersections**, shall be amended by **adding** thereto the following:

In accordance with the provisions of § 235-18, the following described intersections and locations are designated stop intersections:

BUELL AVENUE - South - East-West leg of Buell Avenue across from the driveway to 4039 Genesee Street.

- **ARTICLE V. Schedules, Section 235-48, Schedule IX: Truck Routes**, shall be amended by **adding** thereto the following:

- A. In accordance with the provisions of § 235-20A, a truck route system, upon which all trucks, tractors and tractor-trailer combinations, excluding tandems, having a total gross vehicle weight rating in excess of five tons are permitted to travel and operate, shall consist of the following highways:

18. RV Derenda Lane, from Harlem Road to Stradtman Street
19. Stradtman Street from RV Derenda Lane to Iroquois Avenue.

• **ARTICLE V. Schedules, Section 235-49, Schedule X: Parking Prohibited in Designated Locations**, shall be amended by **deleting** therefrom the following streets or parts of streets or parts of streets:

ANDREWS AVENUE - East side: from north curblin of Genesee Street to south curblin of East Delavan Avenue.

ATWOOD PLACE - East side: from north curblin of Genesee Street to dead end.

BARBARA PLACE - East side: from north curblin of Genesee Street to south curblin of Atwood Place.

CAROL DRIVE - East side: from north curb to East Delavan Avenue to south curb of Rowan Road.

EAST DELAVAN AVENUE - North side: from west curblin of Preston Road to the Buffalo City Line.

EGGERT ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Sugar Road.

IVANHOE ROAD - East side: from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

LONG AVENUE - East side: from north curblin of Genesee Street northerly to south curblin of Schoedel Avenue.

MARNE ROAD - West side: from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

PRESTON ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Rowan Road.

ROWAN ROAD - North side: from west curblin of Carol Drive westerly to east curblin of Ivanhoe Road.

SCHOEDEL AVENUE - North side: from west curblin of Long Avenue westerly to east curblin of Barbara Place.

This provision shall expire July 31, 2016.

- **ARTICLE V. Schedules**, shall be amended by **adding** the following:

ARTICLE V. Schedules, Section 235-49(A), Schedule X(1): Alternate Parking in Designated Locations:

In accordance with the provisions of § 235-33 (A), no person shall park a vehicle upon the North or East sides from 6:00 p.m. Monday to 6:00 p.m. Thursday, nor upon the South or West sides from 6:00 p.m. Thursday to 6:00 p.m. Monday, on any of the following described streets or parts of streets:

ANDREWS AVENUE - East side: from north curblineline of Genesee Street to south curblineline of East Delavan Avenue.

ATWOOD PLACE - East side: from north curblineline of Genesee Street to dead end.

BARBARA PLACE - East side: from north curblineline of Genesee Street to south curblineline of Atwood Place.

CAROL DRIVE - East side: from north curb to East Delavan Avenue to south curb of Rowan Road.

EAST DELAVAN AVENUE - North side: from west curblineline of Preston Road to the Buffalo City Line.

EGGERT ROAD - East side: from north curblineline of East Delavan Avenue to south curblineline of Sugar Road.

IVANHOE ROAD - East side: from the north curblineline of East Delavan Avenue to the south curblineline of Rowan Road.

LONG AVENUE - East side: from north curblineline of Genesee Street northerly to south curblineline of Schoedel Avenue.

MARNE ROAD - West side: from the north curblineline of East Delavan Avenue to the south curblineline of Rowan Road.

PRESTON ROAD - East side: from north curblineline of East Delavan Avenue to south curblineline of Rowan Road.

ROWAN ROAD - North side: from west curblineline of Carol Drive westerly to east curblineline of Ivanhoe Road.

SCHOEDEL AVENUE - North side: from west curblineline of Long Avenue westerly to east curblineline of Barbara Place.

This provision shall expire July 31, 2016.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-492

Notice to Bidders For Asbestos Survey and Related Services for Property Located At 15 Hedwig Avenue (BID No. 2015-28 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Town's Unsafe Buildings Law, Nussbaumer & Clarke, Inc., a duly authorized agent of the Town of Cheektowaga, has issued a written report stating that the structure(s) located at **15 Hedwig Avenue** is unsafe and recommended that such structure(s) be demolished; and

WHEREAS, the owners and/or lienholders of said property were notified to demolish said structure(s) on said property, and no action for demolition has been taken to date; and

WHEREAS, a hearing was held in front of this Board on **July 6, 2015**, concerning said unsafe structure(s) and the requested demolition; and

WHEREAS, the Town of Cheektowaga needs to take action to demolish the building located on said property in the event the owner of same does not do so; and

WHEREAS, prior to demolition of said property, the Town needs to have an asbestos survey done to determine whether there is asbestos in said structure(s); and

WHEREAS, a Notice to Bidders has been prepared for this matter; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the Notice to Bidders for the Asbestos Survey and Related Services for property located at **15 Hedwig Avenue** in the Town of Cheektowaga (Bid 2015-28 LAW); and BE IT FURTHER

RESOLVED, that the Town Clerk's Office be and hereby is directed to publish the attached Notice to Bidders in the CHEEKTOWAGA BEE; and BE IT FURTHER

RESOLVED, that bids for the Asbestos Survey, Specifications and Air Monitoring Services for **15 Hedwig Avenue** shall be due no later than **Wednesday, September 23, 2015 at 11:00 A.M.** at the Town Clerk's Office, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is appointed as the officer to open said bids in the Council Chambers of Town Hall on **Wednesday, September 23, 2015, at 11:00 A.M.**



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on **Wednesday,**

September 23, 2015 at 11:00 A.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York, for an asbestos survey, asbestos specifications preparation, and air monitoring services for residential property located at **15 Hedwig Avenue, Cheektowaga, New York** (BID 2015-28 LAW).

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

Alice Magierski, Town Clerk

Dated: September 8, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-493

Notice to Bidders for Project and Air Monitoring Services, Project Air Sampling, Analysis, and Report of Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road (Bid 2015-29 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, it is in order that a bid be advertised for Project and Air Monitoring Services, Project Air Sampling, Analysis, and Report of Controlled Demolition with Asbestos in Place of the Structures Located at 111 Edmund Street and 2580 Union Road (Bid 2015-29 LAW) in the Town of Cheektowaga; and

WHEREAS, specifications for same have been prepared by the Town Attorney's Office; NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Project and Air Monitoring Services, Project Air Sampling, Analysis, and Report of Controlled Demolition with Asbestos in Place of the Structures Located at 111 Edmund Street and 2580 Union Road in the Town of Cheektowaga (Bid 2015-29 LAW); and BE IT FURTHER

RESOLVED, that bids for Project and Air Monitoring Services, Project Air Sampling, Analysis, and Report of Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road (Bid 2015-29 LAW) shall be due no later than **Wednesday, September 23, 2015 at 11:00 A.M.** at the Town Clerk's Office, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is appointed as the officer to open said bids in the Council Chambers of Town Hall on **Wednesday, September 23, 2015, at 11:00 A.M.**



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on **Wednesday, September 23, 2015 at 11:00 A.M.** at the Town Hall, 3301 Broadway, Cheektowaga, New York, for Project and Air Monitoring Services, Project Air Sampling, Analysis, and Report of Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road, Cheektowaga, New York. (Bid 2015-29 LAW).

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

Alice Magierski
Town Clerk

Dated: 8 September 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-494

Notice to Bidders for the Disposal of Solid Waste (BID NO. 2015-30)

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga's agreement for the disposal of solid waste was terminated on September 1, 2015 when Modern Disposal, Inc. lost its rights to manage the East Side Transfer Station on South Ogden Street in the City of Buffalo, and

WHEREAS, the Town entered into a temporary agreement with Waste Management for the disposal of solid waste from September 1 - October 31, 2015 in order to give the Town time to re-bid the disposal of solid waste, and

WHEREAS, bid specifications have been prepared for the disposal of solid waste for a term commencing on November 1, 2015 through December 31, 2020, and

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the Tipping of Solid Waste at a Transfer Station or Waste-to-Energy Station and for the Ultimate Disposal of Solid Waste for the Town of Cheektowaga, said notice to be published in the CHEEKTOWAGA BEE, and BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, on Wednesday, September 23, 2015 at 11:00 A.M.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk of the Town of Cheektowaga on Wednesday, September 23, 2015, at 11:00 A.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York, for the acceptance of solid waste generated by the Town of Cheektowaga at a transfer station or waste-to-energy facility and the ultimate disposal of such solid waste at a facility approved and permitted by the NYS Department of Environmental Conservation for a term commencing on November 1, 2015 and terminating on December 31, 2020 (with a renewal option). (Bid 2015-30 LAW)

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

COUNTY, NEW YORK.

Alice Magierski, Town Clerk

Dated: September 8, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-495

Notice to Bidders for Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road (Bid 2015-31 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, it is in order that a bid be advertised for the Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road (Bid 2015-31 LAW) in the Town of Cheektowaga; and

WHEREAS, specifications for same have been prepared by the Town Attorney's Office; NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road (Bid 2015-31 LAW); and BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, on **Wednesday, September 23, 2015 at 11:00 A.M.**



NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk of the Town of Cheektowaga on **Wednesday, September 23, 2015 at 11:00 A.M.** at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, for the Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road in the Town of Cheektowaga, New York (Bid 2015-31 LAW).

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

Alice Magierski, Town Clerk

Dated: September 8, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-496

Authorize Supervisor to Sign Dasherboard Contracts

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that subject to approval by the Town Attorney and The Supervisor be and hereby is authorized to sign contracts between the Town of Cheektowaga, businesses and/or organizations for dasherboard advertising and ice rentals at the Town Recreation Center during the 2015-2016 season.

FUNDING SOURCE: 0100.7140.4521

REVENUE SOURCE 0100.7140.2128
0100.0882

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-497

Authorize National Grid to Remove Seven (7) Street Lights on the Cleveland Drive Bridge

Sponsored By: Councilmember Meyers, Councilmember Benczkowski

WHEREAS, the New York Thruway Authority's ongoing project for the replacement of the Cleveland Drive Bridge (B.I.N. 5512000), New York State Thruway (I-90), Contract Tab. 14-23B necessitates the removal of existing street lighting facilities on and in the vicinity of the bridge which are owned by the Town, AND

WHEREAS, the construction contract includes the removal and elimination of street lights #857, 866, 875, 886, 906, 921 and 924 Cleveland Drive, AND

WHEREAS, the termination fee associated with eliminating the fore mentioned street lights is \$6,237.62 and the estimated removal cost for the luminaires, foundations and underground circuit is \$13,897.10 as indicated in National Grid's proposal dated August 26, 2015, AND

WHEREAS, the construction contract provides for the Town to be reimbursed for the removal costs and any termination fees, NOW, THEREFORE, BE IT

RESOLVED, that National Grid be authorized to remove the fore mentioned street lighting facilities associated with said project at no cost to the Town.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-498

Authorize ECWA to Install Hydrant on Park Street

Sponsored By: Councilmember Rogowski, Councilmember Meyers

WHEREAS, the Erie County Water Authority (ECWA) has previously installed approximately 580 L.F. of new 8" ductile iron pipe on Park Street, AND

WHEREAS, the ECWA is currently replacing approximately 3,400 L.F. of existing water main on Zurbrick Road with new 8" ductile iron pipe as part of the full depth reconstruction of Zurbrick Road, which includes the intersection of Park Street, AND

WHEREAS, there are no existing hydrants on Park Street, which does not conform to current ECWA specifications, and one (1) hydrant is required to be installed to provide for proper fire protection, NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Water Authority is hereby authorized to install one (1) new hydrant at #40 Park Street, which fees are billed directly to the Bellevue Fire District No. 9 under existing arrangements which are in place with the Town Accounting Department, AND, BE IT FURTHER

RESOLVED, that the Town Clerk is directed to forward a certified copy of this resolution to:

Mr. Russell J. Stoll, P.E.
Erie County Water Authority
3030 Union Road
Cheektowaga, New York 14227

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-499

Approve Purchase of One New and Unused 2015 Caterpillar Backhoe Loader 420F-IT

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, the Town Board authorized the purchase of One New and unused 2014 Caterpillar Backhoe Loader 420-IT from Milton Cat, 4610 East Saile Drive, Batavia, New York, 14020, as specified under the contract documents for the Township of Brighton in Monroe County at a regular board meeting on June 16, 2014, AND

WHEREAS, said Township of Brighton contract is renewable for up to a three (3) year period, AND

WHEREAS, the proposed purchase agreement with Milton Cat contains the required language required by section 103-b of the General Municipal law and otherwise complies with the New York State Law, AND

WHEREAS, Milton Cat offers a one year trade-in program for said equipment, AND

WHEREAS, said trade-in program is based on the hours of used of equipment and any price increase in the Township of Brighton contract, AND

WHEREAS, the Highway Department has requested authorization to trade-in one 2014 Caterpillar Backhoe Loader 420-IT for one new and unused 2015 Caterpillar Backhoe Loader 420-IT as specified under the terms of Milton Cat's trade-in program and the Township of Brighton's contract, AND

WHEREAS, funds for said purchase have been budgeted and are available under account number 300-5130-2407, NOW THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes to trade-in one 2014 Caterpillar Backhoe Loader 420-IT for one new and unused 2015 Caterpillar Backhoe Loader 420-IT in the amount of \$7,847.00 from:

Milton Cat
4610 East Saile Drive
Batavia, NY 14020

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-500

Accept Donation of Land at the End of Park Street

Sponsored By: Councilmember Meyers, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga maintains the creek beds of Cayuga Creek in the Town of Cheektowaga, and

WHEREAS, Julia A. Reinstein is the owner of an irregular-shaped parcel of land located on the east side of Park Street (S.B.L. No. 114.09-5-13) at its terminus along the bed of Cayuga Creek, and

WHEREAS, Julia A. Reinstein has offered to donate this land to the Town of Cheektowaga at no cost to the Town, and

WHEREAS, the Town Engineering Department has reviewed this request and has recommended that the Town accept this land as a means to help the Town to maintain the bed and banks of Cayuga Creek, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to accept the above referenced property from Julia A. Reinstein, and BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-501

Order Replacement of Sidewalk at 53 Creek View Drive

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, Chapter 210 of the Code of the Town of Cheektowaga (Streets and Sidewalks) sets forth the specifications for the construction of sidewalks in the Town of Cheektowaga, and

WHEREAS, Section 200-a of the Town Law of the State of New York authorizes a town board to adopt a local law to apportion the expense of building, relaying and repairing sidewalks in towns between the town and property owners, and

WHEREAS, this Town Board, by Local Law No. 4 of the Year 1991 and Local Law No. 5 of the Year 2008 (amended by Local Law No. 3 of the Year 2013), adopted provisions to apportion the cost of relaying or repairing sidewalks in the Town of Cheektowaga between the Town and property owners, and

WHEREAS, the Town Superintendent of Highways has notified this Town Board that three (3) blocks of sidewalks in front of 53 Creek View Drive in the Town which are in need of repair or replacement, NOW, THEREFORE, BE IT

ORDERED, that the owner of property at 53 Creek View Drive be and hereby is directed to repair/replace the sidewalk abutting such property on or before October 9, 2015, in accordance with the Town's Streets and Sidewalks Law, and BE IT FURTHER

ORDERED, that, should such property owner neglect to or choose to not repair/replace his sidewalk as so notified before October 9, 2015, the Town will cause such sidewalks to be repaired/replaced; will pay \$47.20 - \$48.80 for each 5-foot linear block repaired/replaced; and will assess/charge the property owner the balance over a period of five (5) years on the County/Town tax bill, with interest at the rate of 6.00 % as authorized by State law; or, at the property owner's option, payment may be made in one lump sum before December 1, 2015, and BE IT FURTHER

ORDERED, that the Town Clerk be and hereby is directed to notify the owner of 53 Creek View Drive of the adoption of this Order by sending the attached Notice via certified mail to such owner at his address as it appears on the Town Assessment Roll.

NOTICE OF ADOPTION OF ORDER **OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA**

TAKE NOTICE THAT, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on September 8, 2015,

YOU ARE HEREBY ORDERED to repair the sidewalk in front of your property.

Such work must be completed on or before **October 9, 2015.**

In the event you neglect or choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done. The Town will audit and pay \$47.20 - \$48.80 for each 5-foot linear block replaced; and will assess the remaining expense thereof (including interest at the rate of 6.00%) against your property in five (5) annual installments; this amount will be added to your town tax bills for the next five (5) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so on or before December 1, 2015. You will be notified of the amount you owe for sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$70.80 - \$73.20 per 5-foot linear block of sidewalk.

If you choose to perform the work yourself or have a contractor perform such work, be advised that you will be responsible for paying 100% of the cost of the sidewalk work **(the Town will not pay anything towards your cost).**

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

DATED: September 8, 2015

ALICE MAGIERSKI
Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-502

Commitment to Participate in Update of County Hazard Mitigation Plan

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, the Town of Cheektowaga presently participates in a County-Wide All Hazard Mitigation Plan, and

WHEREAS, said County-Wide All Hazard Mitigation Plan needs to be updated, and

WHEREAS, the Town's Emergency Coordinator has met with representatives from the County of Erie and the Village of Sloan, and is recommending that the Town commit to participate in the development of an updated county-wide multi-jurisdictional hazard mitigation plan with the County of Erie and Village of Sloan, and

WHEREAS, this Board concurs with the recommendation from the Town Emergency Coordinator, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, on behalf of the Town of Cheektowaga, hereby commits to participate in the development of an updated county-wide multi-jurisdictional hazard mitigation plan with the County of Erie and Village of Sloan, and BE IT FURTHER

RESOLVED, that Emergency Coordinator Earl Loder and Town Engineer Patrick Bowen be and hereby are authorized and directed to serve on the Multi-Jurisdictional Core Planning Group and to actively participate as requested throughout the planning process.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-503

Request Buffalo Erie Niagara Land Improvement Corporation to Acquire Vacant Properties

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the Town of Cheektowaga has recognized the need to address the growing issue of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby officially requests that BENLIC acquire the following properties:

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| 64 Hedwig Avenue | SBL - 102.53-2-3; |
| 11 Normandy Avenue | SBL - 102.21-1-20; |
| 12 Lyman Avenue | SBL - 102.38-3-27 |
| 54 Reo Avenue | SBL - 102.53-4-4; and BE IT FURTHER |

RESOLVED, that the Town of Cheektowaga has completed the required Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga agrees to reimburse Erie County for the costs associated with the foreclosure of these properties, and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga hereby agrees to the terms and conditions of the BENLIC Pay It Forward Policy, adopted September 19, 2014 and that pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real property taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

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|--------------------|-------------------------------------|
| 64 Hedwig Avenue | SBL - 102.53-2-3; |
| 11 Normandy Avenue | SBL - 102.21-1-20; |
| 12 Lyman Avenue | SBL - 102.38-3-27 |
| 54 Reo Avenue | SBL - 102.53-4-4; and BE IT FURTHER |

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporations; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

Attachments:

64 Hedwig Ave Benlic(PDF)
11 Normandy Ave BENLIC (PDF)
12 Lyman Ave BENLIC (PDF)
54 Reo Ave BENLIC (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-504

Demolition and Removal of Above Ground Pool-30 Willow Wood Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 30 Willow Wood Drive, Cheektowaga, New York SBL# 103-05-5-9 that is a danger to the safety of others, and records kept by the Assessors Office identify Dennis Makowski, 428 S Ogden Street, Buffalo, New York 14206 & Gary Makowski, 30 Willow Wood Drive, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 30 Willow wood Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-505

Bonfire-105 Mapleview Road-Cleveland Hill School

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

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 Joseph Ehnes, Town Fire Inspector, AND

WHEREAS, an application for a permit was submitted by the Cleveland Hill High School to conduct a open fire on October 2, 2015 on the property located at 105 Mapleview Road, Cheektowaga, New York AND

WHEREAS, the applicant intends to maintain a small bonfire with the assistance of the Cleveland Hill Fire District in conjunction with summer youth activities, AND

WHEREAS, Joseph Ehnes, Fire Inspector has received this application and finds that all requirements have been met. And that this application is in compliance with conditions and requirement of the Town of Cheektowaga Fire Prevention Code and the Open Burning Law. He requests the Town Board approve issuance of a permit, AND

WHEREAS, this Town Board has reviewed the application submitted by the Cleveland Hill School and the recommendations of Joseph Ehnes, Fire Inspector, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, authorizes Joseph Ehnes, Fire Inspector to issue such permit.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-506

Retain Wendel to Provide Professional Services for the Town's GIS System

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, the Town previously engaged the firm of Wendel to provide professional services to develop and support a web based GIS System, including asset management and mapping tools for the Town's storm and sanitary sewer infrastructure, for use by the Town Engineering, Sewer Maintenance and Highway Departments, AND

WHEREAS, the Town Engineer has recommended that Wendel be retained for 2015 in accordance with their proposal dated June 4, 2015 to provide hosting and maintenance services for the Town's web based GIS System to include annual updates of parcel information, aerial imagery and GPS data management, NOW, THEREFORE, BE IT

RESOLVED, that Wendel be and hereby is retained to provide the above referenced professional services at a cost not to exceed \$2,600.00, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the professional services proposal with Wendel for the above services, AND, BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from the Town-Wide Drainage District Account No. 400-8140-4581 in the amount of \$2,600.00.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-507

Youth & Recreation Transfer

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Lifeguard "Level IV" - 7180.1903 - \$10.33 - Regular Part-time

Margaret Drzewiecki

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the reading of names for the following three (3) resolutions: 2015-507; 2015-508 and 2015-509. Motion Carried.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



26. RESOLUTION 2015-508

Youth & Recreation Terminations

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

| | | |
|-------------------------|--------------|-------|
| Anthony Albright | 8/14/15 | 14225 |
| Jacob Allan | 8/21/15 | 14227 |
| Maxwell Allan | 8/19/15 | 14227 |
| Gabriel Amato | 8/20/15 | 14225 |
| Joshua Atzrott | 8/25/15 | 14215 |
| Ashley Bajer | 8/25/15 | 14225 |
| Dylan Bajer | 8/25/15 | 14225 |
| Tyler Bajer | 8/21/15 | 14225 |
| Ross Bauman | 8/19/15 | 14227 |
| Valerie Bevan | Never worked | 14225 |
| Morgan Blake | 8/21/15 | 14225 |
| Shannon Borowiak | 8/14/15 | 14227 |
| Justin Brackna | 8/24/15 | 14225 |
| Lennon Cavanaugh-Gordon | 8/16/15 | 14215 |
| Paul Cianflone | 8/21/15 | 14227 |
| Ariana D'Agostino | 8/24/15 | 14225 |
| Andrew Deeds | 8/22/15 | 14211 |
| Mitchell Dietl | 8/20/15 | 14225 |
| Tyler Ditta | 8/14/15 | 14211 |
| Julianne Doetterl | 8/23/15 | 14227 |
| Kristina Doetterl | 8/23/15 | 14227 |
| Frederick Drzewiecki | 8/12/15 | 14225 |
| Kaley Durkin | 8/21/15 | 14225 |
| Emma Eisenhardt | 8/21/15 | 14211 |
| Lilly Eisenhardt | 8/21/15 | 14211 |
| Matthew Eldridge | Never worked | 14225 |
| Jenna Erwin | 8/21/15 | 14212 |
| Andrew Evenhouse | 8/18/15 | 14225 |
| Daniel Farinacci | 8/23/15 | 14225 |
| Frank Farinacci | Never worked | 14225 |
| Alexandria Ferrentino | 8/21/15 | 14225 |
| Nicole Frigioni | 8/25/15 | 14225 |
| Lindsey Fritsch | 8/21/15 | 14215 |
| Leah Garrett | Never worked | 14211 |
| Hunter Golovin | 8/25/15 | 14225 |
| Haley Graczyk | 8/21/15 | 14225 |
| Katie Gramlich | 8/21/15 | 14225 |
| Dakota Grantham | 8/23/15 | 14225 |
| Mitchell Grantham | Never worked | 14225 |
| Kayla Green | 8/14/15 | 14225 |
| Nicholas Hahn | 8/21/15 | 14225 |
| Kira Herkey | 8/7/15 | 14227 |

| | | |
|------------------------|--------------|-------|
| Zachary Hermanski | 8/15/15 | 14225 |
| Jenna Hockwater | 8/14/15 | 14227 |
| Leeann Jacobs | 8/24/15 | 14215 |
| John Jaroszewski, III | 8/23/15 | 14043 |
| Adrianna Johnson | 8/21/15 | 14225 |
| Samantha Johnston | 8/23/15 | 14227 |
| Zachary Jones | 8/21/15 | 14225 |
| Sarah Kapanek | 8/26/15 | 14206 |
| Connor Karek | 8/24/15 | 14225 |
| Michael Keller | 8/25/15 | 14225 |
| Sara Keller | 8/17/15 | 14043 |
| Amanda Kiripolsky | 8/25/15 | 14215 |
| Christopher Kiripolsky | 8/22/15 | 14215 |
| Amanda Kraus | 8/20/15 | 14225 |
| Natalie Lane | 8/19/15 | 14215 |
| Joseph Leonarczyk, III | 8/11/15 | 14227 |
| Alexis Lewandowski | 8/14/15 | 14206 |
| Kevin Lopez Rodriguez | 7/27/15 | 14225 |
| Robert Love | 8/20/15 | 14225 |
| Joshua MacTarnaghan | 8/12/15 | 14043 |
| Felicia Magnuszewski | 8/24/15 | 14043 |
| Andrew Matulich | 8/24/15 | 14225 |
| Natalie McGill | Never worked | 14211 |
| Paige Melin | 8/16/15 | 14206 |
| Shelby Metzger | 8/24/15 | 14043 |
| Andrew Meyerhofer | 8/14/15 | 14225 |
| Austin Mikolajczyk | 8/23/15 | 14225 |
| Jacob Miller | 8/20/15 | 14225 |
| Allison Musial | 8/25/15 | 14225 |
| Paul A. Nazzarett | 8/21/15 | 14227 |
| Jensine Nguyen | 8/14/15 | 14225 |
| Jordan Nosal | 8/21/15 | 14225 |
| Zoe Obstarczyk | 8/17/15 | 14211 |
| Ryan Osswald | 8/25/15 | 14225 |
| Katelin Petranchuk | 8/25/15 | 14227 |
| Madeline Pike | 8/22/15 | 14206 |
| Sara Piwowarski | 8/21/15 | 14043 |
| Carter Post | 8/7/15 | 14043 |
| Tyler Post | 8/21/15 | 14043 |
| Noah Radlich | 8/14/15 | 14225 |
| Alyssa Reesor | 8/21/15 | 14211 |
| Stephanie Reesor | 8/21/15 | 14211 |
| Michaela Richter | 8/13/15 | 14043 |
| Zachery Russillo | 8/24/15 | 14227 |
| Nicholas Saddler | Never worked | 14225 |
| Alexa Scharf | 8/22/15 | 14225 |
| Alexis Schrader | Never worked | 14225 |
| Jayson Schultz | 8/5/15 | 14215 |
| Caremine Seemueller | 8/21/15 | 14215 |
| Brandon Seifert | 8/21/15 | 14225 |
| Jordan Soldaczewski | 8/17/15 | 14225 |
| Samantha Sprada | 8/21/15 | 14206 |
| Jocelyn Strohm | 8/6/15 | 14225 |
| Joshua Strzelec | 8/14/15 | 14211 |

| | | |
|-------------------|---------|-------|
| Benjamin Sullivan | 8/18/15 | 14225 |
| Michael Terranova | 8/18/15 | 14227 |
| Kyle Tobin | 8/23/15 | 14215 |
| Anthony Wanat | 8/18/15 | 14043 |
| Chelsea Wartinger | 8/16/15 | 14043 |
| Samantha Wayne | 8/14/15 | 14227 |
| Joseph Weber | 8/23/15 | 14225 |
| Kelsey Wiegert | 8/21/15 | 14211 |
| Colleen Wilkie | 8/20/15 | 14043 |
| Eric Wilson | 8/22/15 | 14043 |
| Kayle Wisniewski | 8/23/15 | 14206 |
| Alexandria Wnuk | 8/14/15 | 14043 |
| Madeline Wnuk | 8/22/15 | 14043 |
| Michael Zarbo | 8/26/15 | 14227 |
| John Zastempowski | 8/24/15 | 14227 |

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Diane Benczkowski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



27. RESOLUTION 2015-509

Hiring/Termination of Part Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

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

FACILITIES DEPARTMENT (Buildings and Grounds Division) Laborer \$9.00/hour effective 9/1/15

Daniel S. Cerrie II, Cheektowaga, New York

SENIOR SERVICES Van Driver \$9.50/hour effective 8/18/15

Douglas H. Keating, Cheektowaga, New York

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.25/hour effective 8/17/15

Louis A. Hyatt, Cheektowaga, New York

Keith M. Pignatora, Cheektowaga, New York

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

SANITATION DEPARTMENT

Justin L. Struzik effective 6/19/15

Bryan A. McManus effective 8/27/15

Jordan C. Kumro effective 8/29/15

Gregory L. Merritt effective 8/29/15

SEWER MAINTENANCE

Eric R. Cartenuto effective 8/15/15

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



28. RESOLUTION 2015-510

Appointment to Veterans Affairs Committee

Sponsored By: Councilmember Rogowski, Councilmember Meyers

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

WHEREAS, the members of the Veterans Affairs Committee serve for terms of one (1) year, with the current term expiring on December 31, 2015; AND

WHEREAS, vacancies currently exist on the Veterans Affairs Committee; AND

WHEREAS, Mark Hamberger and Jerzy Galazka have been attending meetings of the Veterans Affairs Committee and have expressed interest in being appointed to same; NOW, THEREFORE BE IT

RESOLVED, that Mark Hamberger, Cheektowaga, New York, and Jerzy Galazka, Cheektowaga, New York, be and hereby are appointed to the Veterans Affairs Committee, effective immediately and expiring on December 31, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



29. RESOLUTION 2015-511

Travel Authorization Town Assessor Jeneen McSkimming

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the New York State Assessors' Association Seminar on Assessment Administration is being held October 4, 2015 through October 7, 2015 in Ellenville, New York; AND

WHEREAS, Town Assessor Jeneen McSkimming has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,303.09; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Town Assessor Jeneen McSkimming be and hereby is authorized to attend the New York State Assessors' Association Seminar on Assessment Administration being held October 4, 2015 through October 7, 2015 in Ellenville, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



30. RESOLUTION 2015-512

Travel Authorization Justice Court Judge Dennis Gorski

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, a DWI Seminar is being held September 18, 2015 at the Adams Mark Hotel in Buffalo, New York; AND

WHEREAS, Judge Dennis Gorski has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, all expenses will be reimbursed by the New York State Unified Court System; NOW, THEREFORE, BE IT

RESOLVED, that Judge Dennis Gorski be and hereby is authorized to attend a DWI Seminar being held September 18, 2015 at the Adams Mark Hotel in Buffalo, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



31. RESOLUTION 2015-513

Travel Authorization Police Department Sergeant Daniel Albrecht

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Initial Law Enforcement Response to Suicide Bomb Attacks/Field Force Operations Seminar is being held November 29, 2015 through December 5, 2015 in Anniston, Alabama; AND

WHEREAS, Sergeant Daniel Albrecht has been recommended to attend said seminar; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$182; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Sergeant Daniel Albrecht be and hereby is authorized to attend the Initial Law Enforcement Response to Suicide Bomb Attacks/Field Force Operations Seminar being held November 29, 2015 through December 5, 2015 in Anniston, Alabama.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



32. RESOLUTION 2015-514

Travel Authorization Police Department Lieutenant Thomas Gerace and Sergeant John Wanat

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Field Force Operations Seminar is being held October 13, 2015 through October 17, 2015 in Anniston, Alabama; AND

WHEREAS, Lieutenant Thomas Gerace and Sergeant John Wanat have been recommended to attend said seminar; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$320; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Thomas Gerace and Sergeant John Wanat be and hereby are authorized to attend the Field Force Operations Seminar being held October 13, 2015 through October 17, 2015 in Anniston, Alabama.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Communications

A. Departmental Communications

1. **Supervisor's Statement of Funds - July 2015**
2. **Building Permit List - July 2015**
3. **Minutes: Cheektowaga Traffic Safety Commission - July 21, 2015**
4. **Minutes: Cheektowaga Conservation Advisory Council - August 6, 2015**
5. **Minutes: Cheektowaga Planning Board - August 13, 2015**

B. General Communications

1. **Summons & Complaint: Danielle Kwiatkowski vs. Town of Cheektowaga**
2. **Notice of Claim: Lenora Bochiechio vs. Town of Cheekowaga**
3. **Notice of Claim: Rebecca Kaminski vs. Town of Cheektowaga**
4. **Notice of Claim: Michael Licata vs. Town of Cheektowaga**
5. **Notice of Claim: Theresa E Miller vs. Town of Cheektowaga**
6. **Notice of Claim: Robert Rash vs. Town of Cheektowaga**

VI. Comments***A. Supervisor's Comments******B. Councilmember's Comments******C. Public Comments*****VII. Adjournment**

Motion by Councilmember Kaminski; Seconded by Councilmember Rogowski to adjourn the meeting at 7:45 PM.

Alice Magierski, Town Clerk

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 1: Applicant information

Date:

Municipality

Address

Contact Person and Title

Contact Number(s)

SECTION II: Standardized Inspector Report (SIR)

Email address

Property Address ***Attach Photo in digital format: gif, jpeg, etc.**

Section-block-lot (SBL)

Assessed Value

Property Class Code

1.) Please attach to the required resolution

Resolution #:

2.) List any known environmental concerns (e.g. asbestos, hazardous waste, lead paint, sewer lateral, septic tank, etc.): ***Attach a summary of environmental assessments or reports**

3.) Condition Report:

| | | | |
|---|------|------|------|
| Roof | Good | Fair | Poor |
| Siding | Good | Fair | Poor |
| Foundation | Good | Fair | Poor |
| Accessory Structures (e.g. deck, fence, garage, pool, shed, etc.) | Good | Fair | Poor |
| Windows | Good | Fair | Poor |
| Doors | Good | Fair | Poor |

4.) State of Occupancy:

| | | |
|---------|----------------|-----------------|
| Vacant | Owner Occupied | Renter Occupied |
| Unknown | | |

If vacant, is the property secured/boarded?

| | |
|-----|----|
| Yes | No |
|-----|----|

5.) Utility Status:

| | | | |
|----------|----|-----|---------|
| Gas | On | Off | Unknown |
| Electric | On | Off | Unknown |
| Water | On | Off | Unknown |
| Sewer | On | Off | Unknown |
| Septic | On | Off | Unknown |

6.) List any known code violations (e.g. chipping paint, missing gutters, etc.):

***Attach description of violations**

7.) Assessment and Inventory (e.g. from RPS V4 database, number of bedrooms, square footage, etc.): ***Attach screenshot if desired**

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 3: Maintenance, Disposition and Reuse Plan (MDR Plan)

A. Maintenance Plan

8.) Once acquired by BENLIC, will the municipality make any of the following in-kind contributions towards the maintenance of this property?

| | | | |
|--|-----|--------------------|----------------|
| a.) Secure/board up? | Yes | No | Not applicable |
| b.) Emergency Repairs | Yes | No | Not applicable |
| c.) Confirm all utilities are off if vacant? | Yes | No | Not applicable |
| d.) Mow lawn? | No | If Yes, How often? | |
| e.) Snow removal? | No | If Yes, How often? | |

B. Disposition and Reuse Plan

9.) What preferred land bank activities do you want BENLIC to undertake ?
 (check all that apply)

Immediate Transfer Is there an identified purchaser for this property?
 Hold for land assemblage (attach mapping)
 Hold for future development/transfer
 Stabilize for future development Rehabilitation*
 Demolition*
 Deconstruction*
 New Construction*
 Other, Explain:*

***Attach project timeline, financing, project budget and contractor information where applicable**

10.) What is the preferred disposition plan for the property?

Transfer to non-profit
 Transfer to public entity
 Transfer through private sale
 Other Explain:

11.) What is the preferred reuse plan for the property?

Side lot
 Green space
 Urban agriculture
 Pocket park
 New construction
 Rehab
 Other (e.g. use for purely public spaces and places, use for affordable housing etc. per statute); Explain:

12.) Will the municipality make any in-kind contributions towards the maintenance of this property?

Yes No

Attachment: 64 Hedwig Ave Benlic (RES-2015-503 : Request Land Bank to Acquire Vacant Properties)

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 1: Applicant information

Date:

Municipality

Address

Contact Person and Title

Contact Number(s)

SECTION II: Standardized Inspector Report (SIR)

Email address

Property Address ***Attach Photo in digital format: gif, jpeg, etc.**

Section-block-lot (SBL)

Assessed Value

Property Class Code

1.) Please attach to the required resolution

Resolution #:

2.) List any known environmental concerns (e.g. asbestos, hazardous waste, lead paint, sewer lateral, septic tank, etc.): ***Attach a summary of environmental assessments or reports**

3.) Condition Report:

| | | | |
|---|------|------|------|
| Roof | Good | Fair | Poor |
| Siding | Good | Fair | Poor |
| Foundation | Good | Fair | Poor |
| Accessory Structures (e.g. deck, fence, garage, pool, shed, etc.) | Good | Fair | Poor |
| Windows | Good | Fair | Poor |
| Doors | Good | Fair | Poor |

4.) State of Occupancy:

| | | |
|---------|----------------|-----------------|
| Vacant | Owner Occupied | Renter Occupied |
| Unknown | | |

If vacant, is the property secured/boarded?

| | |
|-----|----|
| Yes | No |
|-----|----|

5.) Utility Status:

| | | | |
|----------|----|-----|---------|
| Gas | On | Off | Unknown |
| Electric | On | Off | Unknown |
| Water | On | Off | Unknown |
| Sewer | On | Off | Unknown |
| Septic | On | Off | Unknown |

6.) List any known code violations (e.g. chipping paint, missing gutters, etc.):

***Attach description of violations**

7.) Assessment and Inventory (e.g. from RPS V4 database, number of bedrooms, square footage, etc.): ***Attach screenshot if desired**

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 3: Maintenance, Disposition and Reuse Plan (MDR Plan)

A. Maintenance Plan

8.) Once acquired by BENLIC, will the municipality make any of the following in-kind contributions towards the maintenance of this property?

| | | | |
|--|-----|--------------------|----------------|
| a.) Secure/board up? | Yes | No | Not applicable |
| b.) Emergency Repairs | Yes | No | Not applicable |
| c.) Confirm all utilities are off if vacant? | Yes | No | Not applicable |
| d.) Mow lawn? | No | If Yes, How often? | |
| e.) Snow removal? | No | If Yes, How often? | |

B. Disposition and Reuse Plan

9.) What preferred land bank activities do you want BENLIC to undertake ?
 (check all that apply)

Immediate Transfer Is there an identified purchaser for this property?
 Hold for land assemblage (attach mapping)
 Hold for future development/transfer
 Stabilize for future development Rehabilitation*
 Demolition*
 Deconstruction*
 New Construction*
 Other, Explain:*

***Attach project timeline, financing, project budget and contractor information where applicable**

10.) What is the preferred disposition plan for the property?

Transfer to non-profit
 Transfer to public entity
 Transfer through private sale
 Other Explain:

11.) What is the preferred reuse plan for the property?

Side lot
 Green space
 Urban agriculture
 Pocket park
 New construction
 Rehab
 Other (e.g. use for purely public spaces and places, use for affordable housing etc. per statute); Explain:

12.) Will the municipality make any of the following in-kind contributions towards the maintenance of this property?

Yes No

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 1: Applicant information

Date:

Municipality

Address

Contact Person and Title

Contact Number(s)

SECTION II: Standardized Inspector Report (SIR)

Email address

Property Address ***Attach Photo in digital format: gif, jpeg, etc.**

Section-block-lot (SBL)

Assessed Value

Property Class Code

1.) Please attach to the required resolution

Resolution #:

2.) List any known environmental concerns (e.g. asbestos, hazardous waste, lead paint, sewer lateral, septic tank, etc.): ***Attach a summary of environmental assessments or reports**

3.) Condition Report:

| | | | |
|---|------|------|------|
| Roof | Good | Fair | Poor |
| Siding | Good | Fair | Poor |
| Foundation | Good | Fair | Poor |
| Accessory Structures (e.g. deck, fence, garage, pool, shed, etc.) | Good | Fair | Poor |
| Windows | Good | Fair | Poor |
| Doors | Good | Fair | Poor |

4.) State of Occupancy:

| | | |
|---------|----------------|-----------------|
| Vacant | Owner Occupied | Renter Occupied |
| Unknown | | |

If vacant, is the property secured/boarded?

| | |
|-----|----|
| Yes | No |
|-----|----|

5.) Utility Status:

| | | | |
|----------|----|-----|---------|
| Gas | On | Off | Unknown |
| Electric | On | Off | Unknown |
| Water | On | Off | Unknown |
| Sewer | On | Off | Unknown |
| Septic | On | Off | Unknown |

6.)List any known code violations (e.g.chipping paint, missing gutters, etc.):

***Attach description of violations**

7.)Assessment and Inventory (e.g. from RPS V4 database, number of bedrooms, square footage, etc.):***Attach screenshot if desired**

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 3: Maintenance, Disposition and Reuse Plan (MDR Plan)

A. Maintenance Plan

8.) Once acquired by BENLIC, will the municipality make any of the following in-kind contributions towards the maintenance of this property?

| | | | |
|--|-----|--------------------|----------------|
| a.) Secure/board up? | Yes | No | Not applicable |
| b.) Emergency Repairs | Yes | No | Not applicable |
| c.) Confirm all utilities are off if vacant? | Yes | No | Not applicable |
| d.) Mow lawn? | No | If Yes, How often? | |
| e.) Snow removal? | No | If Yes, How often? | |

B. Disposition and Reuse Plan

9.) What preferred land bank activities do you want BENLIC to undertake ?
 (check all that apply)

Immediate Transfer Is there an identified purchaser for this property?
 Hold for land assemblage (attach mapping)
 Hold for future development/transfer
 Stabilize for future development Rehabilitation*
 Demolition*
 Deconstruction*
 New Construction*
 Other, Explain:*

***Attach project timeline, financing, project budget and contractor information where applicable**

10.) What is the preferred disposition plan for the property?

Transfer to non-profit
 Transfer to public entity
 Transfer through private sale
 Other Explain:

11.) What is the preferred reuse plan for the property?

Side lot
 Green space
 Urban agriculture
 Pocket park
 New construction
 Rehab
 Other (e.g. use for purely public spaces and places, use for affordable housing etc. per statute); Explain:

12.) Will the municipality acquire vacant properties?

Yes No

Attachment: 12 Lyman Ave BENLIC (RES-2015-503 : Request Land Bank to Acquire Vacant Properties)

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 1: Applicant information

Date:

Municipality

Address

Contact Person and Title

Contact Number(s)

SECTION II: Standardized Inspector Report (SIR)

Email address

Property Address ***Attach Photo in digital format: gif, jpeg, etc.**

Section-block-lot (SBL)

Assessed Value

Property Class Code

1.) Please attach to the required resolution

Resolution #:

2.) List any known environmental concerns (e.g. asbestos, hazardous waste, lead paint, sewer lateral, septic tank, etc.): ***Attach a summary of environmental assessments or reports**

3.) Condition Report:

| | | | |
|---|------|------|------|
| Roof | Good | Fair | Poor |
| Siding | Good | Fair | Poor |
| Foundation | Good | Fair | Poor |
| Accessory Structures (e.g. deck, fence, garage, pool, shed, etc.) | Good | Fair | Poor |
| Windows | Good | Fair | Poor |
| Doors | Good | Fair | Poor |

4.) State of Occupancy:

| | | |
|---------|----------------|-----------------|
| Vacant | Owner Occupied | Renter Occupied |
| Unknown | | |

If vacant, is the property secured/boarded?

| | |
|-----|----|
| Yes | No |
|-----|----|

5.) Utility Status:

| | | | |
|----------|----|-----|---------|
| Gas | On | Off | Unknown |
| Electric | On | Off | Unknown |
| Water | On | Off | Unknown |
| Sewer | On | Off | Unknown |
| Septic | On | Off | Unknown |

6.)List any known code violations (e.g.chipping paint, missing gutters, etc.):

***Attach description of violations**

7.)Assessment and Inventory (e.g. from RPS V4 database, number of bedrooms, square footage, etc.):***Attach screenshot if desired**

Standardized Inspector Report (SIR)
Maintenance Disposition and Reuse Plan (MDR Plan)
 Buffalo, Erie, Niagara Land Improvement Corporation (BENLIC)

SECTION 3: Maintenance, Disposition and Reuse Plan (MDR Plan)

A. Maintenance Plan

8.) Once acquired by BENLIC, will the municipality make any of the following in-kind contributions towards the maintenance of this property?

| | | | |
|--|-----|--------------------|----------------|
| a.) Secure/board up? | Yes | No | Not applicable |
| b.) Emergency Repairs | Yes | No | Not applicable |
| c.) Confirm all utilities are off if vacant? | Yes | No | Not applicable |
| d.) Mow lawn? | No | If Yes, How often? | |
| e.) Snow removal? | No | If Yes, How often? | |

B. Disposition and Reuse Plan

9.) What preferred land bank activities do you want BENLIC to undertake ?
 (check all that apply)

Immediate Transfer Is there an identified purchaser for this property?
 Hold for land assemblage (attach mapping)
 Hold for future development/transfer
 Stabilize for future development Rehabilitation*
 Demolition*
 Deconstruction*
 New Construction*
 Other, Explain:*

***Attach project timeline, financing, project budget and contractor information where applicable**

10.) What is the preferred disposition plan for the property?

Transfer to non-profit
 Transfer to public entity
 Transfer through private sale
 Other Explain:

11.) What is the preferred reuse plan for the property?

Side lot
 Green space
 Urban agriculture
 Pocket park
 New construction
 Rehab
 Other (e.g. use for purely public spaces and places, use for affordable housing etc. per statute); Explain:

12.) Will the municipality make any of the following in-kind contributions towards the maintenance of this property?

Yes No

Attachment: 54 Reo Ave BENLIC (RES-2015-503 : Request Land Bank to Acquire Vacant Properties)



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, September 21, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on September 21, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-515

Warrant

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to September 21, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|--------------|
| GENERAL FUND | \$263,373.72 |
| RISK RETENTION FUND | 22,910.55 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 7,472.00 |
| SPECIAL DISTRICTS FUND | 250,937.73 |
| HIGHWAY FUND | 53,363.56 |
| CAPITAL FUND | 343,653.78 |
| TRUST & AGENCY FUND | 3,602.04 |
| HUD CDBG FUND | 1,206.99 |
| PART TOWN FUND | 50.00 |
| NYS AFFORDABLE HOUSING | 2,013.00 |
| | <hr/> |
| | \$948,583.37 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-516

Rescind Resolution 2015-491 - Call for Public Hearing to Amend Traffic Ordinance

Sponsored By: Councilmember Benczkowski, Councilmember Meyers

WHEREAS, on September 8, 2015 this Town Board adopted Resolution 2015-491 calling for a public hearing for an amendment to the Traffic Ordinance; and

WHEREAS, said Resolution contained an error in the date for the public hearing and said Resolution must be corrected; NOW THEREFORE, BE IT

RESOLVED, that Resolution 2015-491 adopted September 8, 2015, be and hereby is rescinded in its entirety.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-517

Negative SEQR Declaration - 777 Maryvale Drive Heritage Centers

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by Elizabeth Simons of Heritage Centers for the construction of a (3) three building additions totaling 4,480 s.f. in area to and existing private school at 777 Maryvale Drive, AND

WHEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the Lead Agency, 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, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of September 10, 2015, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on Septemeber 9, 2015 recommended a determination of non-significance, AND

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

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-518

Accept Site Plan- 777 Maryvale Drive Heritage Centers

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Elizabeth Simons, C.O.O. of Heritage Centers submitted a development review application for the construction of (3) building additions totaling 4,480 s.f. in area to an existing private school at 777 Maryvale Drive, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the application at their meeting of September 10, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan and will permit the applicant to make the landscaping improvements shown on the site plan over a five year period from the date of this approval.

Attachments:

Site Plan (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-519

Accept Site Plan- One Galleria Drive Dave and Buster's Exterior Dining Area

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Robert Vint representing Dave & Buster's submitted a development review application for an exterior dining area to be constructed at a new restaurant/amusement facility at the Galleria Mall, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the application at their meeting of June 11, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan.

Attachments:
site plan dave and busters (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-520

Change Order No. 1 to expand the Wide Area Network

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, by Resolution dated July 6, 2015 the Town Board authorized Fiber Technologies Networks, L.L.C. to supply comprehensive Fiber Optic Communication Network services to the town; and

WHEREAS, in an effort to provide a diverse, secure and reliable high speed network connection, the fiber ring plan was changed; and

WHEREAS, the town Information Technology Director recommends approval of Change Order No. 1, which provides a more diverse fiber optic ring; NOW, THEREFORE BE IT FURTHER

RESOLVE, that this Town Board hereby accepts the revised project and directs the Supervisor to execute the necessary Change Order No. 1 document with Fiber Technologies Networks, L.L.C., providing for an increase of \$625.00 per month, which shall be chargeable to budget line item number 0100-1680-4204.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-521

Call for Public Hearing - Rezoning Request/Special Use Permit 2621-2633 Genesee St & 2844-2852 Harlem Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, Carmina Wood Morris, DPC/Rerob, LLC has made application and requested a special use permit, a variance from the accessory drive thru provisions of the Zoning Law and the rezoning of 2621-2633 Genesee St & 2844-2852 Harlem Road from NS- Neighborhood Services, CM- General Commercial and R-Residence to MS- Motor Service to permit the re-development of an existing convenience store /fueling station. Such redevelopment will include the demolition of the existing convenience store, (5) dwellings and (1) commercial building for the construction of a new 5,400 s.f. convenience store/fueling station with an accessory donut shop with drive thru service , NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on October 5, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the October 5th, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Carmina Wood Morris, DPC/Rerob, LLC

requested a special use permit, a variance from the accessory drive thru provisions of the Zoning Law and the rezoning of 2621-2633 Genesee St & 2844-2852 Harlem Road from NS- Neighborhood Services, CM- General Commercial and R-Residence to MS- Motor Service to permit the re-development of an existing convenience store /fueling station. Such redevelopment will include the demolition of the existing convenience store, (5) dwellings and (1) commercial building for the construction of a new 5,400 s.f. convenience store/fueling station with an accessory donut shop with drive thru service .

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, being part of Lots 34 and 35, Township 11, Range 7 of the Holland Land Company's Survey, and being part of Subdivision Lot Nos. 222 through 232 inclusive as shown on a Subdivision Map of Pine Ridge Heights, filed in the Erie County Clerk's Office under Cover No. 1417, being more particularly bounded and described as follows:

BEGINNING at a point in the southeasterly line of Genesee Street (77' wide) at the southwesterly corner of lands appropriated by the State of New York, pursuant to Notice of Appropriation recorded in the Erie County Clerk's Office in Liber 10579 of Deeds at Page 840;

Thence N 71° 28' 35" E along the said southeasterly line of Genesee Street, a distance of 199.90 feet to a point;

Thence S 74° 32' 21" E, a distance of 36.37 feet to a point;

Thence S 30° 27' 23" E, a distance of 23.32 feet to a point in the westerly line of Harlem Road (width varies);

Thence S 00° 30' 35" W along the said westerly line of Harlem Road, a distance of 261.67 feet to a point in the southerly line of Subdivision Lot No. 232 of the said Pine Ridge Heights Subdivision;

Thence N 89° 29' 25" W, along the said southerly line of Subdivision Lot No. 232, a distance of 142.04 feet to the southwesterly corner thereof;

Thence N 06° 26' 43" W along the westerly line of Subdivision Lot Nos. 230 through 232 of the said Pine Ridge Heights Subdivision, a distance of 94.27 feet to the northwesterly corner of the said Subdivision Lot No. 230, said point also being the southeasterly corner of Subdivision Lot No. 222 of the said Pine Ridge Heights Subdivision;

Thence S 71° 28' 35" W along the southerly line of the said Subdivision Lot No. 222, a distance of 35.00 feet to the southwesterly corner thereof;

Thence N 18° 31' 25" W along the southwesterly line of said Lot No. 222, a distance of 152.00 feet to the point or place of beginning, containing 51,086 square feet or 1.173 acres of land more or less.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-522

Call for Public Hearing to Amend Traffic Ordinance

Sponsored By: Councilmember Meyers, Councilmember Rogowski

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on **October 5, 2015, at 6:45 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 BEE, said amendments being set forth in said Notice of Hearing.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, 3301 Broadway in said Town of Cheektowaga on **October 5, 2015 at 6:45 P.M.** to consider the advisability of adopting amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

- **ARTICLE IV, Parking, Standing and Stopping**, shall be amended by **adding** thereto the following:

§ 235-33(A). Alternate Side Parking.

No person shall park a vehicle upon the North or East sides from 5:00 p.m. Monday to 5:00 p.m. Thursday, nor upon the South or West sides from 5:00 p.m. Thursday to 5:00 p.m. Monday, on any of the streets or parts of streets listed in **Schedule X(1)**, attached to and made part of this chapter.

- **ARTICLE V. Schedules, Section 235-46, Schedule VII: Stop Intersections**, shall be amended by **adding** thereto the following:

In accordance with the provisions of § 235-18, the following described intersections and locations are designated stop intersections:

BUELL AVENUE - South - East-West leg of Buell Avenue across from the driveway to 4039 Genesee Street.

- **ARTICLE V. Schedules, Section 235-48, Schedule IX: Truck Routes**, shall be amended by

adding thereto the following:

- A. In accordance with the provisions of § 235-20A, a truck route system, upon which all trucks, tractors and tractor-trailer combinations, excluding tandems, having a total gross vehicle weight rating in excess of five tons are permitted to travel and operate, shall consist of the following highways:

18. RV Derenda Lane, from Harlem Road to Stradtman Street
19. Stradtman Street from RV Derenda Lane to Iroquois Avenue.

• **ARTICLE V. Schedules, Section 235-49, Schedule X: Parking Prohibited in Designated Locations**, shall be amended by **deleting** therefrom the following streets or parts of streets or parts of streets:

ANDREWS AVENUE - East side: from north curblin of Genesee Street to south curblin of East Delavan Avenue.

ATWOOD PLACE - East side: from north curblin of Genesee Street to dead end.

BARBARA PLACE - East side: from north curblin of Genesee Street to south curblin of Atwood Place.

CAROL DRIVE - East side: from north curb to East Delavan Avenue to south curb of Rowan Road.

EAST DELAVAN AVENUE - North side: from west curblin of Preston Road to the Buffalo City Line.

EGGERT ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Sugar Road.

IVANHOE ROAD - East side: from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

LONG AVENUE - East side: from north curblin of Genesee Street northerly to south curblin of Schoedel Avenue.

MARNE ROAD - West side: from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

PRESTON ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Rowan Road.

ROWAN ROAD - North side: from west curblin of Carol Drive westerly to east curblin of Ivanhoe Road.

SCHOEDEL AVENUE - North side: from west curblin of Long Avenue westerly to east curblin of Barbara Place.

This provision shall expire July 31, 2016.

- **ARTICLE V. Schedules**, shall be amended by **adding** the following:

ARTICLE V. Schedules, Section 235-49(A), Schedule X(1): Alternate Parking in Designated Locations:

In accordance with the provisions of § 235-33 (A), no person shall park a vehicle upon the North or East sides from 6:00 p.m. Monday to 6:00 p.m. Thursday, nor upon the South or West sides from 6:00 p.m. Thursday to 6:00 p.m. Monday, on any of the following described streets or parts of streets:

ANDREWS AVENUE - East side: from north curblin of Genesee Street to south curblin of East Delavan Avenue.

ATWOOD PLACE - East side: from north curblin of Genesee Street to dead end.

BARBARA PLACE - East side: from north curblin of Genesee Street to south curblin of Atwood Place.

CAROL DRIVE - East side: from north curb to East Delavan Avenue to south curb of Rowan Road.

EAST DELAVAN AVENUE - North side: from west curblin of Preston Road to the Buffalo City Line.

EGGERT ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Sugar Road.

IVANHOE ROAD - East side: from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

LONG AVENUE - East side: from north curblin of Genesee Street northerly to south curblin of Schoedel Avenue.

MARNE ROAD - West side: from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

PRESTON ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Rowan Road.

ROWAN ROAD - North side: from west curblin of Carol Drive westerly to east curblin of Ivanhoe Road.

SCHOEDEL AVENUE - North side: from west curblin of Long Avenue westerly to east curblin of Barbara Place.

This provision shall expire July 31, 2016.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-523

Notice to Bidders For Asbestos Survey and Related Services for Property Located At 36 Barbara Place (BID No. 2015-32 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Town's Unsafe Buildings Law, Nussbaumer & Clarke, Inc., a duly authorized agent of the Town of Cheektowaga, has issued a written report stating that the structure(s) located at **36 Barbara Place (BID No. 2015-32 LAW)** is unsafe and recommended that such structure(s) be demolished; and

WHEREAS, the owners and/or lienholders of said property were notified to demolish said structure(s) on said property, and no action for demolition has been taken to date; and

WHEREAS, a hearing was held in front of this Board on October 20, 2014 concerning said unsafe structure(s) and the requested demolition; and

WHEREAS, the Town of Cheektowaga needs to take action to demolish the building located on said property in the event the owner of same does not do so; and

WHEREAS, prior to demolition of said property, the Town needs to have an asbestos survey done to determine whether there is asbestos in said structure(s); and

WHEREAS, a Notice to Bidders has been prepared for this matter; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the Notice to Bidders for the Asbestos Survey and Related Services for property located at **36 Barbara Place** in the Town of Cheektowaga (Bid 2015-32 LAW); and BE IT FURTHER

RESOLVED, that the Town Clerk's Office be and hereby is directed to publish the attached Notice to Bidders in the CHEEKTOWAGA BEE; and BE IT FURTHER

RESOLVED, that bids for the Asbestos Survey, Specifications and Air Monitoring Services for **36 Barbara Place** shall be due no later than **Wednesday, October 14, 2015 at 11:00 A.M.** at the Town Clerk's Office, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is appointed as the officer to open said bids in the Council Chambers of Town Hall on **Wednesday, October 14, 2015, at 11:00 A.M.**



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on **Wednesday, October 14, 2015 at 11:00 A.M.** at the Town Hall, 3301 Broadway, Cheektowaga, New York,

for an asbestos survey, asbestos specifications preparation, and air monitoring services for residential property located at **36 Barbara Place, Cheektowaga, New York** (BID 2015-32 LAW).

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

Alice Magierski, Town Clerk

Dated: September 21, 2015

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-524

Authorize Supervisor to Execute Agreement with Active Network

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, since 1999 the Youth & Recreational Services Department has utilized a computerized registration system known as CLASS for its program enrollments, field & shelter rentals and resident ID cards, and

WHEREAS, the Department has been informed that the sale, maintenance and technical support for the CLASS product will cease by December 2016, and

WHEREAS, both the Youth & Recreation and Information and Technology Departments have been working with Active Network, the current proprietor of CLASS to create a seamless product transition from a server-based to a cloud based platform, NOW THEREFOR BE IT

RESOLVED, that upon approval of the Town Attorney, the Supervisor be and hereby is directed to execute an agreement between the Town and Active Network, with total training, equipment and implementation costs not to exceed \$16, 916.00

BUDGET LINE ITEMS (100.7310.2501, 100.7310.4681)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-525

Push for an Integrated and Sustainable Public Transportation System

Sponsored By: Rogowski, Holtz, Benczkowski, Kaminski, Meyers, Adamczyk

WHEREAS, the Niagara Frontier Transportation Authority ("NFTA") owns and operates a light rail transit system ("Metro Rail") in the City of Buffalo, and

WHEREAS, this Metro Rail system transports people from the University of Buffalo South Campus area/University Station to downtown Buffalo/Erie Canal Harbor Station, and

WHEREAS, expansion of this transit system to other locations in Western New York has been discussed for years, and

WHEREAS, the following benefits for Western New York can be realized by expanding the Metro Rail system to other municipalities:

- **Attracting & Keeping Population** - Growing numbers of Americans, notably young adults and baby boomers approaching retirement, prefer to locate in regions that have efficient multimodal mobility systems, including the option to live free of car dependency. The demand is for walkable, bike-able, mixed-use neighborhoods efficiently connected by transit.

- **Parking & Congestion** - Transit moves people safely and cost-effectively to work, shopping, and recreation while reinventing old railway to a more suitable way to travel without scarring our waterfront, parkland, and downtown streetscapes with acres of parking. Expand the park-and-ride facilities for commuters and visitors outside the central city provides a hassle-free commuting option while decreasing traffic congestion, air pollution, and on-street parking shortages.

- **Equity** - Over 1/3 of Buffalo households do not own cars (2000 US Census). Rapid transit expands mobility options for all socioeconomic groups, including those who rely on public transportation to get to Urban and suburban jobs, shopping, healthcare, educational institutions, and all other personal needs. A household can expect to save \$5,000 to \$9,000 a year for each car it can do without (ConsumerReports.com <<http://ConsumerReports.com>>).

- **Economics** - Investments in light rail and bus rapid transit are transforming cities across North America and stimulating commercial and residential development along the improved transit lines (Transit-Oriented Development). Cheektowaga and WNY is blessed with existing, publicly owned rail rights-of-way along many heavily traveled corridors. These make expansion of our light rail system among the nation's most affordable. Comprehensive analysis of WNY's infrastructure needs and resources - and surveys of what our citizens want - led UB's Regional Institute and the Greater Buffalo Niagara Regional Transportation Council to recommend "making transit funding and system improvement a top priority" (One Region Forward Final Draft Plan, 2014)

- **The Environment** - Automobiles in NYS collectively emit 70 million metric tons of CO2 per year, more than carbon emissions from industrial, residential, or commercial sources (2014 Draft NYS Energy Plan). Of all transportation-generated greenhouse gases, 61% come from

passenger cars and light trucks (US EPA, 2013). We must offer car-free options to combat global warming. Buffalo's light rail trains already run partly on clean hydroelectric power - with the potential to run on 100% non-polluting Niagara Falls waterpower.

, and

WHEREAS, the draft Town of Cheektowaga Comprehensive Plan envisions making the Town of Cheektowaga "transit ready" and expanding future transit extensions to the Town of Cheektowaga, and

WHEREAS, it makes sense for all of Western New York to extend the Metro Rail to other areas of Western New York, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the NFTA, The State of New York and the Federal government to implement an Integrated and Sustainable Public Transportation System in the Buffalo/Niagara region, and BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes the NFTA, The State of New York and the Federal government, our business and fellow government leaders to take action to provide more comprehensive and sustainable public transportation service for the Buffalo-Niagara Region. Specifically, we call for: (1) extensions of Metro Rail along the highest-demand corridors with (2) intermodal connectivity to air and inter-city rail and (3) establishment of long-term sustainable transit funding, and specifically to extend the Metro Rail transit system:

- **To the airport** - Prioritize extension of the Metro Rail from Downtown Buffalo to the Buffalo Niagara International Airport along our existing publicly owned rail rights-of-way. This extension will intersect many East Side bus lines while connecting the central business district with Larkinville, Central Terminal, Galleria Mall, Thruway Mall, Buffalo Airport and a Park-&-Ride off the I-90 in Cheektowaga.

- **To the UB Amherst campus** - Build on the ongoing NFTA study to connect all three UB campuses and to facilitate access to suburban shopping and jobs.

- **Through the DL&W Terminal to Larkinville** - Extend Metro Rail through the DL&W Terminal to Larkinville, a first step in taking the existing line to the Buffalo Niagara International Airport while enabling car-free access to the First Niagara Arena, Buffalo Niagara Medical Campus, our Waterfront, the Cobblestone District, and Downtown.

- **To the Ralph Wilson/Buffalo Bills Stadium** - Any investment in a new or refurbished Buffalo Bills Stadium should ensure Metro Rail access, folding any necessary Metro Rail enhancements into its financing. This will satisfy the intense travel demand on Bills game days while improving the experience for those who choose to drive and tailgate. Any stadium parking facilities could double as Park-&-Ride lots for everyday commuting year-round.

- **To the Southtowns and Tonawandas** - Preserve existing rail rights-of-way, so the original vision for a comprehensive network of light rail serving the Buffalo-Niagara Region can ultimately be realized.

, and BE IT FURTHER

RESOLVED, that this Town Board calls on the NFTA, The State of New York and the Federal government, our business and fellow government leaders to:

- **Create Multimodal Amtrak / Metro Rail Stations** - by eliminating the Exchange Street

Amtrak Stations and replacing it with Multimodal Transportation Centers suitable for 21st century passenger service and eventually high-speed rail. These must feature a rapid transit connection to the airport and include bicycle and car share facilities. One station should be near Buffalo's waterfront and a second located further east in Cheektowaga at the 120 acres of Pfohl Brothers site 850 Aero Drive Cheektowaga, NY 14225 which can serve all Amtrak destinations.

- Establish long-term, sustainable dedicated funding - Establish permanent, reliable and sufficient funding streams for comprehensive multimodal public transportation in Buffalo-Niagara. This funding must be able to sustain the operations and maintenance of Metro Rail and all connecting transit services and infrastructure.

, and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga Town Board goes on record establishing a transit ready connection plan, which will include urban and suburban extending transportation alternatives, making WNY a first class transportation community, and BE IT FURTHER

RESOLVED, that the Town Clerk be directed to forward certified copies of this resolution to the Chairman and Board of Commissioners of the NFTA; the Executive Director of the NFTA; President Barack Obama, Congressmen Brain Higgins, Congressmen Chris Collins , Senator Charles Schumer, Senator Kirsten Gillibrand, Governor Andrew Cuomo, Lt Governor Kathy Hochul, Senator Tim Kennedy, Assemblywoman Angela Wozniak, and other members of the WNY delegation in Albany.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-526

Accept Donation of Trees for Town Park

Sponsored By: Councilmember Benczkowski, Councilmember Meyers

WHEREAS, this year, due to the Emerald Ash Borer, over 200 trees died in Cheektowaga Town Park and had to be cut down, and

WHEREAS, the Cheektowaga Little Loop Athletic Association, Inc. has offered to donate and plant five (5) trees in Cheektowaga Town Park in the area where many trees were lost, and

WHEREAS, this Board appreciates the generous donation of the trees and labor to plant these trees, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned donation of Trees and labor to plant said trees at the Cheektowaga Town Park, and BE IT FURTHER

RESOLVED, that this Town Board hereby expresses its gratitude and thanks to the Cheektowaga Little Loop Athletic Association, Inc. for its generous donation, and BE IT FURTHER

RESOLVED, that this Town Board hereby directs the Town Engineering Department and/or the Facilities Department, Parks Division, to oversee the planting of these trees in Cheektowaga Town Park.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-527

SPECIAL EVENT - Cleveland Hill High School Homecoming Parade

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, Cleveland Hill High School has made application to hold its Homecoming Parade on Saturday, October 3rd, 2015, beginning at 12:00 p.m. (parade route to be provided to the Police Department); and

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

WHEREAS, due to the nature of the event, this Town Board hereby waives the following requirements: Submittal of plan for sanitary facilities;

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Cleveland Hill High School for their Homecoming Parade to be held on Saturday, October 3rd, 2015, and BE IT FURTHER

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-528

Youth & Recreation Terminations

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

| | | |
|-------------------------|--------------|-------|
| Chelsey Balistrieri | 8/14/15 | 14225 |
| Lukas Baumgart | 8/28/15 | 14225 |
| Jessica Beutler | 8/14/15 | 14227 |
| Benjamin Blackhall | 8/28/15 | 14227 |
| Kayla Bosworth | 8/14/15 | 14227 |
| Logan Brunner | 8/17/15 | 14043 |
| Jennifer Buczek | 8/14/15 | 14227 |
| Paige Casillo | 8/14/15 | 14227 |
| Cassandra Connors | 8/14/15 | 14225 |
| Tyler Diebold | 8/21/15 | 14225 |
| Brittany Donovan | 8/14/15 | 14225 |
| Matthew Eckle | 8/28/15 | 14225 |
| Meghan Eckle | 8/14/15 | 14225 |
| Daniel Eye | 9/04/15 | 14225 |
| Emily Ferber | 8/14/15 | 14225 |
| Rocco Fumerelle | 8/26/15 | 14227 |
| Jennifer Gaffney | 8/14/15 | 14225 |
| Josh Galante | 8/12/15 | 14206 |
| Maryann Glab | 8/19/15 | 14227 |
| Amanda Goble | 8/14/15 | 14227 |
| Meghan Gosciak | 8/14/15 | 14225 |
| James Hanners | 8/21/15 | 14225 |
| Matthew Hencinski | 8/26/15 | 14227 |
| Lisa Hoffman | 8/14/15 | 14227 |
| Thomas Isbrandt | 8/14/15 | 14225 |
| Ronald Jerozal | 8/25/15 | 14227 |
| Kyle Kaminski | 8/25/15 | 14227 |
| Julie Karpinski | 8/14/15 | 14225 |
| Christopher Kelly | 8/19/15 | 14225 |
| Stephen Kelly | 8/21/15 | 14211 |
| Keith Kwiatkowski | 9/02/15 | 14227 |
| Maurice Lee | 8/28/15 | 14225 |
| Alex Lenhard | 8/27/15 | 14227 |
| Mable Lucas | 8/28/15 | 14043 |
| Connor Mages | Never worked | 14225 |
| Charles McGregor | 8/14/15 | 14227 |
| Michael Jerome McGregor | 8/14/15 | 14227 |
| Cassidy Moore | 8/14/15 | 14225 |
| Eric Nash | 8/26/15 | 14206 |
| Steven Nichy | 8/14/15 | 14043 |
| Brianna Poules | 8/14/15 | 14227 |

| | | |
|--------------------------|---------|-------|
| Keileigh Pecyne | 8/14/15 | 14227 |
| Robert Pulkownik | 8/14/15 | 14227 |
| Andrew Samer | 9/11/15 | 14227 |
| Kaylee Sandel | 8/19/15 | 14227 |
| Ashley Schrader | 8/14/15 | 14225 |
| Sandra Schrader | 8/14/15 | 14225 |
| Maria Serio | 8/14/15 | 14225 |
| Ryan Skowron | 9/03/15 | 14227 |
| Ashley Sokol | 8/14/15 | 14227 |
| Drew Stachewicz | 8/21/15 | 14227 |
| Robert Staniszewski, III | 8/25/15 | 14043 |
| Christopher Suchan | 8/28/15 | 14227 |
| Tyler Suchan | 8/26/15 | 14227 |
| Din Tran | 8/14/15 | 14225 |
| James Urshel | 8/26/15 | 14043 |
| Zachery Uzar | 8/31/15 | 14227 |
| Katelyn Warden | 8/14/15 | 14227 |
| Alexis Whelan | 8/14/15 | 14225 |
| Andrew Wiatrowski | 8/14/15 | 14225 |
| Daniel Wierzba | 8/25/15 | 14212 |
| Mariah Wilson | 8/14/15 | 14215 |
| Taylor Wilson | 8/14/15 | 14227 |
| Alexe Wodowski | 8/14/15 | 14227 |
| Melissa Wood | 8/14/15 | 14227 |

Motion by Councilmember Rogowski; Councilmember Meyers to waive the reading of names for the following three (3) resolutions: 2015-528; 2015-529 and 2015-530.
Motion Carried.

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Diane Benczkowski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



15. RESOLUTION 2015-529

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Attendant – 7140.1664 - \$9.25 – Regular Part-time – Retro to 9/14/15

Kara Colvin

14227

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-530

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

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

POLICE DEPARTMENT Clerk \$9.25/hour effective 9/15/15
Sheena M. Palmer, Cheektowaga, New York

SENIOR SERVICES Van Driver \$9.50/hour effective 9/22/15
Kenneth R. Kluck, Cheektowaga, New York

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.25/hour effective 9/14/15
Shawn D. Wasikowski, Depew, New York
Richard E. Anderson, Cheektowaga, New York
Nicholas D. Pilarski, Cheektowaga, New York

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

JUSTICE COURT
Mary Anne Nawrocki effective 9/11/15

POLICE DEPARTMENT
Elizabeth J. Reinheimer effective 9/25/15

SANITATION DEPARTMENT
Nicholas M. Snyder effective 9/5/15

SEWER MAINTENANCE
Sean F. Ross effective 9/7/15

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-531

Authorization of Student Interns (Police Department) Ashley N. Benjamin and Paul T. Haberman

Sponsored By: Councilmember Rogowski, Supervisor Holtz

WHEREAS, Ashley N. Benjamin, a student at Hilbert College, and Paul T. Haberman, also a student at Hilbert College, have requested to participate in the student internship program at the Police Department; AND

WHEREAS, these individuals have been interviewed by the Police Department and the Department is willing to afford them the opportunity to intern in the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Ashley N. Benjamin of Hamburg, New York, be and hereby is authorized to participate as an unpaid intern in the Police Department, subject to her execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that Paul T. Haberman of Hamburg, New York, be and hereby is authorized to participate as an unpaid intern in the Police Department, subject to his execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that Ashley N. Benjamin's and Paul T. Haberman's internships be and hereby are effective September 1, 2015, through December 31, 2015; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement of Confidentiality, and all other documents necessary to effectuate these student internship in the Police Department.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-532

Termination of Computer Support Technician (Richard C. McKay)

Sponsored By: Holtz, Kaminski, Rogowski, Meyers, Benczkowski, Adamczyk

RESOLVED, that Richard C. McKay be and hereby is terminated from his position as Computer Support Technician for the Town of Cheektowaga, effective September 22, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-533

Appointment of Motor Equipment Operator - A (Non-Competitive/Permanent) Sanitation Department/John M. Tourjie

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Motor Equipment Operator - A in the Sanitation Department; AND

WHEREAS, the Department was canvassed internally in accordance with an agreement with the Town of Cheektowaga Employees Association; AND

WHEREAS, John M. Tourjie, currently employed as a Motor Equipment Operator – B in the Sanitation Department, meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that John M. Tourjie of Cheektowaga, New York, be and hereby is appointed to the position of Motor Equipment Operator - A in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective September 1, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-534

Travel Authorization Building and Plumbing Department/Assistant Code Enforcement Officer Donald Bielefeld, Jr.

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, The Western Southern Tier Building Officials Education Conference is being held September 14, 2015 through September 17, 2015, in Chautauqua, New York; AND

WHEREAS, Assistant Code Enforcement Officer Donald Bielefeld, Jr. has been recommended to attend said conference; AND

WHEREAS, Director of Community Development Carla Kosmerl has submitted a request for travel authorization along with the proper paperwork; AND

WHEREAS, the total cost to the Town shall not exceed \$575; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Assistant Code Enforcement Officer Donald Bielefeld, Jr. be and hereby is authorized to attend The Western Southern Tier Building Officials Education Conference being held September 14, 2015 through September 17, 2015, in Chautauqua, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-535

Travel Authorization Youth and Recreational Services/Program Coordinator (Youth) Jillian Gorman-King

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Association of New York State Youth Bureaus 45th Annual Conference is being held October 20, 2015 through October 21, 2015 in Niagara Falls, New York; AND

WHEREAS, Program Coordinator (Youth) Jillian Gorman-King has been recommended to attend said conference; AND

WHEREAS, Executive Director (Youth Board) Ellen Fischer has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$253.12; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Program Coordinator (Youth) Jillian Gorman-King be and hereby authorized to attend the Association of New York State Youth Bureaus 45th Annual Conference being held October 20, 2015 through October 21, 2015 in Niagara Falls, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-536

Travel Authorization Police Department/Police Officer Brian Wesoloski

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Law Enforcement Driver Instructor Training Program (LEDITP) is being held October 19, 2015 through October 30, 2015 in Cheltenham, Maryland; AND

WHEREAS, Police Officer Brian Wesoloski has been recommended to attend said training program; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$5,439.37; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Officer Brian Wesoloski be and hereby is authorized to attend the Law Enforcement Driver Instructor Training Program (LEDITP) being held October 19, 2015 through October 30, 2015 in Cheltenham, Maryland.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-537

Travel Authorization Police Department/Lieutenant Brian Coons and Police Officer Paul Nazzarett

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, a Community Policing Essentials Course is being held October 22, 2015 through October 23, 2015 in Mount Lebanon, Pennsylvania; AND

WHEREAS, Lieutenant Brian Coons and Police Officer Paul Nazzarett have been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,310.12; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Brian Coons and Police Officer Paul Nazzarett be and hereby are authorized to attend a Community Policing Essentials Course being held October 22, 2015 through October 23, 2015 in Mount Lebanon, Pennsylvania.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

IV. Suspension of Rules

| |
|--|
| Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to Waive the Rules to Include the Following One (1) Resolution: 2015-538. Motion Carried. |
|--|



1. RESOLUTION 2015-538

Designation of Town Prosecutor (Jeffrey L. Whiting)

Sponsored By: Holtz, Benczkowski, Rogowski, Kaminski, Adamczyk, Meyers

WHEREAS, due to the temporary unavailability of Town Prosecutor Melissa Reese, it is necessary to designate an interim Town Prosecutor; and

WHEREAS, Jeffrey L. Whiting presently serves as a Deputy Town Attorney and has formerly served as a Town Prosecutor for the Town of Cheektowaga for a number of years; AND

WHEREAS, Jeffrey L. Whiting meets all of the qualifications for such position; NOW, THEREFORE, BE IT

RESOLVED, that Jeffrey L. Whiting of Cheektowaga, New York be and hereby is designated as Deputy Town Attorney (with Prosecuting and other duties), effective immediately.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Communications

A. Departmental Communications

1. Town of Cheektowaga - 2016 Tentative Benefit Basis Budget
2. Building Permit List - August 2015

B. General Communications

1. Notice of Claim: Rafiq J. Salim vs. Town of Cheektowaga

VI. Comments

A. Supervisor's Comments

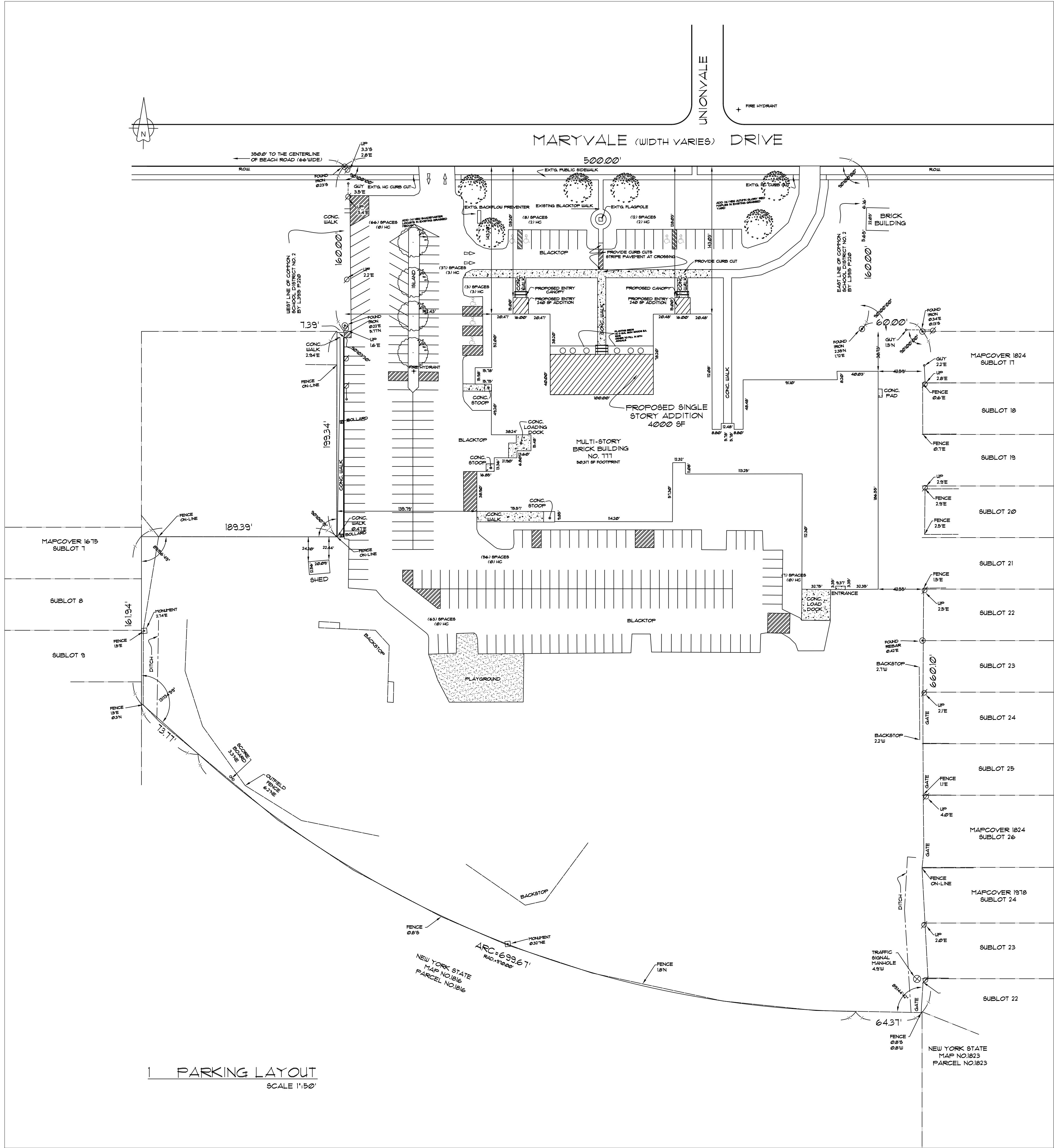
B. Councilmember's Comments

C. Public Comments

VII. Adjournment

A Moment of Silence for Retired Police Office Richard Wipperman who passed away last week. Motion by Supervisor Holtz; Seconded by Councilmember Kaminski to adjourn the meeting at 7:11 PM

Alice Magierski, Town Clerk



1 PARKING LAYOUT
SCALE 1"=50'

THIS PLAN IS BASED ON

BOUNDARY SURVEY
OF
777 MARYVALE DRIVE

PART OF LOT(S) 18
TOWNSHIP 11 RANGE 1
TOWN OF CHEEKTOWAGA
COUNTY OF ERIE STATE OF NEW YORK

Russbaumer & Clark, Inc.
Engineers and Surveyors

3556 Lake Shore Road
Buffalo, New York 14219-1494
(716) 837-8000
www.russclark.com

DRAWN BY: JFG

REV.

DATE: 7/20/2010

JOB NO. 1002-0631

SCALE: 1" = 50'

DWG. NO. SC-3596

PARKING

ADDED TO SURVEY DRAWING BY OBSERVATION OF GOOGLE MAPS.

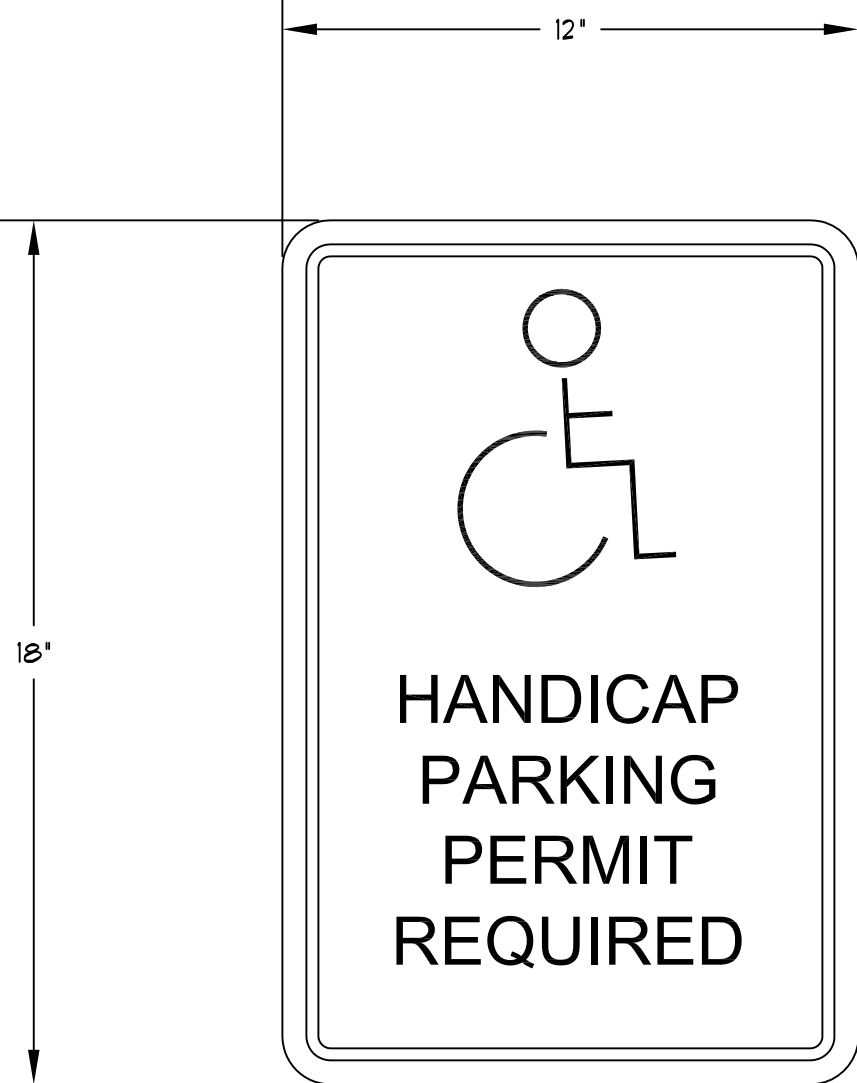
(249) SPACES TOTAL
(1) STRIPED AND MARKED HC

STATE HC PARKING REQUIREMENT
TABLE 1106.1:

201-300 TOTAL SPACES
(1) HC SPACES REQ'D.

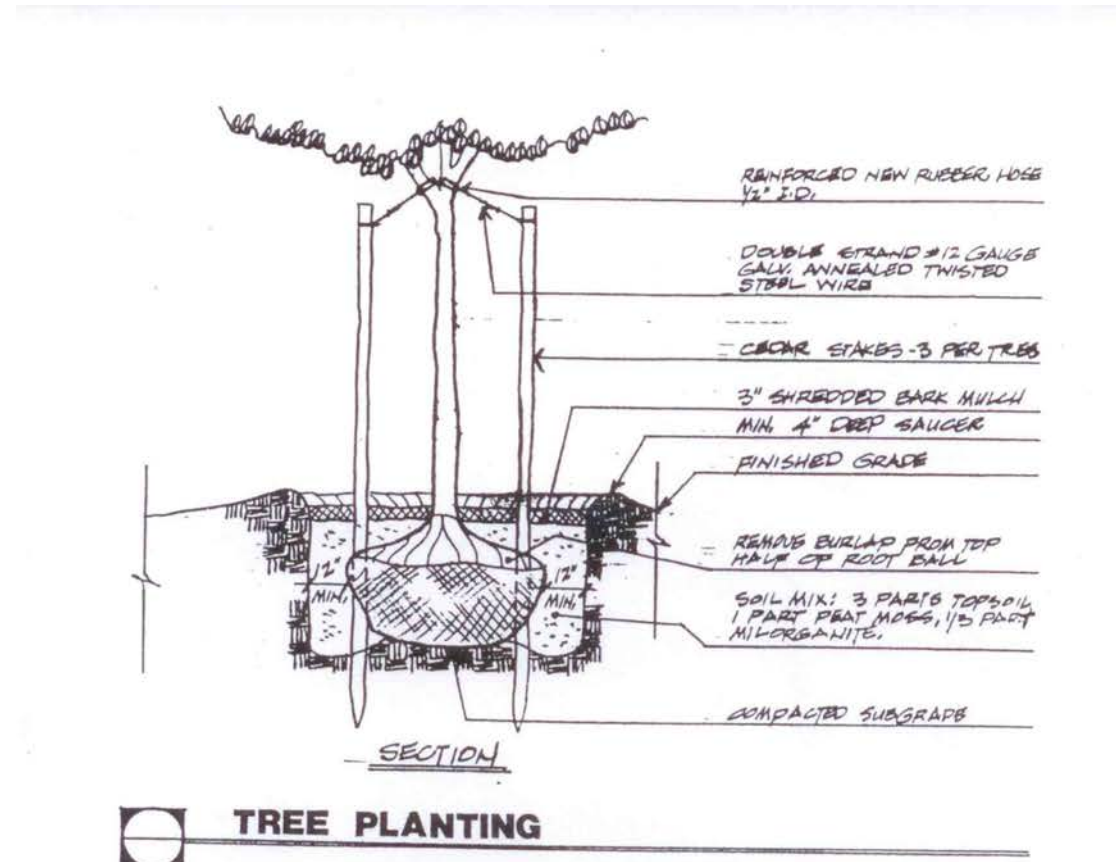
TREE KEY

- AUTUMN GLORY RED MAPLE
2.5' CALIFER, B4B (6) NEW TOTAL
- SHADEMASTER LOCUST
2.5' CALIFER, B4B (4) NEW TOTAL

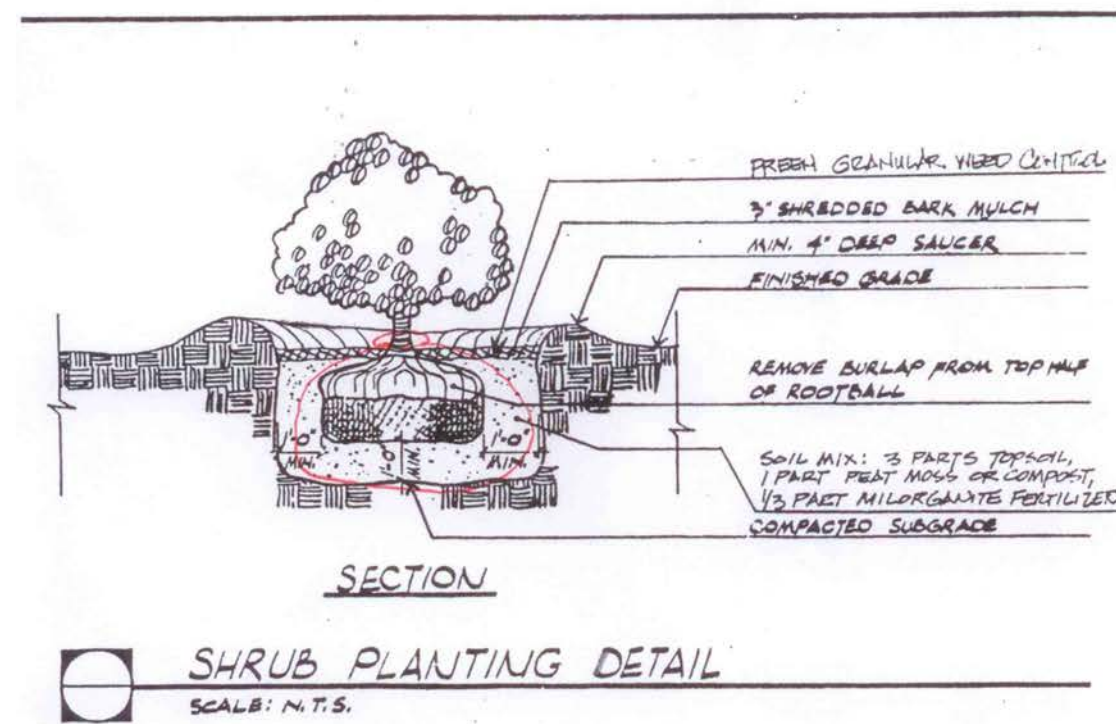


- NOTE:
- BOTTOM OF SIGN AT 60" MINIMUM ABOVE GRADE.
 - ALL EXISTING HC SPACES ARE TO HAVE SIGNS INSTALLED.

2 HC PARKING SIGN
NTS



TREE PLANTING



SHRUB PLANTING DETAIL
SCALE: N.T.S.

Elizabeth Buscaglia
ARCHITECT

Russell J. Salvatore Learning Center
Heritage Education Program
777 Maryvale Drive
Cheektowaga, NY 14225

Parking and Landscape Layout

Date Issued **Sep 2, 2015**
Project No. **PROJECT No**
Drawing No.

C-2

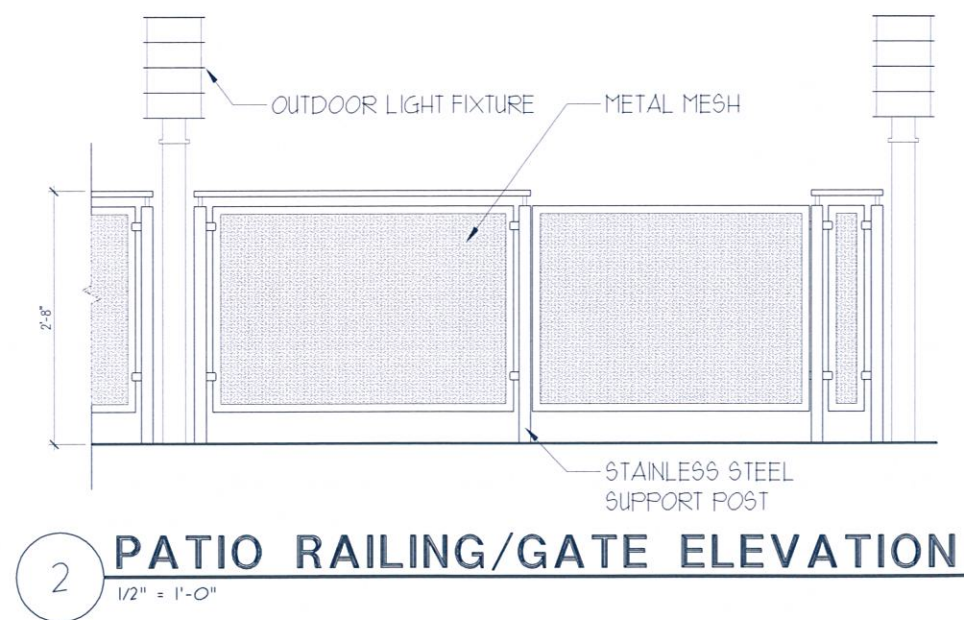
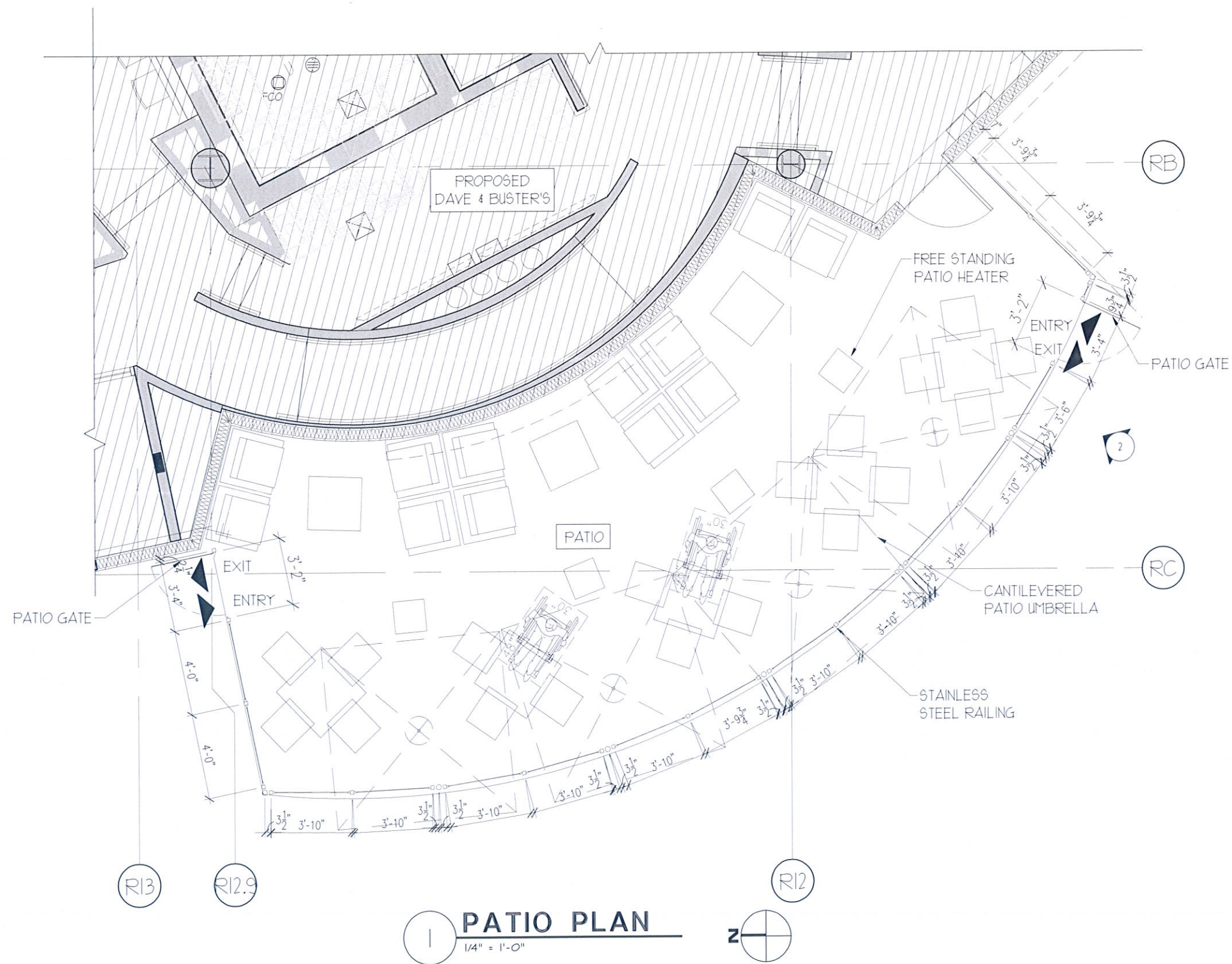


Attachment: site plan dave and busters (RES-2015-519 : Accept Site Plan- One Galleria Drive)



DAVE & BUSTER'S
WALDEN GALLERIA
BUFFALO, NY

04 - Exterior Elevation - May 15, 2015
NOT TO SCALE



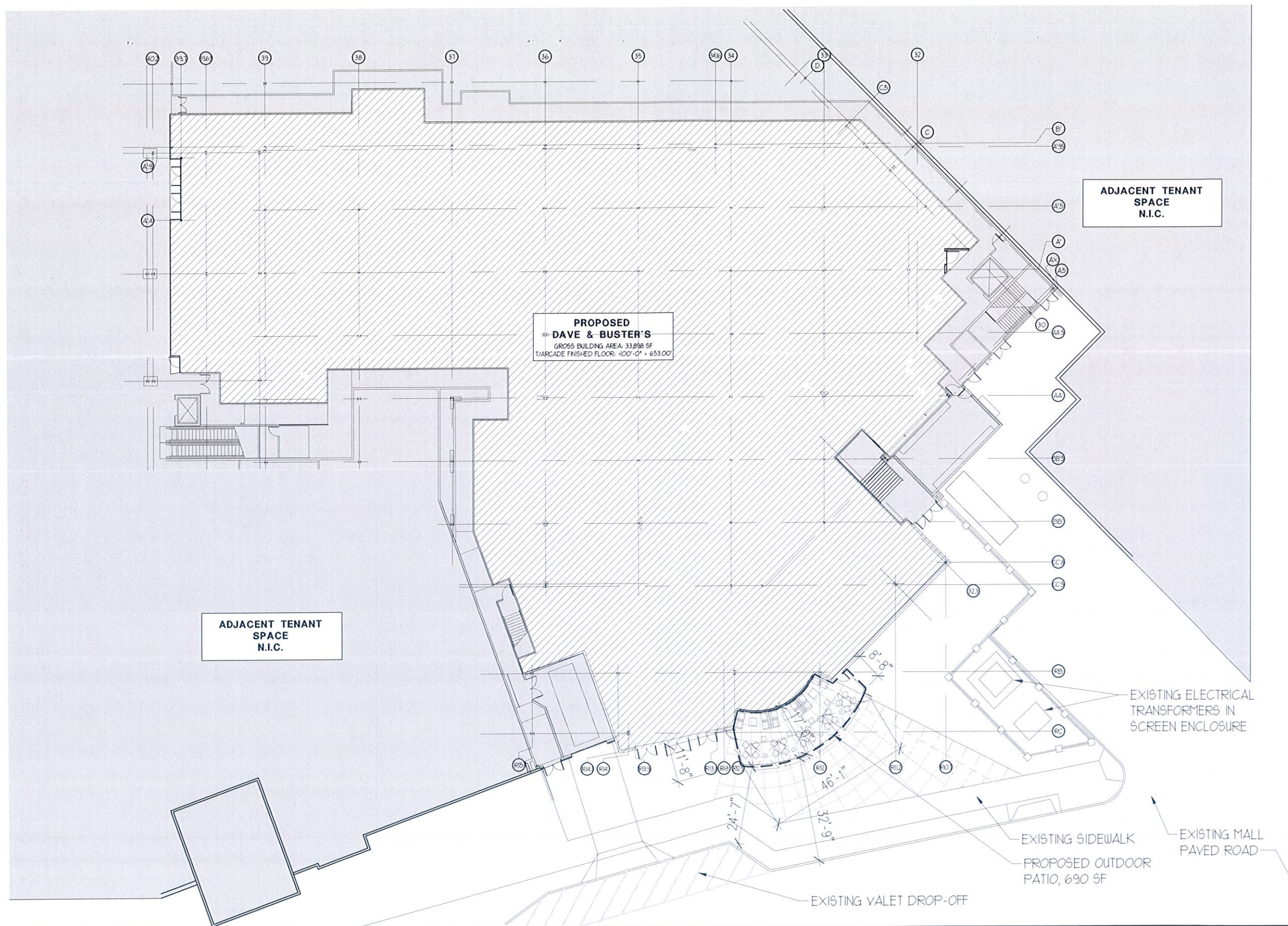
DAVE & BUSTER'S
WALDEN GALLERIA
BUFFALO, NY

02-Patio Plan - May 15, 2015

3/16"=1'-0"

Aria Group Architects, Inc.
ARCHITECTURE • PLANNING • INTERIOR DESIGN

Attachment: site plan dave and busters (RES-2015-519 : Accept Site Plan- One Galleria Drive)



DAVE & BUSTER'S
WALDEN GALLERIA
BUFFALO, NY

01-Site Plan - MAY 15, 2015
1/32" = 1'-0"



Aria Group Architects, Inc.
ARCHITECTURE • PLANNING • INTERIOR DESIGN



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, October 5, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on October 5, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Public Hearings

1. Rezoning Request/Special Use Permit 2621-2633 Genesee St & 2844-2852 Harlem Road

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Amend Traffic Ordinance

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-539

Transfer of Funds

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

CDBG

| | | | |
|-------|---------------|------------------------------|------------|
| FROM: | 700.1014.0600 | Housing Rehab- Single Family | \$5,500.00 |
|-------|---------------|------------------------------|------------|

| | | | |
|-----|---------------|-------------|------------|
| TO: | 700.1014.0606 | Disposition | \$5,500.00 |
|-----|---------------|-------------|------------|

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Gerald Kaminski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



2. RESOLUTION 2015-540

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to October 5, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$2,978,176.44 |
| RISK RETENTION FUND | 743,301.89 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 191,490.00 |
| HUD HOUSING REHABILITATION FUND | 44,146.00 |
| SPECIAL DISTRICTS FUND | 857,385.76 |
| HIGHWAY FUND | 503,614.12 |
| CAPITAL FUND | 635,087.19 |
| TRUST & AGENCY FUND | 12,326.21 |
| HUD CDBG FUND | 2,420.24 |
| PART TOWN FUND | 102,323.27 |
| NYS AFFORDABLE HOUSING | 27,992.00 |
| | <hr/> |
| | \$6,098,263.12 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-541

Adopt Amendments to Vehicle and Traffic Law

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, this Town Board held a public hearing on October 5, 2015 to consider the advisability of adopting proposed amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic), said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED, as follows:

That this Town Board determines it is in the public interest to adopt the following amendments to Chapter 235 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

Section 1:

• **ARTICLE IV, Parking, Standing and Stopping**, shall be amended by **adding** thereto the following:

§ 235-33(A). Alternate Side Parking.

No person shall park a vehicle upon the North or East sides from 5:00 p.m. Monday to 5:00 p.m. Thursday, nor upon the South or West sides from 5:00 p.m. Thursday to 5:00 p.m. Monday, on any of the streets or parts of streets listed in **Schedule X(1)**, attached to and made part of this chapter.

• **ARTICLE V. Schedules, Section 235-46, Schedule VII: Stop Intersections**, shall be amended by **adding** thereto the following:

In accordance with the provisions of § 235-18, the following described intersections and locations are designated stop intersections:

BUELL AVENUE - South - East-West leg of Buell Avenue across from the driveway to 4039 Genesee Street.

• **ARTICLE V. Schedules, Section 235-48, Schedule IX: Truck Routes**, shall be amended by **adding** thereto the following:

- A. In accordance with the provisions of § 235-20A, a truck route system, upon which all trucks, tractors and tractor-trailer combinations, excluding tandems, having a total gross vehicle weight rating in excess of five tons are permitted to travel and operate, shall consist of the following highways:

18. RV Derenda Lane, from Harlem Road to Stradtman Street
19. Stradtman Street from RV Derenda Lane to Iroquois Avenue.

• **ARTICLE V. Schedules, Section 235-49, Schedule X: Parking Prohibited in Designated Locations**, shall be amended by **deleting** therefrom the following streets or parts of streets or parts of streets:

ANDREWS AVENUE - East side: from north curblin of Genesee Street to south curblin of East Delavan Avenue.

ATWOOD PLACE - East side: from north curblin of Genesee Street to dead end.

BARBARA PLACE - East side: from north curblin of Genesee Street to south curblin of Atwood Place.

CAROL DRIVE - East side: from north curb to East Delavan Avenue to south curb of Rowan Road.

EAST DELAVAN AVENUE - North side: from west curblin of Preston Road to the Buffalo City Line.

EGGERT ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Sugar Road.

IVANHOE ROAD - East side: from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

LONG AVENUE - East side: from north curblin of Genesee Street northerly to south curblin of Schoedel Avenue.

MARNE ROAD - West side: from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

PRESTON ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Rowan Road.

ROWAN ROAD - North side: from west curblin of Carol Drive westerly to east curblin of Ivanhoe Road.

SCHOEDEL AVENUE - North side: from west curblin of Long Avenue westerly to east curblin of Barbara Place.

This provision shall expire July 31, 2016.

• **ARTICLE V. Schedules**, shall be amended by **adding** the following:

ARTICLE V. Schedules, Section 235-49(A), Schedule X(1): Alternate Parking in Designated Locations:

In accordance with the provisions of § 235-33 (A), no person shall park a vehicle upon the North

or East sides from 5:00 p.m. Monday to 5:00 p.m. Thursday, nor upon the South or West sides from 5:00 p.m. Thursday to 5:00 p.m. Monday, on any of the following described streets or parts of streets:

ANDREWS AVENUE - from north curblin of Genesee Street to south curblin of East Delavan Avenue.

ATWOOD PLACE - from north curblin of Genesee Street to dead end.

BARBARA PLACE - from north curblin of Genesee Street to south curblin of Atwood Place.

CAROL DRIVE - from north curb to East Delavan Avenue to south curb of Rowan Road.

EAST DELAVAN AVENUE - from west curblin of Preston Road to the Buffalo City Line.

EGGERT ROAD - from north curblin of East Delavan Avenue to south curblin of Sugar Road.

IVANHOE ROAD - from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

LONG AVENUE - from north curblin of Genesee Street northerly to south curblin of Schoedel Avenue.

MARNE ROAD - from the north curblin of East Delavan Avenue to the south curblin of Rowan Road.

PRESTON ROAD - from north curblin of East Delavan Avenue to south curblin of Rowan Road.

ROWAN ROAD - rom west curblin of Carol Drive westerly to east curblin of Ivanhoe Road.

SCHOEDEL AVENUE - from west curblin of Long Avenue westerly to east curblin of Barbara Place.

This provision shall expire July 31, 2016.

Section 2. Time to Take Effect

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

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

Section 3. Territorial Application

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

Section 4. Publication

That these amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga shall be entered into the minutes of the Town Board and shall be published in the CHEEKTOWAGA BEE, a newspaper published in this Town, and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-542

Designation of Halloween Night

Sponsored By: Supervisor Holtz, Councilmember Rogowski

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 Saturday, October 31, 2015 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 Saturday, October 31, 2015 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

Alice Magierski, Town Clerk

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-543

Award of Bid for Asbestos Survey and Air Monitoring Services for Property Located at 15 Hedwig Avenue (Bid 2015-28 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Unsafe Buildings Law of the Town of Cheektowaga, this Town Board can require that unsafe buildings be either repaired or demolished; and

WHEREAS, the structures on property located at 15 Hedwig Avenue have experienced extensive deterioration and damage, and Nussbaumer & Clarke, Inc. determined that said structures are unsafe and recommended that they be demolished and removed; and

WHEREAS, by resolution adopted June 15, 2015, this Town Board ordered that the structures on said property be either repaired or demolished, and directed that the respective owner(s) or others responsible for the building on said property commence said repair or demolition work within 30 days; and

WHEREAS, more than 30 days have expired and no work has been commenced with respect to said property; and

WHEREAS, pursuant to the Unsafe Buildings Law, this Town Board can provide for the demolition of an unsafe building and assess the cost of same against the property; and

WHEREAS, prior to the demolition of said property, the Town needs to retain a firm to perform an asbestos survey and asbestos abatement specifications for same; and

WHEREAS, on September 8, 2015, this Town Board issued a Notice to Bidders for Asbestos Survey and Related Services for Property Located at 15 Hedwig Avenue (Bid 2015-28 LAW) to various asbestos abatement firms and based on proposals submitted, the Town Attorney has recommended that this Town Board retain Stohl Environmental LLC to perform said asbestos survey, specifications preparation and project monitoring work for the sum of \$3,055.00, and if required, a further sum of \$256.00 per day and \$7.00 per sample for additional air monitoring and sampling at the site, said proposal being the lowest responsible bid submitted; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains Stohl Environmental LLC, 4169 Allendale Pkwy., Suite 100, Buffalo, New York 14219, to perform said asbestos survey and related work for 15 Hedwig Avenue, for the sum of \$3,155.00, and if required, a further sum of \$256.00 per day and \$7.00 per sample for additional air monitoring and sampling at the site; and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and hereby is directed to execute an agreement with Stohl Environmental, LLC for said services; and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from budget line item number 0800-800-0440.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-544

Award of Bid for Project Air Monitoring Services for Controlled Demolitions of 111 Edmund St. And 2580 Union Rd. (Bid 2015-29 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, pursuant to the Unsafe Buildings Law of the Town of Cheektowaga, this Town Board can require that unsafe buildings be either repaired or demolished; and

WHEREAS, the structures on property located at 111 Edmund Street and 2580 Union Road have experienced extensive deterioration and damage, and the Town Interim Supervising Code Enforcement Officer has determined that said structures are unsafe and recommended that they be demolished and removed; and

WHEREAS, by resolutions adopted July 6, 2015 and July 20, 2015 respectively, this Town Board ordered that the structures on said properties be either repaired or demolished, and directed that the respective owner(s) or others responsible for the buildings on said properties commence said repair or demolition work within 30 days; and

WHEREAS, more than 30 days have expired and no work has been commenced with respect to either property; and

WHEREAS, pursuant to the Unsafe Buildings Law, this Town Board can provide for the demolition of an unsafe building and assess the cost of same against the property; and

WHEREAS, on September 8, 2015, this Town Board issued a Notice to Bidders (Bid 2015-29 LAW) for Project and Air Monitoring Services, Project Air Sampling, Analysis, and Report of Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road (BID 2015-29) and based on proposals submitted, the Town Attorney has recommended that this Town Board retain Aurora Environmental, LLC to perform said services for a sum not to exceed \$1,572.50 per property, and if required, a further sum of \$242.00 per day (per property) and \$7.25 per sample (per property) for additional air monitoring and sampling at the site, said proposal being the lowest responsible bid submitted; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains Aurora Environmental, LLC, 1850 Davis Road, West Falls, New York, 14170, to perform said project air monitoring and related services for 111 Edmund Street and 2580 Union Road, for a sum not to exceed \$1,572.50 per property, and if required, a further sum of \$242.00 per day (per property) and \$7.25 per sample (per property) for additional air monitoring and sampling at the sites; and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and hereby is directed to execute an agreement with Aurora Environmental, LLC for said services; and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from budget line item number 0800-800-0440.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-545

Award Bid for Disposal of Solid Waste (Bid 2015-30)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town of Cheektowaga's agreement for the disposal of solid waste was terminated on September 1, 2015 when Modern Disposal, Inc. lost its rights to manage the East Side Transfer Station on South Ogden Street in the City of Buffalo, and

WHEREAS, the Town entered into a temporary agreement with Waste Management for the disposal of solid waste from September 1 - October 31, 2015 in order to give the Town time to re-bid the disposal of solid waste, and

WHEREAS, bid specifications have been prepared for the disposal of solid waste for a term commencing on November 1, 2015 through December 31, 2020, and

WHEREAS, by resolution dated September 8, 2015 (Resolution 2015-494), this Town Board issued a Notice to Bidders for the Tipping of Solid Waste at a Transfer Station or Waste-to-Energy Station and for the Ultimate Disposal of Solid Waste for the Town of Cheektowaga, and

WHEREAS, sealed bids were received and opened by the Town Clerk at a public bid opening held on September 23, 2015, and

WHEREAS, the proposals were reviewed by the Town Attorney and the Chairman of the Town Highway/Sanitation Committee, and, based on proposals submitted, it has been recommended that this Town Board award the bid for the Tipping of Solid Waste at a Transfer Station or Waste-to-Energy Facility to Waste Management of New York, LLC, the lowest responsible bidder, at its facility located at 793 South Ogden Street, Buffalo, New York, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the bid for the Tipping of Solid Waste at a Transfer Station or Waste-to-Energy Facility for the Town of Cheektowaga for a term commencing on November 1, 2015 to December 31, 2020 to:

Waste Management of New York, LLC.
100 Ransier Drive
West Seneca, New York 14224

as per the terms of its proposal, said bid being the lowest responsible bid meeting specifications; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute an agreement with Waste Management of New York, LLC., for the aforesaid services; and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from budget line item number 150.8160.4469.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-546

Award Bid for Controlled Demolition of 111 Edmund Street and 2580 Union Road (Bid 2015-31 LAW)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, a bid was advertised for the Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road in the Town of Cheektowaga (Bid 2015-31 LAW); and

WHEREAS, bid proposals were received and opened on September 25, 2015 for said controlled demolitions; and

WHEREAS, the proposals were reviewed by the Town Attorney and based on proposals submitted, the Town Attorney has recommended that this Town Board award the bid for the controlled demolition of the properties located at 111 Edmund Street and 2580 Union Road to Regional Environmental Demolition, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby awards the bid for the Controlled Demolition with Asbestos in Place of Structures Located at 111 Edmund Street and 2580 Union Road to

Regional Environmental Demolition, Inc.
3695 Pine Avenue
Niagara Falls, New York 14301

for the total sum of \$51,000.00, apportioned \$22,100.00 to 111 Edmund Street and \$29,495.00 to 2580 Union Road, said amounts being the lowest responsible bid meeting specifications; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute an agreement with Regional Environmental Demolition, Inc., for the aforesaid services; and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from budget line item number 800-0800-0440.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-547

Notice of Hearing for Demolition of 17 Yvette Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Interim Supervising Code Enforcement Officer has received information that the building(s) located at **17 Yvette Drive, Cheektowaga, New York, (S.B.L. #125.09-16-26, Record Owner: CACI, Russell S.)** has become dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; and

WHEREAS, said building(s) has been inspected and a written report of the condition has been completed by the Town of Cheektowaga Interim Supervising Code Enforcement Officer setting forth findings and recommendations in regard to the repair or demolition and removal of the building(s), and said written report describes extensive deterioration and damage to the building and premises and recommends that the building(s) be demolished and removed as soon as possible; and

WHEREAS, the Town Board has fully considered such written report and has determined that the building(s) is dangerous and unsafe to the general public and unfit for the purposes for which it may lawfully be used; NOW THEREFORE BE IT

RESOLVED, that this Town Board accepts the findings and recommendations of the Interim Supervising Code Enforcement Officer, dated August 29, 2015; and BE IT FURTHER

RESOLVED, that a notice shall be served, pursuant to Section 75-7 of the Cheektowaga Town Code, upon the owner, executor, administrator, agent, lessee or any person having a vested or contingent interest in such unsafe building as shown by the records of the Receiver of Taxes or of the County Clerk, which notice shall have the contents prescribed by Section 75-6 of said Town Code, including, but not limited to a date, time and place for a hearing before the Town Board in relation to such dangerous and unsafe building, which hearing shall be scheduled not less than five business days from the date of service of the notice; and BE IT FURTHER

RESOLVED, that a hearing before this Board in relation to said dangerous and unsafe building(s) shall be held on the **19th day of October, 2015, at 6:45 P.M.** at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED, that the Code Enforcement Office and/or the Town Attorney's Office be and hereby are directed to serve notice of said hearing on all interested parties.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-548

Call For Public Hearing for Community Development to Amend Annual Plans

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

The Town has received Community Development Block Grant funds from the U.S. Department of HUD and the Town wishes to change the uses proposed for those funds. The Town is required to provide citizens an opportunity to comment on the proposed amendments. The Town is hereby publishing the proposed amendments and providing a 30-day comment period beginning October 1, 2015 and ending October 30, 2015 to obtain the views of Town residents, public agencies and other interested parties on proposed changes to the use of those funds. Any questions or comments may be submitted in writing to: Cheektowaga Community Development Office, 275 Alexander Avenue, Cheektowaga, NY 14211, by calling the Community Development Office between 9:00 AM and 4:30 PM at (716) 897-7200 or by e-mail to commdevelweb@tocny.org.

In addition, a public hearing will be held on October 19, 2015 at 6:45 P.M. at Cheektowaga Town Hall at 3301 Broadway to allow questions and gather comments on the proposed uses. The Town of Cheektowaga's Annual Plan / Final Statement on the Use of Community Development Block Grant Funds is proposed to be amended as follows:

Activities Added / Source of Funds

(Activities added to meet 1/31/16 spending deadlines imposed by HUD; a significant increase in revolving rehab loan income generated from sales of previously assisted housing in the Town of Cheektowaga has led to a surplus of cash which must be expended)

| Item | Activity To Be Added Or Modified | Year | Amount |
|------|---|------|----------------------|
| 1. | Cheektowaga Senior Citizen Van - Acquisition of one 12-Passenger Van to replace old van and continue to serve senior population | 2013 | \$26,529.85 |
| 2. | Sidewalk Replacement – Village of Depew – add new public works project on Zurbrick Road between Transit & Freemont in low-moderate income area of Village | 2014 | \$54,000.00 |
| 3. | Sidewalk Replacement – Town of Cheektowaga – add new public works project on Cedar, Campbell & Tudor Roads in low-moderate income area of Town | 2014 | <u>\$350,000.00</u> |
| | Subtotal – Activities Added | | \$430,529.85 |
| 4. | Housing Rehabilitation – Single Family | 2013 | (\$26,529.85) |
| 5. | Housing Rehabilitation – Single Family | 2012 | (\$291,838.87) |
| 6. | Housing Rehabilitation – Multi Family | 2012 | (\$35,000.00) |
| 7. | Housing Rehabilitation – Single Family | 2013 | <u>(\$77,161.13)</u> |
| | Subtotal – Sources of Funds | | (\$430,529.85) |
| | Total | | \$0.00 |

Activities Modified / Source of Funds

(Funding adjusted for actual need and actual expenditures)

| Item | Activity To Be Modified | Year | Amount |
|------|--|------|---------------|
| 1. | Housing Rehabilitation – Single Family | 2013 | (\$24,333.13) |
| 2. | Housing Rehabilitation - Multi Family | 2013 | (\$30,000.00) |
| 3. | Housing Rehabilitation – Single Family | 2014 | (\$10,569.88) |

| | | |
|--|------|----------------|
| 4. Summer Day Camp | 2015 | (\$991.74) |
| 5. Housing Rehabilitation – Single Family | 2015 | \$991.74 |
| 6. Acquisition | 2011 | \$23,848.02 |
| 7. Disposition | 2014 | \$600.00 |
| 8. Rehab Activity Delivery Costs | 2014 | \$72,727.83 |
| 9. Fair Housing Activities | 2010 | (\$8,000.00) |
| 10. Housing Rehabilitation – Single Family | 2011 | (\$107,926.82) |
| 11. Administration | 2014 | \$71,150.93 |
| 12. Disposition | 2011 | \$12,116.48 |
| 13. Housing Rehabilitation – Single Family | 2014 | (\$36,105.65) |
| 14. Village of Sloan – Drainage & Sewer Improvements | 2014 | \$36,105.65 |
| 15. Domestic Violence Investigation Program | 2013 | (\$2,973.45) |
| 16. Housing Counseling | 2014 | \$3,360.00 |
| Total | | \$0.00 |

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Christine Adamczyk, Councilmember

SECONDER: Mary Holtz, Supervisor

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



11. RESOLUTION 2015-549

Call for Public Hearing for Community Development Funds

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

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 2016 Program Year, 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 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, to identify additional proposed activities, and to review program performance during the previous program year, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on October 19, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, NY 14227 for the above stated purpose, and BE IT

FURTHER RESOLVED, that a public notice of such public hearing be published in the Cheektowaga Bee.



Notice of Public Hearing
Town of Cheektowaga FY 2016 Annual Plan
Community Development Block Grant/HOME Programs

A Public Hearing will be held on Monday, October 19, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, regarding the Town of Cheektowaga's FY 2016 Annual Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs.

The amount of CDBG and HOME funding for which the Town will be eligible next year has not yet been determined by the Department of Housing and Urban Development (HUD). In 2015, the Town received \$916,326 in CDBG funds and \$193,030 in HOME funds. 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, develop proposed activities and to review program performance of the Town's Community Development Program. A complete listing of eligible activities can be obtained from the Town's Community Development Office at the address listed below. Funded eligible activities have included the rehabilitation of residences owned by low-income residents,

services to seniors and low-income youth, as well as counseling for homebuyers, those at risk for foreclosure, financial education and victims of domestic violence.

Residents of low income neighborhoods and all citizens of the Town and Villages are encouraged to participate and express their views on the use of funds and activities that may be carried out with program funds. Although not likely, CDBG or HOME funded activities may result in displacement. In the event displacement due to CDBG or HOME funded activities occurs, relocation assistance will be provided in conformity with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42, and regulations governing the CDBG program at 24 CFR 570.606.

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 (716-897-7200) seven days prior to the hearing if you need such special arrangements or have language issues which need to be addressed. The hearing location is accessible to the physically disabled. Written comments may be submitted to the Town of Cheektowaga Office of Community Development, 275 Alexander Avenue, Cheektowaga, New York, 14211.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-550

Call for Public Hearing - 2016 Preliminary Ad Valorem Budget

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

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, 2016, the itemized statement of estimated revenues and expenditures, and also an itemized statement of estimated revenues and expenditures of the Lighting Districts and Consolidated Garbage District, 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 1, 2015, AND, BE IT FURTHER

RESOLVED, that this Town Board shall meet at 5:30 P.M. on the 27th day of October, 2015, 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 BEE, the official Town newspaper on October 15, 2015, and post same on the signboard maintained by the Town Clerk.



LEGAL NOTICE

of

PUBLIC HEARING

on

PRELIMINARY AD VALOREM 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, 2016, 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 1, 2015.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 5:30 P.M. on the 27th day of October, 2015 and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item therein contained.

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

| | |
|------------------------|----------|
| SUPERVISOR | \$79,140 |
| TOWN CLERK | \$80,960 |
| HIGHWAY SUPERINTENDENT | \$83,790 |
| COUNCILMEMBER(6) | \$20,680 |
| TOWN JUSTICE(2) | \$74,960 |

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

ALICE MAGIERSKI,
TOWN CLERK

Dated: October 5, 2015
Published: October 15, 2015

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-551

Call for Public Hearing - 2016 Benefit Basis Budget

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

WHEREAS, this Town Board has prepared detailed estimates of the anticipated 2016 revenues and expenditures for every district in which the expenses of the improvement are to be assessed on a benefit basis, AND

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

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

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

RESOLVED, that this Town Board shall meet at 5:30 P.M. on the 27th day of October, 2015 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 BEE, the official Town newspaper on October 15, 2015.



PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, New York has completed its 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 Tuesday, October 27, 2015 at 5:30 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

Alice Magierski, Town Clerk

Dated: October 5, 2015
Published: October 15, 2015

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-552

Active Network Revised Resolution

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, by Resolution dated September 21, 2015 (Resolution #2015-524), this Town Board directed the Supervisor to execute a contract with Active Network for the conversion of the Youth & Recreational Services computerized registration program from a server based to a cloud based platform, AND

WHEREAS, in addition to per transaction fees the amount the Town will incur for hardware and service was incorrectly listed as \$16,916.00, when it should have read \$14,815.78, NOW, THEREFORE BE IT

RESOLVED, that Resolution 2015-524 pertaining to the Active Network contract fees be revised as follows:

Processing & Technology Rate – Onsite – Cash/Check – 2%
Credit – 5%
Offsite (Online) – 5%

Hardware & Service Total - \$14,815.78

(Budget Line #s 100.7310. 2501 & 100.7310.4681)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-553

Renew Annual Service & Supply Maintenance Agreement with Eagle Systems, Inc.

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Eagle Systems, Inc., presently provides service and supplies for copy machines located in the following Town Departments:

| <u>Model No.</u> | <u>Serial No.</u> | <u>ID No.</u> | <u>Department</u> |
|-----------------------|-------------------|---------------|-----------------------|
| TOSHIBA ESTUDI06540C | CCJC1340 | E0769 | Clerk's Office |
| TOSHIBA ESTUDI0656 | SZK290492 | E0727 | Law Dept. Atty. |
| TOSHIBA ESTUDI05540CT | CBC215553 | E0753 | Police Dept. Patrol |
| TOSHIBA ESTUDI0356 | C2HC51969 | E0749 | Police Dept. Dispatch |
| TOSHIBA ESTUDI05540CT | CBC320480 | E0734 | Supervisor/Acct. |
| TOSHIBA ESTUDI03055C | C71C20082 | E0733 | Housing |
| TOSHIBA ESTUD105540C | CBG322246 | E0732 | Comm. Develop. |
| TOSHIBA ESTUDI03055C | C7KC32187 | E0818 | Engineering |
| TOSHIBA ESTUDI0356 | C2JC65963 | E0854 | Senior Center |
| TOSHIBA ESTUDI03055C | C7LC35998 | E0855 | Youth & Recreation |
| TOSHIBA ESTUDI03055C | C7AD43811 | E0895 | Records |
| TOSHIBA ESTUDI0357 | CEED13226 | E5142 | Tax Dept |
| TOSHIBA ESTUDI0357 | CEED14960 | E5153 | Sanitation |
| TOSHIBA ESTUDI03055C | C7BD48066 | E5059 | Building |
| TOSHIBA ESTUDI03055C | C7AD41142 | E0896 | Highway |
| TOSHIBA ESTUDIO3055C | C7BD48062 | E0928 | Personnel |
| TOSHIBA ESTUDI03055C | C7ED62967 | E5204 | Crime Resist. Bsmt. |

and

WHEREAS, the current Service and Supply Maintenance Agreement expires as of November 6, 2015; and

WHEREAS, Eagle Systems, Inc., 2421 Harlem Road, Cheektowaga, New York, has submitted a proposal to renew the service and supply agreement for the above copy machines for a one (1) year period from November 7, 2015 to November 6, 2016, said agreement covering travel, labor, parts, drums & toner cartridges (excluding paper and staples) at a 5% increase in the per-copy cost for the new term (black and white pages billed quarterly at .0084 per page and color pages billed quarterly at .063 per page); and

WHEREAS, the Town Director of Administration and Finance and the Town Attorney recommend that the Town accept Eagle's new proposal; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board accepts the proposal of Eagle Systems, Inc., to provide annual service and supplies for the copy machines above set forth for the period November 7, 2015 to and including November 6, 2016, at the following rates: black and white pages billed quarterly at .0084 per page and color pages billed quarterly at .063 per page, said cost to include travel, labor, parts, drums and toners for said copiers; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with Eagle Systems, Inc., for said services.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-554

SPECIAL EVENT - South Line Fire District Halloween Parade

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, South Line Volunteer Fire Company has made application to hold their Annual Halloween Parade on Friday, October 30, 2015 at 7:00 p.m., beginning at their fire hall (1049 French Road), west to Violet Senior Housing, around the building, then east to return to fire hall; and

WHEREAS, this Board has reviewed the aforementioned application and said application has been approved by the Police Department and the Highway Department, and each has no objection to same, and

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

- . Submittal of plan for sanitary facilities;
- . Submittal of site plan;
- . Submittal of Security Plan;
- . Submittal of Fire Prevention/Emergency Services Plan;

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the South Line Volunteer Fire Company for the aforementioned Halloween Parade to be held on Friday, October 30, 2015 at 7:00 PM, and BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-555

Villa Maria Rental Agreement for Special Olympics Program 2015-2016

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Department of Youth and Recreational Services is desirous of entering into a rental agreement with Villa Maria College for use of its swimming pool for its Special Olympics program and

WHEREAS, Villa Maria has agreed to offer its facilities for a rate of \$70 per hour, NOW, THEREFORE BE IT

RESOLVED, that upon approval by the Town Attorney, the Supervisor be and hereby is authorized and directed to execute a rental agreement with Villa Maria College for the Youth & Recreational Services Department Special Olympics Swim Program for the 2015 & 2016 season.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-556

Authorization of Student Interns (Police Department)

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, Wyann S. Jackson, a student at Hilbert College, Joseph P. Angrignon, and Charles R. Coomer, III, both students at Erie Community College, have requested to participate in the student internship program at the Police Department; AND

WHEREAS, these individuals have been interviewed by the Police Department and the Police Department is willing to afford them the opportunity to intern in the department; NOW, THEREFORE, BE IT

RESOLVED, that Wyann S. Jackson of Hamburg, New York, Joseph P. Angrignon of East Aurora, New York, and Charles R. Coomer, III of Lake View, New York, be and hereby are authorized to participate as unpaid interns in the Police Department, subject to their execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that said internships be and hereby are effective October 6, 2015, through December 31, 2015; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement of Confidentiality, and all other documents necessary to effectuate this student internship in the Police Department.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-557

Youth & Recreation Terminations

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

| | | |
|---------------------|--------------|-------|
| Kristina DiBlasio | 7/29/15 | 14225 |
| Rodger Gabryszak | Never worked | 14227 |
| Karly Glowny | Never worked | 14206 |
| Meaghan Gosciak | Never worked | 14225 |
| Tyler Ineson | Never worked | 14212 |
| Thomas Isbrandt | Never worked | 14206 |
| Amber Napierski | Never worked | 14227 |
| Ashley Naperski | Never worked | 14227 |
| Dante Peters | 8/19/15 | 14225 |
| Stephen Pfalzer | Never worked | 14043 |
| Krystanna Woodworth | Never worked | 14225 |

BE IT FURTHER RESOLVED that the following employee be terminated in the Department of Youth & Recreational Services effective as indicated:

Jeffery Kunkel – effective 7/6/15

Motion by Councilmember Meyers, Seconded by Councilmember Rogowski to waive the reading of names for the following two (2) resolutions: 2015-557 and 2015-558. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Diane Benczkowski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



20. RESOLUTION 2015-558

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired/transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Attendant – 7140.1639 - \$8.75 – Regular Part-time

Tammy Bell 14225

Recreation Instructor – 7310.1801 - \$10.75 – Regular Part-time

Jessica Maleck

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-559

Appointment of Fire Inspector (Competitive/Permanent) Building and Plumbing Department/Craig Maconaghy

Sponsored By: Meyers, Kaminski, Benczkowski, Rogowski, Holtz, Adamczyk

WHEREAS, a vacancy exists in the title of Fire Inspector in the Building and Plumbing Department; AND

WHEREAS, the vacancy has been duly posted in accordance with the agreement between the Town of Cheektowaga and Town of Cheektowaga Employees Association; AND

WHEREAS, a civil service list exists; AND

WHEREAS, Craig Maconaghy of Cheektowaga, New York, appears of said list and is eligible for appointment; NOW, THEREFORE, BE IT

RESOLVED, Craig Maconaghy of Cheektowaga, New York, be and hereby is appointed to the position of Fire Inspector in the Building and Plumbing Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective October 19, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-560

Appointment of Computer Support Technician (Competitive/Permanent) Lawrence Godzich

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Computer Support Technician; AND

WHEREAS, the Town of Cheektowaga Employees Association has agreed to waive the posting of said position; AND

WHEREAS, said title falls under the competitive class of Erie County Civil Service; AND

WHEREAS, an intra-departmental poll has been conducted; AND

WHEREAS, a current Erie County Civil Service list is in existence for said title; AND

WHEREAS, Lawrence Godzich, currently a Computer Support Assistant in the Town, appears on the current civil service list as eligible for appointment; NOW, THEREFORE, BE IT

RESOLVED, Lawrence Godzich of Cheektowaga, New York, be and hereby is appointed to the position of Computer Support Technician in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective October 6, 2015.

| |
|---------------------------------|
| RESULT: WITHDRAWN |
|---------------------------------|

V. Communications

A. Departmental Communications

1. Town of Cheektowaga 2016 Tentative Budget
2. Supervisor's Statement of Funds - August 2015
3. Minutes: Cheektowaga Public Library - Board of Trustees - June 17, 2015
4. Minutes: Cheektowaga Public Library - Board of Trustees - August 19, 2015
5. Minutes: Cheektowaga Public Library - Board of Trustees - September 16, 2015
6. Minutes: Cheektowaga Conservation Advisory Council - September 3, 2015

7. Minutes: Cheektowaga Planning Board - September 10, 2015***B. General Communications***

1. **Summons: Wells Fargo Bank, N.A. vs. Marie Osika aka Maria T. Osika, Town of Cheektowaga & Etal Premises: 116 Autumn Lea Road**
2. **Notice of Claim: Norman & Patricia Kubiak vs. Town of Cheektowaga**
3. **Notice of Claim: Michael L. Minotti vs. Town of Cheektowaga**

VI. Comments***A. Supervisor's Comments******B. Councilmember's Comments******C. Public Comments*****VII. Adjournment**

Motion by Councilmember Rogowski; Seconded by Councilmember Kaminski to adjourn the meeting at 7:36 PM

Alice Magierski, Town Clerk



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, October 19, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on October 19, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Absent | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Public Hearings

1. Demolition of 17 Yvette Drive

History:

10/19/15 Board MEETING CANCELLED

Next: 11/02/15

RESULT: MEETING CANCELLED

IV. Resolutions



1. RESOLUTION 2015-561

Transfer of Funds

Sponsored By: Councilmember Kaminski, Councilmember Meyers

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;
SPECIAL DISTRICTS

| | | | |
|-------|---------------|---------------------------------------|--------------|
| FROM: | 150.8160.4468 | Compost | \$6,000.00 |
| | 255.8135.4142 | Chemicals | 2,325.00 |
| TO: | 150.8160.4211 | Electric | \$6,000.00 |
| | 255.8135.4164 | Gas, Oil and Grease | 2,325.00 |
| CDBG | | | |
| FROM: | 700.1014.0600 | Housing Rehab.-Single Family | \$10,000.00 |
| | 700.1013.0600 | Housing Rehab.-Single Family | 26,529.85 |
| | 700.1012.0600 | Housing Rehab.-Single Family | 226,935.86 |
| | 700.1012.0601 | Housing Rehab.-Multi-Family | 35,000.00 |
| | 700.1013.0600 | Housing Rehab.-Single Family | 101,494.26 |
| | 700.1013.0601 | Housing Rehab.-Multi-Family | 30,000.00 |
| | 700.1014.0600 | Housing Rehab.-Single Family | 10,569.88 |
| TO: | 700.1013.0603 | Environmental Hazard Testing | \$10,000.00 |
| | 700.1013.0665 | Cheek. Senior Citizen Van Acquisition | 26,529.85 |
| | 700.1014.0500 | Sidewalk Replacement | 404,000.00 |
| HUD | | | |
| FROM: | 900.8600.4910 | NYS AHC Revenues | \$112,500.00 |
| TO: | 900.8668.4010 | Loans from Program | \$112,500.00 |

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



2. RESOLUTION 2015-562

Warrant

Sponsored By: Councilmember Kaminski, Councilmember Meyers

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to October 19, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|--------------|
| GENERAL FUND | \$139,691.00 |
| RISK RETENTION FUND | 30,910.05 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 694.00 |
| SPECIAL DISTRICTS FUND | 244,865.26 |
| HIGHWAY FUND | 61,002.19 |
| CAPITAL FUND | 424,692.86 |
| TRUST & AGENCY FUND | 2,271.87 |
| HUD CDBG FUND | 2,390.62 |
| PART TOWN FUND | 3,249.00 |
| NYS AFFORDABLE HOUSING | 9,915.00 |
| | <hr/> |
| | \$919,681.85 |

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



3. RESOLUTION 2015-563

Rescind Call for Public Hearing for Community Development to Amend Annual Plans

Sponsored By: Councilmember Adamczyk, Councilmember Kaminski

WHEREAS, on October 5, 2015 this Town Board adopted Resolution 2015-548 calling for a public hearing for Community Development to Amend Annual Plans; and

WHEREAS, timely notification for the public hearing was not made and the public hearing must be rescheduled; NOW THEREFORE, BE IT

RESOLVED, that Resolution 2015-548 adopted October 5, 2015, be and hereby is rescinded in its entirety.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



4. RESOLUTION 2015-564

Rescind Resolution Call for Public Hearing for Community Development Funds

Sponsored By: Councilmember Adamczyk, Councilmember Kaminski

WHEREAS, on October 5, 2015 this Town Board adopted Resolution 2015-549 calling for a public hearing for Community Development Funds; and

WHEREAS, timely notification for the public hearing was not made and the public hearing must be rescheduled; NOW THEREFORE, BE IT

RESOLVED, that Resolution 2015-549 adopted October 5, 2015, be and hereby is rescinded in its entirety.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



5. RESOLUTION 2015-565

Award of Bid for Asbestos Survey and Air Monitoring Services for Property Located at 36 Barbara Place (Bid No. 2015-32 LAW)

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, pursuant to the Unsafe Buildings Law of the Town of Cheektowaga, this Town Board can require that unsafe buildings be either repaired or demolished; and

WHEREAS, the structures on property located at 36 Barbara Place have experienced extensive deterioration and damage, and Nussbaumer & Clarke, Inc. Has determined that said structures are unsafe and recommended that they be demolished and removed; and

WHEREAS, by resolution adopted October 6, 2014, this Town Board ordered that the structures on said property be either repaired or demolished, and directed that the respective owner(s) or others responsible for the building on said property commence said repair or demolition work within 30 days; and

WHEREAS, more than 30 days have expired and no work has been commenced with respect to said property; and

WHEREAS, pursuant to the Unsafe Buildings Law, this Town Board can provide for the demolition of an unsafe building and assess the cost of same against the property; and

WHEREAS, prior to the demolition of said property, the Town needs to retain a firm to perform an asbestos survey and asbestos abatement specifications for same; and

WHEREAS, on September 21, 2015, this Town Board issued a Notice to Bidders for Asbestos Survey and Related Services for Property Located at 36 Barbara Place (Bid 2015-32 LAW) to various asbestos abatement firms and based on proposals submitted, the Town Attorney has recommended that this Town Board retain Stohl Environmental LLC to perform said asbestos survey, specifications preparation and project monitoring work for the sum of \$3,005.00, and if required, a further sum of \$256.00 per day and \$7.00 per sample for additional air monitoring and sampling at the site, said proposal being the lowest responsible bid submitted; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains Stohl Environmental LLC, 4169 Allendale Pkwy., Suite 100, Buffalo, New York 14219, to perform said asbestos survey and related work for 36 Barbara Place, for the sum of \$3,005.00, and if required, a further sum of \$256.00 per day and \$7.00 per sample for additional air monitoring and sampling at the site; and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and hereby is directed to execute an agreement with Stohl Environmental, LLC for said services; and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from budget line item number 0800-800-0440.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



6. RESOLUTION 2015-566

Negative SEQR Declaration 2621-2633 Genesee Street and 2844-2852 Harlem Road Express Mart

Sponsored By: Councilmember Meyers, Councilmember Rogowski

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

WHEREAS, an application was submitted by Carmina Wood Morris, DPC on behalf of ReRob, LLC for the rezoning of 2621-2633 Genesee Street and 2844-2852 Harlem Road from NS- Neighborhood Services , CM- General Commercial and R- Residence to MS- Motor Services along with a special permit request to permit the re-development of an existing convenience store /fueling station. Such redevelopment will include the demolition of the existing convenience store, (5) dwellings and (1) commercial building for the construction of a 5,400 s.f. convenience store/fueling station with an accessory donut shop with drive thru service, 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, the Town of Cheektowaga Planning Board recommended approval of the rezoning/special permit and site plan at their meeting of August 13, 2015 and October 8, 2015 respectively, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is recommending approval of the project, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on October 14, 2015 recommended a determination of non-significance, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, the Traffic Safety Commission and the Planning Board NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



7. RESOLUTION 2015-567

Accept Site Plan-Express Mart 2621-2633 Genesee Street & 2844-2852 Harlem Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Carmina Wood Morris, DPC on behalf of ReRob, LLC submitted a development review application to permit the re-development of an existing convenience store/fueling station. Such redevelopment will include the demolition of the existing convenience store, (5) dwellings and (1) commercial building for the construction of a 5,400 s.f. convenience store/fueling station with an accessory donut shop with drive thru service at 2621-2633 Genesee Street and 2844-2852 Harlem Road, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of October 8, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The Town Engineer Reviewing and Approving the drainage/grading plan.
2. The owner constructing the decorative gas canopy as shown on the attached exhibit.
3. The Town Planner reviewing and approving the final landscaping and photometric plans
4. The placement of additional hedges along the east decorative wall, if necessary, to obstruct vehicular lights exiting drive thru lane .
5. The Cheektowaga ZBA granting the necessary area variance for parking and building setbacks.

Attachments:

Canopy Illustration (PDF)

Civil Plans (PDF)

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



8. RESOLUTION 2015-568

Accept Site Plan- MP Carol 4822 Genesee Street

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Michael P. Carol Submitted a development review application for the a 10,720 s.f building addition to an existing retail flooring showroom/warehouse building at 4822 Genesee Street, AND

WHEREAS, the project site plan is an amendment to a previously approved site plan approved by this board for a 12,000 s.f building addition on February 23, 2011, AND

WHEREAS, this Town Board also issued a SEQR determination of non significance on the afore said date, pursuant to the State Environmental Quality Review Act, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the amended site plan at their meeting of July 9, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED that the previous SEQR determination is re-affirmed, AND BE IT

FURTHER RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to :

1. The Town Engineer reviewing and approving the drainage/grading plan
2. The Town Planner reviewing and approving the final landscaping and photometric plans

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



9. RESOLUTION 2015-569

Approve Rezoning, Special Use Permit & Variance - 2621-2633 Genesee Street and 2844-2852 Harlem Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, Carmina Wood Morris, DPC has made application and requested a rezoning of property owned by Rerob LLC located at 2621-2633 Genesee Street and 2844-2852 Harlem Road from NS-Neighborhood Services District, CM-General Commercial District and R-Residence District to MS-Motor Service District, as well as a Special Use Permit for an accessory drive through window for a proposed redevelopment of an existing convenience store/fueling station, including its complete demolition and the demolition of three residential buildings along Genesee Street and the removal of two residential and one commercial building along Harlem Road to accommodate the construction of a new 5,400 square foot convenience store/fueling station with an accessory donut shop having drive through service pursuant to Sections 260-47 and 260-48.2 of the Code of the Town of Cheektowaga ("Zoning Law"); and

WHEREAS, Carmina Wood Morris, DPC also requested the following variances for the drive through service:

1. The applicant's drive through lane will be a minimum of ten (10) feet from an adjacent residential use or residentially zoned property, whereas the Zoning Law requires 75 feet;
2. The applicant's driveways which serve the drive through lanes will be 172.77 feet from the functional area of the intersection of Harlem Road and Genesee Street, as measured along Genesee Street, and 145.31 feet as measured along Harlem Road, whereas the Zoning Law requires 220 feet.

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 5th day of October, 2015 at 6:45 P.M. of said day for the purpose of considering said applications for the Rezoning, Special Permit and variances, after publication and service of the notices required by the provisions of the 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 recommended approval of this Rezoning; and

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

RESOLVED, that the application of Carmina Wood Morris, DPC for the rezoning from NS-Neighborhood Services District, CM-General Commercial District and R-Residence District to MS-Motor Services District for the property described in the attached legal description for a convenience store/fueling station with an accessory drive thru coffee/donut shop be and hereby is approved subject to the following condition:

1. Any future additions to the development or site plan must be resubmitted to the Town Board to determine whether the addition is substantially in agreement with the intent of this rezoning and site plan approval.

, and BE IT FURTHER

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

RESOLVED, that the aforesaid Special Use Permit be and hereby is granted, and BE IT FURTHER

RESOLVED, that this Town Board hereby grants the aforementioned variances relating to the drive through lanes as follows:

1. The distance of the drive through lane from an adjacent residential use or residentially zoned property is reduced from 75 feet to 10 feet;
2. The driveways which serve the drive through lanes from the functional area of the intersection of Harlem Road and Genesee Street shall be reduced from 200 feet to 172.77 feet (as measured along Genesee Street) and 145.431 feet (as measured along Harlem Road).

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



10. RESOLUTION 2015-570

Call for Public Hearing for Community Development Funds

Sponsored By: Councilmember Adamczyk, Councilmember Kaminski

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 2016 Program Year, 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 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, to identify additional proposed activities, and to review program performance during the previous program year, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on November 2, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, NY 14227 for the above stated purpose, and BE IT

FURTHER RESOLVED, that a public notice of such public hearing be published in the Cheektowaga Bee.



Notice of Public Hearing
Town of Cheektowaga FY 2016 Annual Plan
Community Development Block Grant/HOME Programs

A Public Hearing will be held on Monday, November 2, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, regarding the Town of Cheektowaga's FY 2016 Annual Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs.

The amount of CDBG and HOME funding for which the Town will be eligible next year has not yet been determined by the Department of Housing and Urban Development (HUD). In 2015, the Town received \$916,326 in CDBG funds and \$193,030 in HOME funds. 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, develop proposed activities and to review program performance of the Town's Community Development Program. A complete listing of eligible activities can be obtained from the Town's Community Development Office at the address listed below. Funded eligible activities have included the rehabilitation of residences owned by low-income residents,

services to seniors and low-income youth, as well as counseling for homebuyers, those at risk for foreclosure, financial education and victims of domestic violence.

Residents of low income neighborhoods and all citizens of the Town and Villages are encouraged to participate and express their views on the use of funds and activities that may be carried out with program funds. Although not likely, CDBG or HOME funded activities may result in displacement. In the event displacement due to CDBG or HOME funded activities occurs, relocation assistance will be provided in conformity with the requirements of the Uniform Relocation Act of 1970, implementing regulations in 24 CFR Part 42, and regulations governing the CDBG program at 24 CFR 570.606.

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 (716-897-7200) seven days prior to the hearing if you need such special arrangements or have language issues which need to be addressed. The hearing location is accessible to the physically disabled. Written comments may be submitted to the Town of Cheektowaga Office of Community Development, 275 Alexander Avenue, Cheektowaga, New York, 14211.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



11. RESOLUTION 2015-571

Call For Public Hearing for Community Development to Amend Annual Plans

Sponsored By: Councilmember Adamczyk, Councilmember Kaminski

WHEREAS, the Town has received Community Development Block Grant funds from the U.S. Department of HUD, and

WHEREAS, the Town wishes to change the uses initially proposed for those funds, and

WHEREAS, the Town is required to obtain the views of Town residents, public agencies and other interested parties on proposed changes to the use of those funds, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on November 2, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York 14227 for the above stated purpose, and BE IT

FURTHER RESOLVED, that the attached public notice of such public hearing be published in the Cheektowaga Bee on Thursday, October 22, 2015.

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



Notice of Public Hearing to Amend Prior Year Consolidated Plan and Annual Plans Community Development Block Grant Program

A public hearing will be held on Monday, November 2, 2015 at 6:45 P.M. at Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, NY 14227 on proposed changes to the Town's 2011-2015 Consolidated Plan and associated prior Annual Plans for the use of Community Development Block Grant (CDBG) Program funds, to obtain the views of citizens and interested parties on those proposed changes in housing and community development. The Consolidated Plan outlines housing and community goals for the five-year fiscal period 2011 - 2015. The Annual Plan outlines housing and community development projects proposed to be funded with CDBG Program funds for a grant year. The proposed changes were published in the Cheektowaga Bee on October 1, 2015 as well as here below. Those wishing to offer comments at the hearing are asked to also submit a written text, which may also be submitted to the Cheektowaga Community Development Office, 275 Alexander Avenue, Cheektowaga, New York, 14211. Interpreters will be made available at the meetings upon prior request to sign for the hearing impaired. If you need such special arrangements, contact the Cheektowaga Community Development Office at 897-7200, Ext. 7, at least seven (7) business days prior to the hearing. The hearing location is accessible to the physically disabled.

Town of Cheektowaga
Community Development Block Grant Program
Consolidated/Annual Plan Substantial Amendments
2011-2015 Consolidated Plan and Related Annual Plans

The Town of Cheektowaga's Annual Plan / Final Statement on the Use of Community Development Block Grant Funds is amended as follows:

Activities Added / Source of Funds

(Activities added to meet 1/31/16 spending deadlines imposed by HUD; a significant increase in revolving rehab loan income generated from sales of previously assisted housing in the Town of Cheektowaga has led to a surplus of cash which must be expended)

| | | | |
|----|--|------|--------------------|
| 1. | Cheektowaga Senior Citizen Van - Acquisition of one 12-Passenger Van to replace old van and continue to serve senior population | 2013 | \$ 26,529.85 |
| 2. | Sidewalk Replacement - Village of Depew - add new public works project on Zubrick Road between Transit & Freemont in low-moderate income area of Village | 2014 | 54,000.00 |
| 3. | Sidewalk Replacement - Town of Cheektowaga - add new public works project on Cedar, Campbell & Tudor Roads in low-moderate income area of Town | 2014 | <u>350,000.00</u> |
| | Subtotal | | 430,529.85 |
| 4. | Housing Rehabilitation - Single Family | 2013 | (26,529.85) |
| 5. | Housing Rehabilitation - Single Family | 2012 | (291,838.87) |
| 6. | Housing Rehabilitation - Multi-Family | 2012 | (35,000.00) |
| 7. | Housing Rehabilitation - Single Family | 2013 | <u>(77,161.13)</u> |
| | Subtotal | | (430,529.85) |
| | Total | | <u>\$ 0.00</u> |

Activities Modified / Source of Funds

(Funding adjusted for actual need and actual expenditures)

| | | | |
|-----|--|------|----------------|
| 1. | Housing Rehabilitation - Single Family | 2013 | \$ (24,333.13) |
| 2. | Housing Rehabilitation - Multi-Family | 2013 | (30,000.00) |
| 3. | Housing Rehabilitation - Single Family | 2014 | (10,569.88) |
| 4. | Summer Day Camp | 2015 | (991.74) |
| 5. | Housing Rehabilitation - Single Family | 2015 | 991.74 |
| 6. | Acquisition | 2011 | 23,848.02 |
| 7. | Disposition | 2014 | 600.00 |
| 8. | Rehab Activity Delivery Costs | 2014 | 72,727.83 |
| 9. | Fair Housing Activities | 2010 | (8,000.00) |
| 10. | Housing Rehabilitation - Single Family | 2011 | (107,926.80) |
| 11. | Administration | 2014 | 71,150.93 |
| 12. | Disposition | 2011 | 12,116.48 |
| 13. | Housing Rehabilitation - Single Family | 2014 | (36,105.65) |
| 14. | Village of Sloan - Drainage & Sewer Improvements | 2014 | 36,105.65 |
| 15. | Domestic Violence Investigation Program | 2013 | (2,973.45) |
| 16. | Housing Counseling | 2014 | 3,360.00 |

Total

\$ 0.00

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



12. RESOLUTION 2015-572

Authorize Town Clerk to Issue New/Renewal Ambulance Driver/Attendant Licenses

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

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

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

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

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSES LIST

| Name | Expiration Date |
|-----------------------|-----------------|
| Alley, Justin D | 2/28/2018 |
| Amin, Rafshan | 2/28/2018 |
| Beglinger, Thomas M | 7/31/2017 |
| Bielinski, Joseph S | 5/31/2018 |
| Bosworth, Blaine D | 7/31/2018 |
| Bowen, Eric H | 6/30/2015 |
| Bugenhagen, Dena H. | 11/30/2018 |
| Carberry, David V | 3/31/2018 |
| Clark, Emily A | 8/31/2018 |
| Coons, Matthew D | 8/31/2018 |
| Dysard, Matthew T. | 8/31/2018 |
| Frazer, Eric S | 6/30/2018 |
| Garson, Heather V | 2/28/2018 |
| Giunta, Kevin A | 6/30/2017 |
| Greening, Jay A | 7/31/2018 |
| Hamilton, Aaron S | 8/30/2018 |
| Hamilton, Eric S | 7/31/2018 |
| Hillock, Ashley M | 6/30/2018 |
| Hodson, Lynn | 6/30/2018 |
| Kittinger, Ashley N | 2/28/2018 |
| Lavango, Joseph L | 7/31/2018 |
| Long, Steven | 8/31/2018 |
| McCafferty, Michael J | 8/31/2018 |
| Mills, Nicole R | 10/31/2017 |
| Nussbaum, Michael W | 4/30/2018 |
| Paul, Robert J | 2/28/2018 |
| Penque, McKenzie L | 10/31/2017 |

| | |
|---------------------------|------------|
| Peters, Jodi L | 7/31/2018 |
| Reuter, Thomas R | 7/31/2018 |
| Risakes, Carkis R | 9/30/2016 |
| Ross, Bruce L | 9/30/2017 |
| Rusinski, Ryan J | 2/28/2018 |
| Schroeder, Christopher I | 7/31/2018 |
| Skawinski, Austin J | 2/28/2018 |
| Snyder, Graham G | 3/31/2017 |
| Steinbach, Joseph J | 7/31/2018 |
| Stinson, Steve E | 3/31/2017 |
| Taylor, Timothy M | 2/28/2018 |
| Tessey-Wallrath, Jennifer | 7/31/2018 |
| Tooley, Stephen P | 4/30/2017 |
| Vaccaro, James M | 7/31/2018 |
| Ward, Laurel W | 9/30/2017 |
| Wendt, Nicole M | 9/30/2017 |
| Werner, Steven C | 11/30/2018 |
| Wojtaszczyk, Jason R | 1/31/2017 |
| Zielinski, David J | 8/30/2017 |

RESULT: ADOPTED [UNANIMOUS]

MOVER: Gerald Kaminski, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

ABSENT: Mary Holtz



13. RESOLUTION 2015-573

Renewal of Beverage Agreement with Pepsi Beverages Company

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga is the owner of the Recreation Center located at 2600 Harlem Road in Cheektowaga Town Park, and various other buildings in the Town, and

WHEREAS, in 2009, Pepsi Beverages Company was awarded a three year contract for the exclusive right to sell their beverages within Town facilities (Recreation Center/Ice Rink and other Town buildings), and said contract was thereafter renewed, and

WHEREAS, Pepsi Beverages Company has submitted a proposal to the Town whereby it will give the Town of Cheektowaga \$3,000.00 per year for three (3) years (2015-2017), to obtain these exclusive rights, and

WHEREAS, Pepsi products are already being sold at the Recreation Center and in vending machines in Town buildings, and

WHEREAS, Pepsi Beverages Company has submitted to the Town for signature a "Beverage Agreement", and

WHEREAS, said agreement has been reviewed by the Town Attorney and the Director of the Facilities Department, and has been found acceptable, NOW, THEREFORE, BE IT

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



14. RESOLUTION 2015-574

Request NYS Legislature to Enact Safe Staffing for Quality Care Act

Sponsored By: Rogowski, Kaminski, Meyers, Adamczyk, Benczkowski

WHEREAS, Assembly Bill 01548 and Senate Bill 00782 have been introduced in the 2015-2016 legislative session to amend public health laws to require all acute care facilities and nursing homes to meet standards for appropriate staffing ratios of nursing and unlicensed direct care staff; and

WHEREAS, the proposed amendment would establish minimal nurse-to-patient ratios based on peer-reviewed academic research and evidence-based recommendations; and

WHEREAS, the proposed amendment requires public disclosure of facility staffing requirements; and

WHEREAS, a residential healthcare facility council would be established that would assist in the development and maintenance of required minimum staff hours of care per resident per day; and

WHEREAS, the Journal of the American Medical Association (JAMA) published research that estimated five additional deaths per 1000 patients occurred in hospitals that routinely staff with a 1:8 nurse to patient ratio compared to those staffing with a 1:4 nurse to patient ratio; and

WHEREAS, the JAMA research also found that the odds of patient death increase by 7% for each additional patient the nurse must take care for at one time; and

WHEREAS, the Federal Agency of Healthcare Research and Quality (AHRQ) found that hospitals with lower nursing staff levels had higher rates of the pneumonia, shock cardiac arrests, urinary tract infections and upper gastrointestinal bleeds, which all led to a higher cost of mortality from hospital acquired complications; NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga Town Board hereby urges the New York State law makers to support the passage of New York State Assembly Bill 01548 and Senate Bill 007822 to amend the Public Health Law in relation to enacting the "Safe Staffing for Quality Care Act" to require acute care facilities in nursing homes to implement certain direct-care nurse-to-patient ratios in all nursing facilities; and, BE IT FURTHER

RESOLVED, the Clerk of the Town of Cheektowaga shall forward copies of this resolution to Governor Andrew Cuomo, Lieutenant Governor Kathy Hochul, Assembly and Senate Majority and Minority leaders, the Assembly and Senate Healthcare Committee Chairmen, Assembly Ways and Means Committee Chairmen, Senate Finance Committee Chairman, all Erie County elected Assembly members and Senators; and the Communication Workers of America District 1.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



15. RESOLUTION 2015-575

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

Lancelot Melin

8/6/15

14206

Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to waive the Reading of Names for the following three (3) resolutions: 2015-575; 2015-576 and 2015-577. Motion Carried.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



16. RESOLUTION 2015-576

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired/transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide – 7140.1630 - \$8.75 – Part-time

Melissa Rossi

14225

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



17. RESOLUTION 2015-577

Hiring/Termination of Part Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Councilmember Rogowski

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

SANITATION DEPARTMENT Laborer \$9.25/hour effective 9/14/15
Nicholas M. Snyder, Cheektowaga, New York
Michael A. Aikin, Depew, New York

JUSTICE COURT Clerk \$9.25/hour effective 10/6/15
Marcia A. Bolero, Cheektowaga, New York

FACILITIES DEPARTMENT (Buildings and Grounds Division) Laborer \$9.00/hour effective 10/20/15
Jordan D. Pocobello, Cheektowaga, New York

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.25/hour effective 10/5/15
Travis R. Copece, Cheektowaga, New York
Ryan M. Klein, Cheektowaga, New York

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

SANITATION DEPARTMENT
Shawn D. Wasikowski effective 9/26/15
Sabino J. Scarpone effective 9/11/15
Walter W. Szafraniec effective 9/12/15
Kyle J. Kehoe effective 9/19/15
Andrew P. Babcock effective 9/12/15
Marc P. Beang effective 9/12/15
Anthony S. Jasinski effective 9/12/15

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



18. RESOLUTION 2015-578

Appointment of General Crew Chief /Sewer Department (Non-Competitive/Permanent) Raymond Bobeck

Sponsored By: Meyers, Kaminski, Rogowski, Benczkowski, Adamczyk

WHEREAS, a vacancy currently exists in the position of General Crew Chief in the Sewer Maintenance 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 Supervisory Unit; AND

WHEREAS, Raymond Bobeck, currently employed as Working Crew Chief in the Sewer Maintenance Department, bid on said vacancy, and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Raymond Bobeck of Cheektowaga, New York, be and hereby is appointed to the position of General Crew Chief in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective October 23, 2015.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



19. RESOLUTION 2015-579

Appointment of Working Crew Chief (Non-Competitive/Permanent) Sewer Department/Louis J. Arricale

Sponsored By: Meyers, Kaminski, Rogowski, Benczkowski, Adamczyk

WHEREAS, a vacancy exists in the position of Working Crew Chief in Sewer Maintenance; AND

WHEREAS, notice of said vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit; AND

WHEREAS, Louis J. Arricale, currently employed as a Senior Sewer Maintenance Worker in the Sewer Maintenance Department, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Louis J. Arricale of Depew, New York, be and hereby is appointed to the position of Working Crew Chief in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective October 23, 2015.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |



20. RESOLUTION 2015-580

Appointment of Senior Sewer Maintenance Worker (Non-Competitive/Permanent) Saturnino J. Arvelo, Jr.

Sponsored By: Meyers, Kaminski, Rogowski, Benczkowski, Adamczyk

WHEREAS, Saturnino J. Arvelo, Jr. was appointed by this Town Board to the position of Sewer Maintenance Worker effective April 8, 2014; AND

WHEREAS, Mr. Arvelo has successfully completed eighteen (18) months in the title and is eligible to be promoted to the position of Senior Sewer Maintenance Worker; NOW, THEREFORE, BE IT

RESOLVED, that Saturnino J. Arvelo, Jr. of Depew, New York be and hereby is appointed to the position of Senior Sewer Maintenance Worker in the Sewer Maintenance Division under the terms and conditions of the bargaining agreement between the Town and the Town of Cheektowaga Employees Association effective October 8, 2015.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |

V. Suspension of Rules

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the Rules to Include the Following One(1) Resolution: 2015-581. Motion Carried.



1. RESOLUTION 2015-581

Amend Resolution 2015-541 Adopting Amendments to Vehicle and Traffic Law

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, by Resolution 2015-541, adopted October 5, 2015, this Town Board adopted amendments to amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic); and

WHEREAS, said Resolution mistakenly set forth certain streets that should not have been included in the amendment to Section 235-33(A), Alternate Side Parking, and said Resolution must be corrected; **NOW, THEREFORE, BE IT**

RESOLVED, that **ARTICLE V. Schedules, Section 235-49 (A). Schedule X(1): Alternate Parking in Designated Locations:** shall be amended by **DELETING** therefrom the following named streets:

EAST DELAVAN AVENUE - North side: from west curblin of Preston Road to the Buffalo City Line.

EGGERT ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Sugar Road

ROWAN ROAD - North side: from west curblin of Carol Drive westerly to east curblin of Ivanhoe Road;

and be it further

RESOLVED, that **ARTICLE V. Schedules, Section 235-49, Schedule X: Parking Prohibited in Designated Locations**, shall be amended by **ADDING** thereto the following streets or parts of streets or parts of streets:

EAST DELAVAN AVENUE - North side: from west curblin of Preston Road to the Buffalo City Line.

EGGERT ROAD - East side: from north curblin of East Delavan Avenue to south curblin of Sugar Road

ROWAN ROAD - North side: from west curblin of Carol Drive westerly to east curblin of Ivanhoe Road;

This provision shall expire July 31, 2016.

Section 2. Time to Take Effect

These amendments shall take effect when properly posted within a reasonable time

except those parts, if any, which are subject to approval under Section 1684 of the Vehicle and Traffic Law of the State of New York.

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

Section 3. Territorial Application

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

Section 4. Publication

That these amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga shall be entered into the minutes of the Town Board and shall be published in the CHEEKTOWAGA BEE, a newspaper published in this Town, and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof; and be it further

RESOLVED, said Resolution 2015-54, adopted October 5, 2015, shall in all other respects remain the same.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |

VI. Communications

A. Departmental Communications

1. **Town of Cheektowaga Emergency Services - Quarterly Report for July to September 2015**

B. General Communications

1. **Notice of Claim: Douglas R. Childs vs. Town of Cheektowaga**
2. **Notice of Claim: Julia Lauricello vs. Town of Cheektowaga**
3. **Notice of Claim: Danielle Santana vs. Town of Cheektowaga**
4. **Notice of Claim: Irene C. White vs. Town of Cheektowaga**

VII. Comments

A. Supervisor's Comments

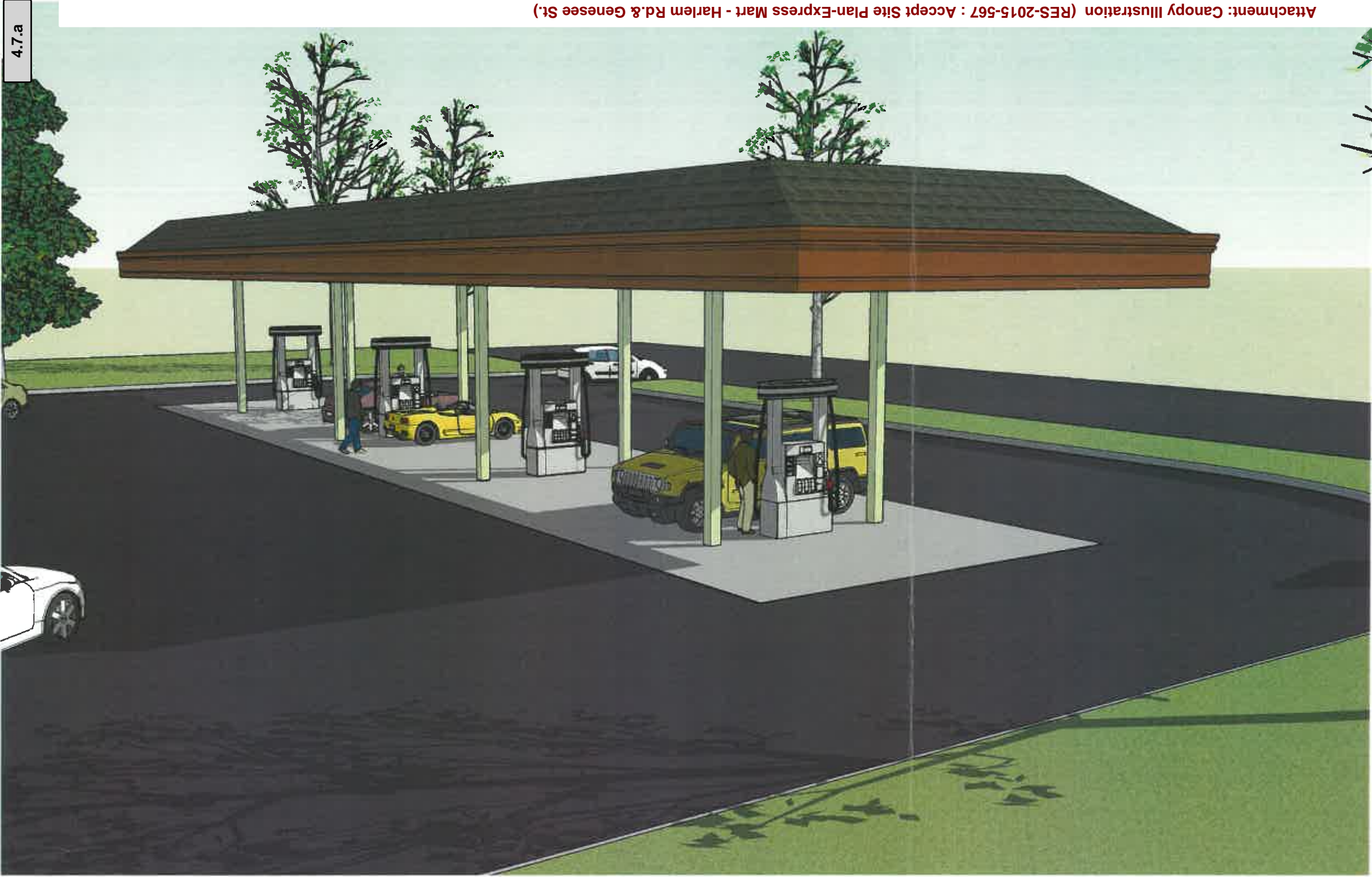
B. Councilmember's Comments

C. Public Comments

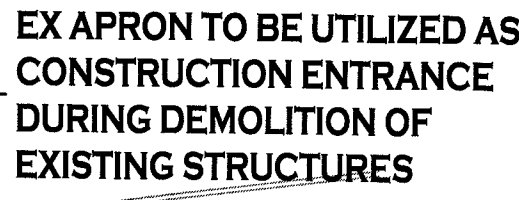
VIII. Adjournment

Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to adjourn the meeting at 7:26 PM


Alice Magierski, Town Clerk




Attachment: Canopy Illustration (RES-2015-567 : Accept Site Plan-Express Mart - Harlem Rd.& Genesee St.)



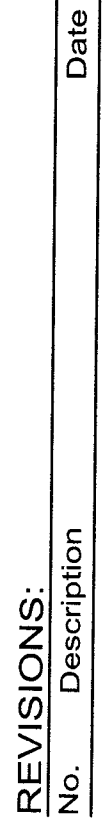
- 1 BUILDING AND ASSOCIATED UTILITIES TO BE REMOVED/DEMOLISHED
- 2 FUELING CANOPY TO BE REMOVED/DEMOLISHED
- 3 CONCRETE/ASPHALT PAVEMENT TO BE REMOVED
- 4 TREE/HEDGE TO BE REMOVED
- 5 PROVIDE INLET PROTECTION ON PROPOSED STORM STRUCTURE
- 6 FENCE TO BE REMOVED
- 7 INSTALL SILT FENCE, MAINTAIN UNTIL SITE REACHED FINAL STABILIZATION
- 8 OVERHEAD UTILITIES TO BE ABANDONED
- 9 OVERHEAD UTILITIES & ASSOCIATED POLE TO BE RELOCATED, COORDINATE WITH APPROPRIATE UTILITY CO'S
- 10 LIGHT STANDARD TO BE REMOVED
- 11 SIGN TO BE REMOVED
- 12 CLEAN OUT /YARD DRAIN TO BE REMOVED
- 13 UNDERGROUND FUEL STORAGE TANKS TO BE REMOVED/RELOCATED
- 14 METAL GUIDE RAIL TO BE REMOVED
- 15 DUMPSTER ENCLOSURE & FENCING TO BE REMOVED
- 16 EXISTING CONCRETE APRON & DEPRESSIONED CURB TO BE REMOVED. REPLACE CONCRETE CURB PER NYSDOT SPECIFICATIONS, SEE DETAIL ON SHEET C-100, BACKFILL BETWEEN CURB AND SIDEWALK WITH TOPSOIL & SEED
- 17 EXISTING CONCRETE APRON & CURB TO REMAIN, PROTECT DURING CONSTRUCTION, REPLACE AS NECESSARY PER NYSDOT SPECIFICATIONS, REFER TO NYSDOT CONCRETE SECTION DETAIL ON SHEET C-100

 STABILIZED CONSTRUCTION ENTRANCE

 INSTALL STORM DRAINAGE INLET PROTECTION

PLAN
SCALE: 1"=20'

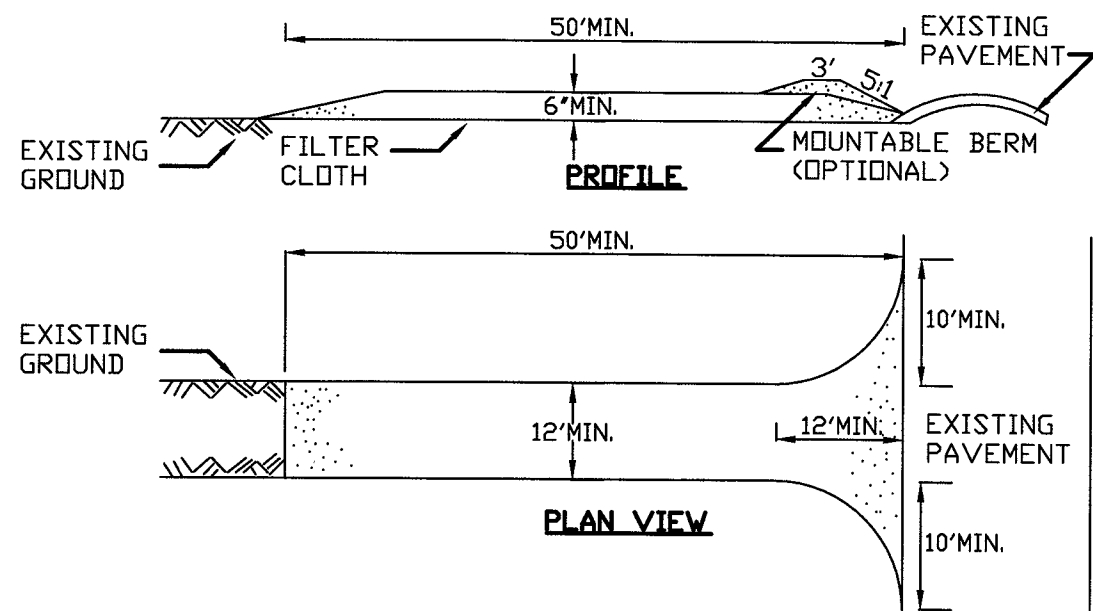
1. THE CONTRACTOR SHALL TAKE PRECAUTIONS TO PROTECT THOSE ITEMS TO REMAIN, SUCH AS TREES, PROPERTY CORNER PINS, UTILITY POLES, VALVES, HYDRANTS, CURBS, MANHOLES AND CATCH BASINS.
2. TEMPORARY SILT FENCE AND STRAW BALES TO BE INSTALLED AROUND BY THE OWNERS FIELD REPRESENTATIVE. MAINTAIN UNTIL VEGETATION IS ESTABLISHED AND PAVEMENT IS INSTALLED.
3. FOR THOSE STRUCTURES TO BE DEMOLISHED, ALL EXISTING UTILITY SERVICES SHALL BE ABANDONED IN ACCORDANCE WITH LOCAL REGULATIONS, ALL METERS SHALL BE RETURNED TO PROPER OWNERS.
4. THE CONTRACTOR SHALL INSTALL STABILIZED CONSTRUCTION ENTRANCES WHERE ACCESSING THE SITE FROM PAVED ROADWAYS.
5. THE CONTRACTOR SHALL INSTALL TEMPORARY TRAFFIC CONTROL DEVICES IN ACCORDANCE WITH NYS M.U.T.C.D. STANDARDS PRIOR TO STARTING WORK.



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NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION
PROVIDED BY OTHERS, CARMINA WOOD MORRIS, D.P.C.
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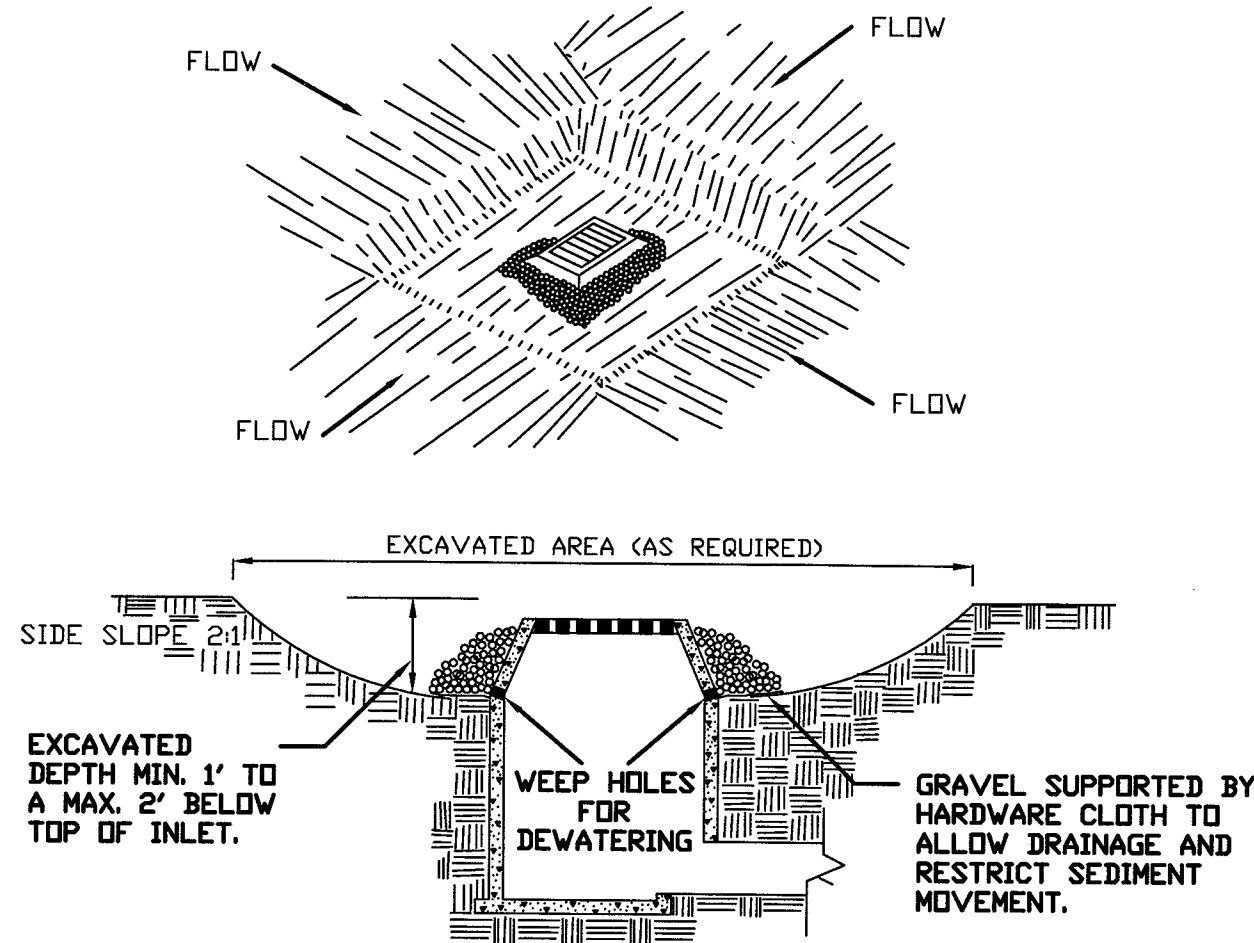


CONSTRUCTION SPECIFICATIONS

1. STONE SIZE - USE 2" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT.
2. LENGTH - NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY).
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - TWELVE (12) FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCURS. TWENTY-FOUR (24) FOOT IF SINGLE ENTRANCE TO SITE.
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY, ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.
8. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON A AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ENTRANCE DETAIL

NOT TO SCALE

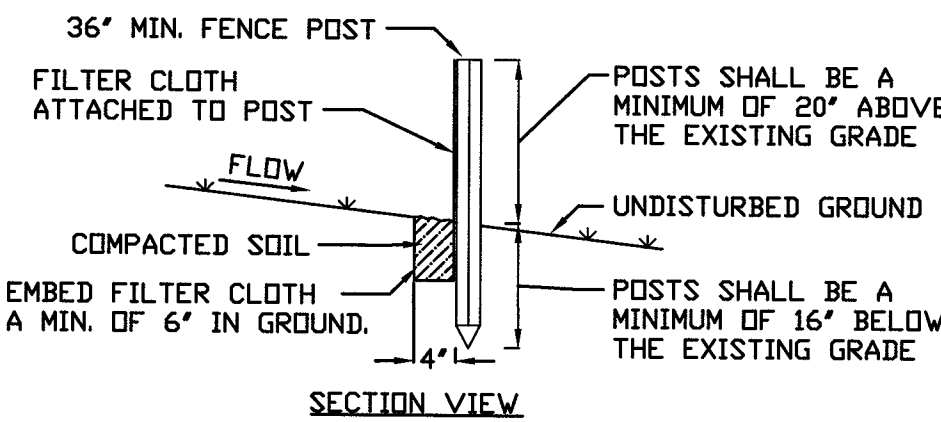
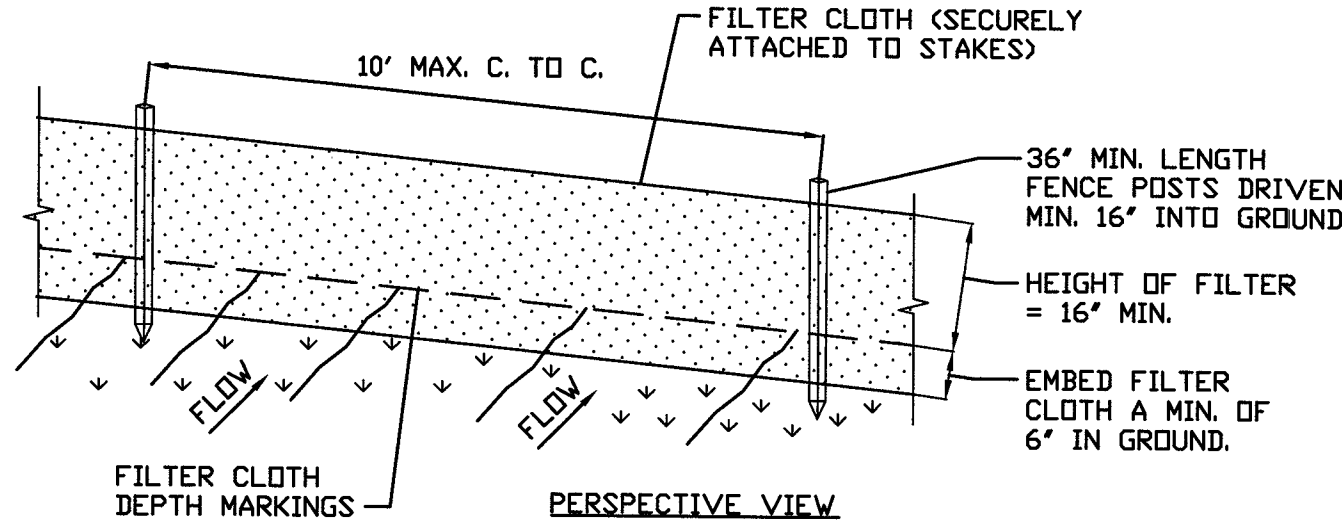


CONSTRUCTION SPECIFICATIONS

1. CLEAR THE AREA OF ALL DEBRIS THAT WILL HINDER EXCAVATION.
 2. GRADE APPROACH TO THE INLET UNIFORMLY AROUND THE BASIN.
 3. WEEP HOLES SHALL BE PROTECTED BY GRAVEL.
 4. UPON STABILIZATION OF CONTRIBUTING DRAINAGE AREA, SEAL WEEP HOLES, FILL BASIN WITH STABLE SOIL TO FINAL GRADE, COMPACT IT PROPERLY AND STABILIZE WITH PERMANENT SEEDING.
- MAXIMUM DRAINAGE AREA 1 ACRE

INLET PROTECTION DETAIL 1

NOT TO SCALE

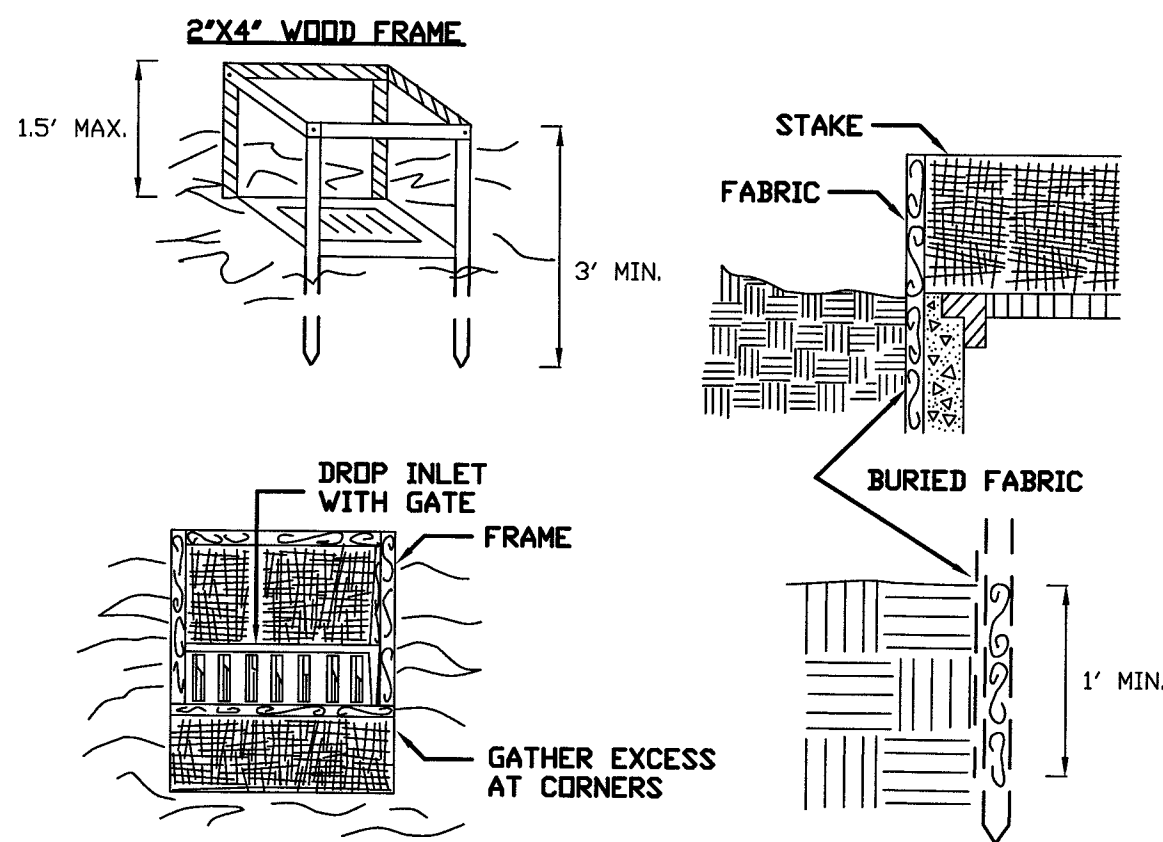


CONSTRUCTION SPECIFICATIONS

1. WOVEN FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
2. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
3. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE DETAIL (WITHOUT WIRE MESH BACKING)

NOT TO SCALE

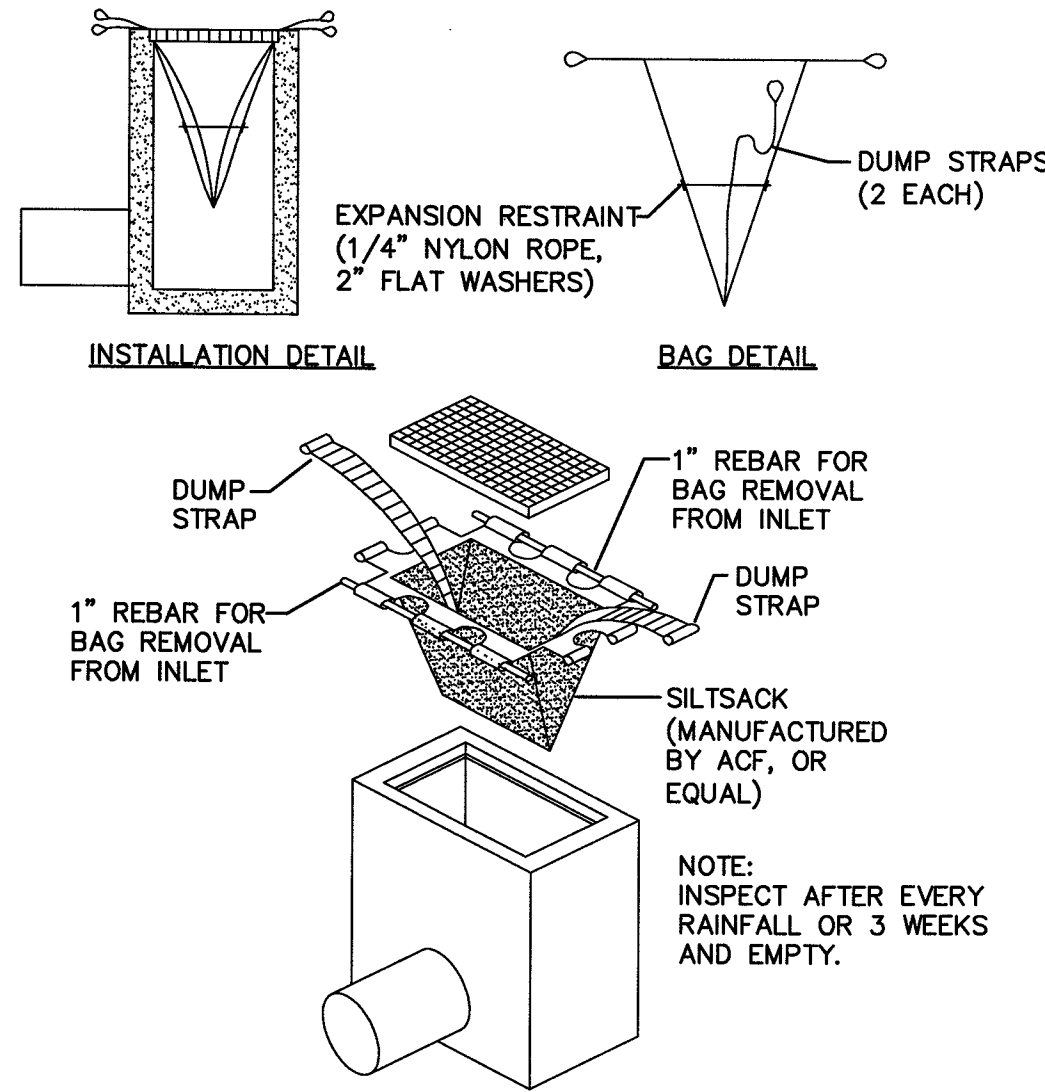


CONSTRUCTION SPECIFICATIONS

1. FILTER FABRIC SHALL HAVE AN EDS OF 40-85. BURLAP MAY BE USED FOR SHORT TERM APPLICATIONS.
 2. CUT FABRIC FROM A CONTINUOUS ROLL TO ELIMINATE JOINTS. IF JOINTS ARE NEEDED THEY WILL BE OVERLAPPED TO THE NEXT STAKE.
 3. STAKE MATERIALS WILL BE STANDARD 2" x 4" WOOD OR EQUIVALENT. METAL WITH A MINIMUM LENGTH OF 3 FEET.
 4. SPACE STAKES EVENLY AROUND INLET 3 FEET APART AND DRIVE A MINIMUM 18 INCHES DEEP. SPANS GREATER THAN 3 FEET MAY BE BRIDGED WITH THE USE OF WIRE MESH BEHIND THE FILTER FABRIC FOR SUPPORT.
 5. FABRIC SHALL BE EMBEDDED 1 FOOT MINIMUM BELOW GROUND AND BACKFILLED. IT SHALL BE SECURELY FASTENED TO THE STAKES AND FRAME.
 6. A 2' x 4' WOOD FRAME SHALL BE COMPLETED AROUND THE CREST OF THE FABRIC FOR OVER FLOW STABILITY.
- MAXIMUM DRAINAGE AREA 1 ACRE

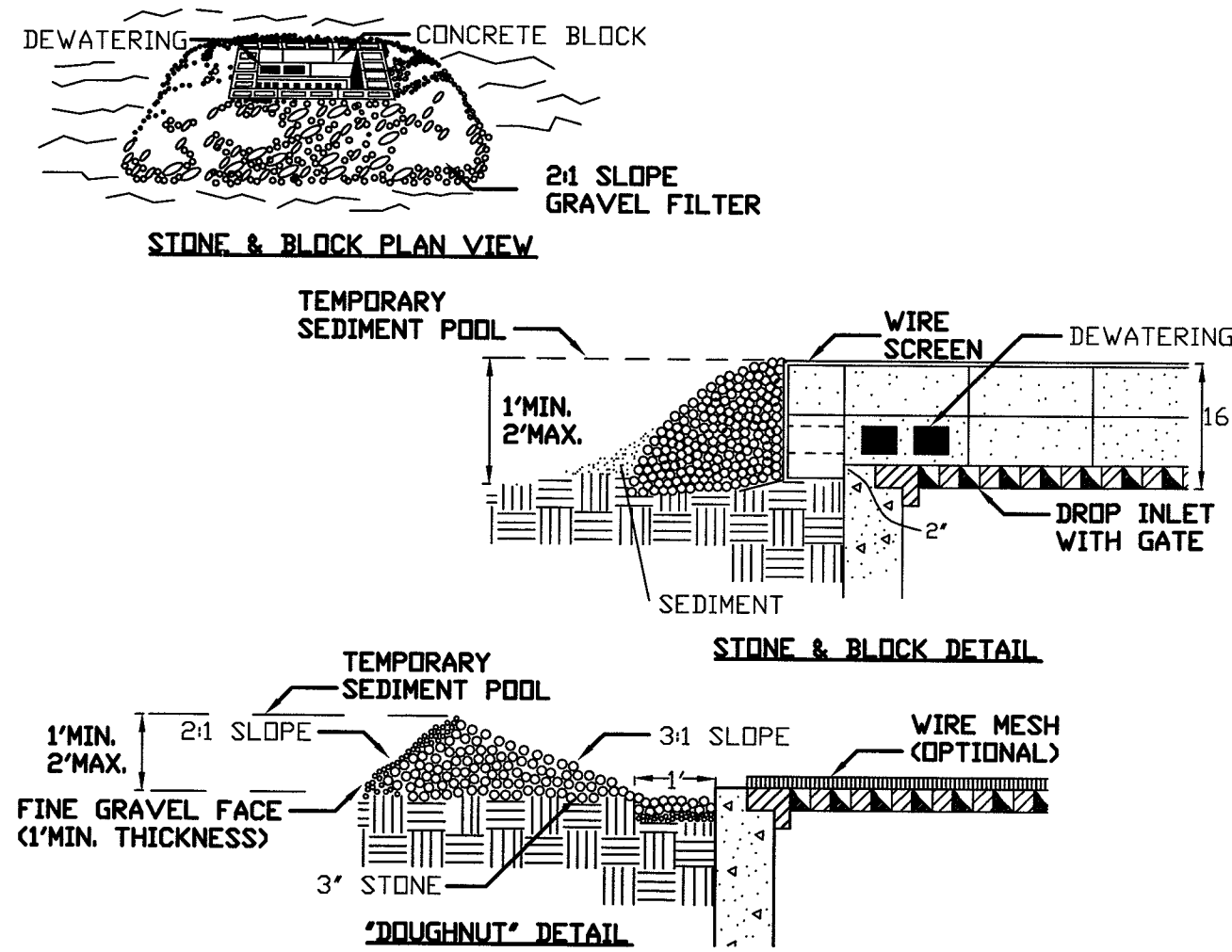
INLET PROTECTION DETAIL 2

NOT TO SCALE



SILT SACK DETAIL (INLET PROTECTION)

NOT TO SCALE



CONSTRUCTION SPECIFICATIONS

1. LAY ONE BLOCK ON EACH SIDE OF THE STRUCTURE ON ITS SIDE FOR DEWATERING. FOUNDATION SHALL BE 2 INCHES MINIMUM BELOW REST OF INLET AND BLOCKS SHALL BE PLACED AGAINST INLET FOR SUPPORT.
 2. HARDWARE CLOTH OR 1/2" WIRE MESH SHALL BE PLACED OVER BLOCK OPENINGS TO SUPPORT STONE.
 3. USE CLEAN STONE OR GRAVEL 1/2-3/4 INCH IN DIAMETER PLACED 2 INCHES BELOW TOP OF THE BLOCK ON A 2:1 SLOPE OR FLATTER.
 4. FOR STONE STRUCTURES ONLY, A 1 FOOT THICK LAYER OF THE FILTER STONE WILL BE PLACED AGAINST THE 3 INCH STONE AS SHOWN ON THE DRAWINGS.
- MAXIMUM DRAINAGE AREA 1 ACRE

INLET PROTECTION DETAIL 3

NOT TO SCALE

NOTE: INSTALL ONE OF THE INLET PROTECTION OPTIONS SHOWN FOLLOWING INSTALLATION OF THE PROPOSED CATCH BASINS AND YARD DRAINS



Carmina
Wood
Morris

487 Main Street Suite 600
Buffalo, New York 14203
P 716.842.3165
F 716.842.0263



REVISIONS:
No. Description Date

PROJECT NAME:

New Construction

Express Mart #389

Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07.20.15
Municipality Submission: 09/2015
Drawn by: JLP
Scale: As Noted

DRAWING NAME:

Demolition &
Erosion Control
Details

DRAWING NO.

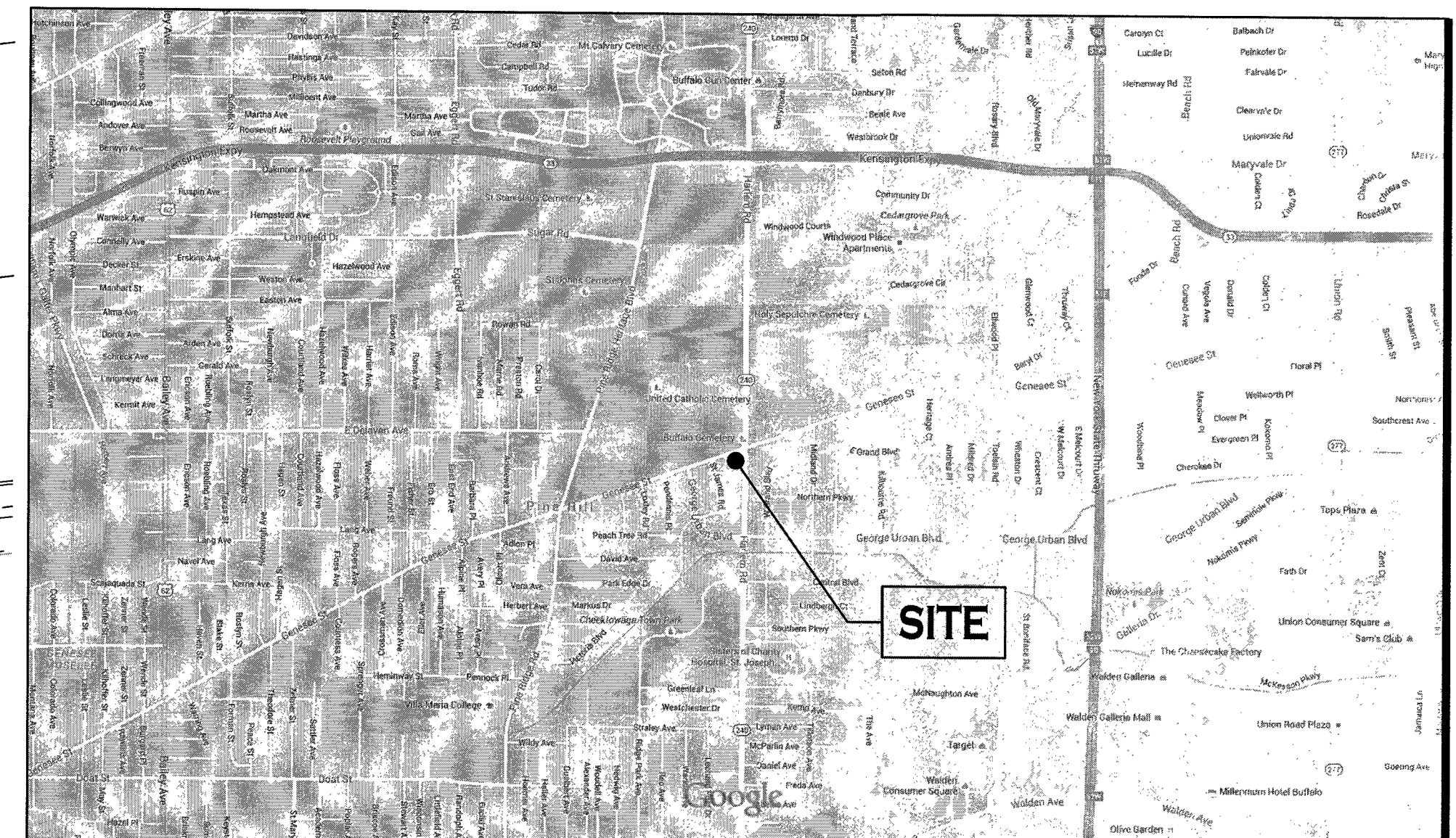
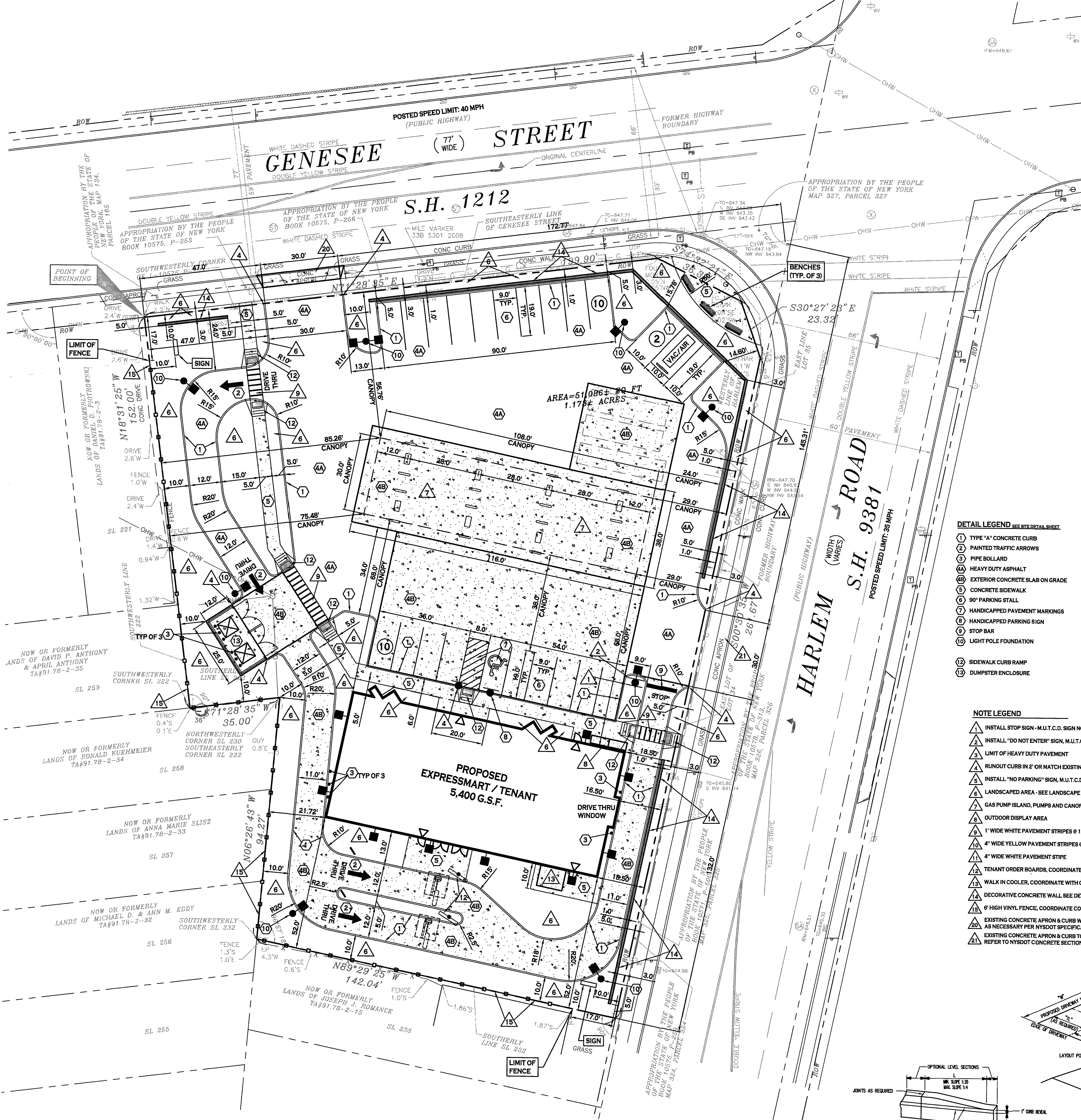
C-002

Project no.: 14.055

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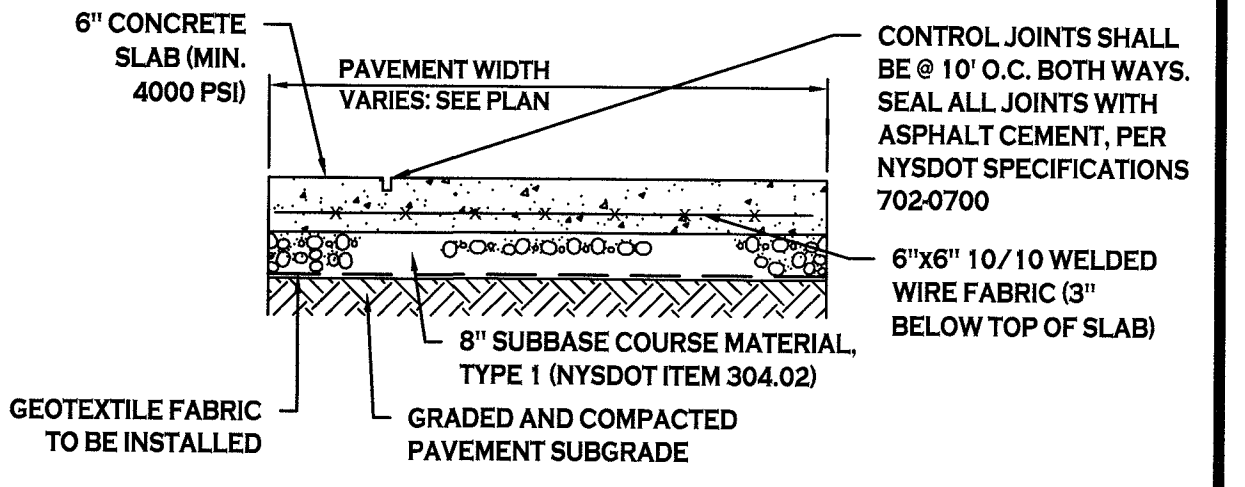


SITE LOCATION
SCALE: NONE

- NOTES:**
1. ALL RADII SHALL BE 3'-0" UNLESS OTHERWISE NOTED.
 2. ALL DISTURBED AREAS: SHALL HAVE 4" MIN. OF TOPSOIL AND SEED.
 3. ALL DIMENSIONS FROM PROPERTY LINES SHALL BE MEASURED PERPENDICULAR TO THE PROPERTY LINE.
 4. CENTER ENTRANCE SIDEWALKS ON DOOR OPENINGS.
 5. BUILDING DIMENSIONS ARE APPROXIMATE, REFER TO ARCHITECTURAL DRAWINGS FOR LAYOUT DIMENSIONS.
- GENERAL NOTES:**
1. INSTALL ALL MATERIALS TO MANUFACTURER'S RECOMMENDATIONS AND BEST STANDARDS OF TRADE INVOLVED.
 2. SUBSTITUTIONS SHALL BE MADE ONLY WITH OWNER'S APPROVAL AND BE OF EQUIVALENT QUALITY TO WHAT IS SPECIFIED.
 3. WORK SHALL BE COMPLETED IN STRICT ACCORDANCE WITH ALL LOCAL CODES AND OSHA SAFETY RULES AND REGULATIONS.
 4. VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS AT THE SITE. NOTIFY OWNER & ENGINEER OF DISCREPANCIES IN CONDITIONS SHOWN ON DRAWINGS PRIOR TO PROCEEDING WITH THE WORK.
 5. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTION OF ANY EXISTING STRUCTURES TO REMAIN AND ANY FINISH MATERIAL INSTALLED WHILE WORKING ON OTHER COMPONENTS.
 6. CONTRACTOR SHALL KEEP JOB FREE OF DEBRIS AND MAKE FINAL CLEANUP TO SATISFACTION OF OWNER.
 7. CONTRACTOR SHALL ASCERTAIN THE LOCATION OF ALL UTILITIES PRIOR TO CONSTRUCTION SO THAT THIS WORK WILL NOT DISTURB EXISTING LINES AND/OR INSTALLATIONS. COORDINATE ALL WORK WITH THE APPLICABLE UTILITY COMPANIES.
 8. CONTRACTOR SHALL OBTAIN AND PAY FOR ALL REQUIRED PERMITS NECESSARY TO PERFORM THE WORK.

- DETAIL LEGEND** SEE SITE DETAIL SHEET
- 1 TYPE "A" CONCRETE CURB
 - 2 PAINTED TRAFFIC ARROWS
 - 3 PIPE BOLLARD
 - 4A HEAVY DUTY ASPHALT
 - 4B EXTERIOR CONCRETE SLAB ON GRADE
 - 5 CONCRETE SIDEWALK
 - 6 90° PARKING STALL
 - 7 HANDICAPPED PAVEMENT MARKINGS
 - 8 HANDICAPPED PARKING SIGN
 - 9 STOP BAR
 - 10 LIGHT POLE FOUNDATION
 - 12 SIDEWALK CURB RAMP
 - 13 DUMPSTER ENCLOSURE

- NOTE LEGEND**
- 1 INSTALL STOP SIGN - M.U.T.C.D. SIGN NO. R1-1B
 - 2 INSTALL "DO NOT ENTER" SIGN, M.U.T.C.D. SIGN NO. R5-1C
 - 3 LIMIT OF HEAVY DUTY PAVEMENT
 - 4 RUNOUT CURB IN 2' OR MATCH EXISTING CURB
 - 5 INSTALL "NO PARKING" SIGN, M.U.T.C.D. SIGN NO. R7-1C
 - 6 LANDSCAPED AREA - SEE LANDSCAPE PLAN, IF NO PLANTINGS, INSTALL TOPSOIL & SEED
 - 7 GAS PUMP ISLAND, PUMPS AND CANOPY DESIGNED BY OTHERS
 - 8 OUTDOOR DISPLAY AREA
 - 9 1" WIDE WHITE PAVEMENT STRIPES @ 1' SPACING BETWEEN 4" WIDE WHITE CROSSWALK LINES
 - 10 4" WIDE YELLOW PAVEMENT STRIPES @ 2' O.C. & @ 45° TO PARKING LINES
 - 11 4" WIDE WHITE PAVEMENT STRIPE
 - 12 TENANT ORDER BOARDS, COORDINATE WITH OWNER
 - 13 WALK IN COOLER, COORDINATE WITH OWNER
 - 14 DECORATIVE CONCRETE WALL SEE DETAIL SHEET C-200, CONTRACTOR TO COORDINATE WITH OWNER
 - 15 6" HIGH VINYL FENCE, COORDINATE COLOR & STYLE WITH OWNER
 - 16 EXISTING CONCRETE APRON & CURB WITHIN THE PROPOSED DRIVEWAY LIMITS TO BE REMOVED/REPLACED AS NECESSARY PER NYSDOT SPECIFICATIONS, REFER TO NYSDOT CONCRETE SECTION DETAIL
 - 17 EXISTING CONCRETE APRON & CURB TO REMAIN, REPLACE AS NECESSARY PER NYSDOT SPECIFICATIONS, REFER TO NYSDOT CONCRETE SECTION DETAIL

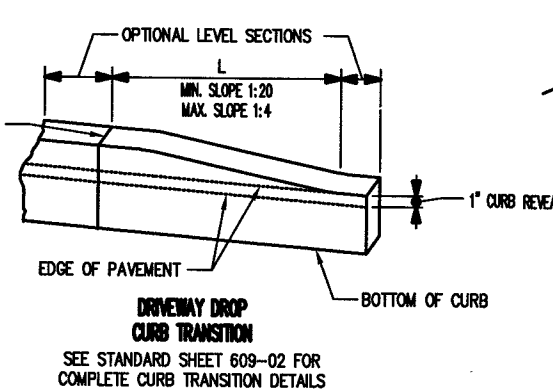
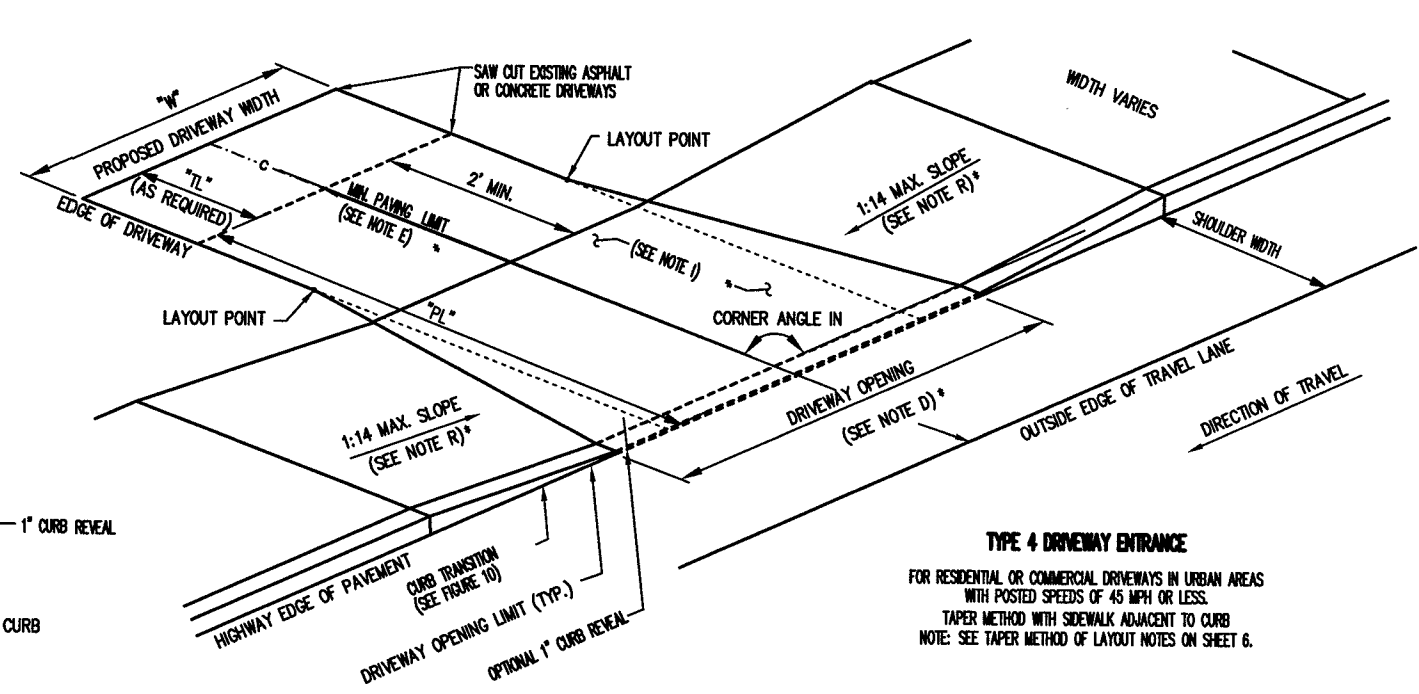


- NOTES:**
1. CONCRETE PAVEMENT MATERIAL SHALL CONFORM TO NYSDOT STANDARD SPECIFICATIONS 501 & CONSTRUCTION METHODS SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 502.3.
 2. PROPOSED CONCRETE FINISH SHALL BE: BROOM FINISH.
 3. ALL JOINTS MUST BE CUT WITHIN 24 HOURS OF POURING CONCRETE IF CONTRACTOR ELECTS TO SAW-CUT THE CONTROL JOINTS.

**N.Y.S.D.O.T. CONCRETE SECTION
(DRIVEWAY & SIDEWALKS)
N.T.S.**

- SITE LEGEND**
- PROPERTY LINE
 - PROPOSED CURB
 - PROPOSED SIDEWALK / CONCRETE PAD
 - NUMBER OF PARKING SPACES
 - PROPOSED SIGN
 - PROPOSED LIGHT POLE W/ SINGLE FIXTURE
 - PROPOSED LIGHT POLE W/ DOUBLE FIXTURE
 - PROPOSED WALL MOUNTED FIXTURE

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS, CARMINA WOOD MORRIS, D.P.C. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.



**N.Y.S.D.O.T. MINOR COMMERCIAL DRIVEWAY LAYOUT
N.T.S.**



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STATE OF NEW YORK
J. CHRISTOPHER WOOD
076394
LICENSED PROFESSIONAL ENGINEER

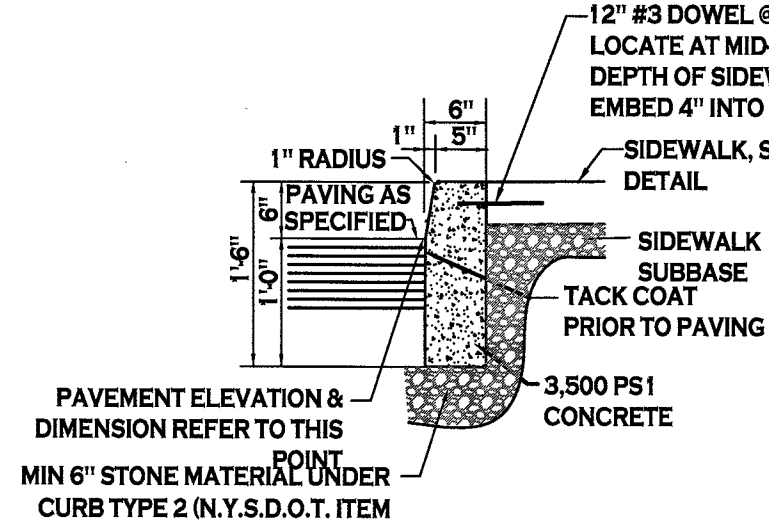
| REVISIONS: | Date |
|------------|-------------|
| No. | Description |

Express Mart #389
New Construction
Corner of Harlem & Genee
Cheektowaga, NY

Issued for Construction: 07.20.15
Municipality Submission: 09/2015
Drawn by: JLP
Scale: As Noted

DRAWING NAME:
Site Plan

DRAWING NO.
C-100
Project no.: 14.055
Packet Pg. 39

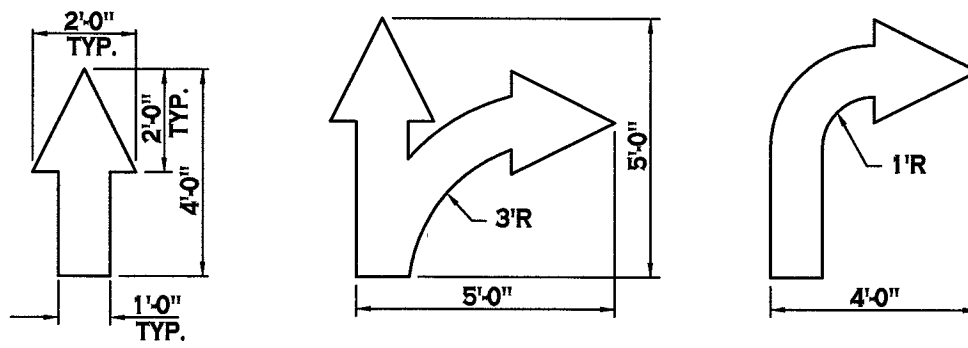


ABUTTING SIDEWALK

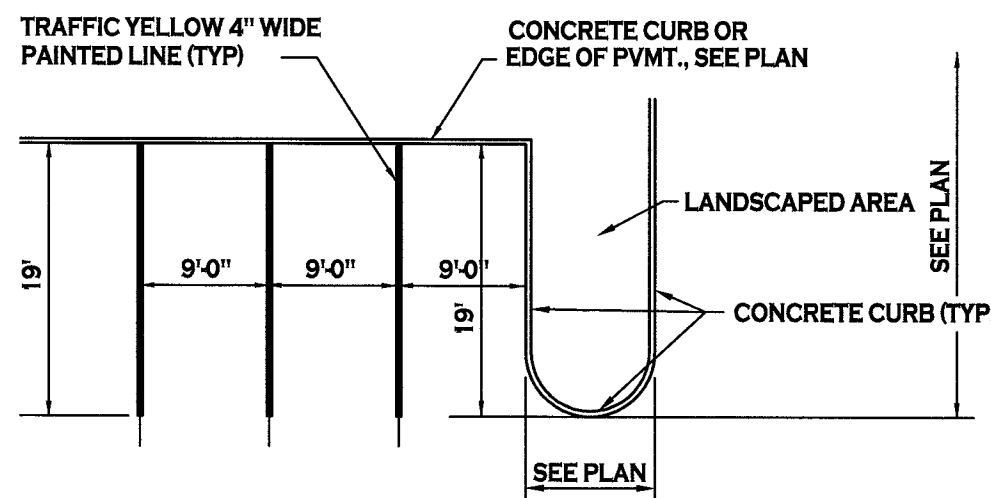
NOTES:

- CONTROL JOINTS TO BE 2" DEEP AT 15'-0" O.C. - SEE SPECIFICATIONS FOR FURTHER JOINT REQUIREMENTS NYSDOT 702-0700.
- WHERE THE CURB DROPS (IS FLUSH WITH ASPHALT) THE DEPTH OF CURB BELOW GRADE SHALL BE INCREASED TO 1'-6" AND OTHER DIMENSIONS ADJUSTED ACCORDINGLY.

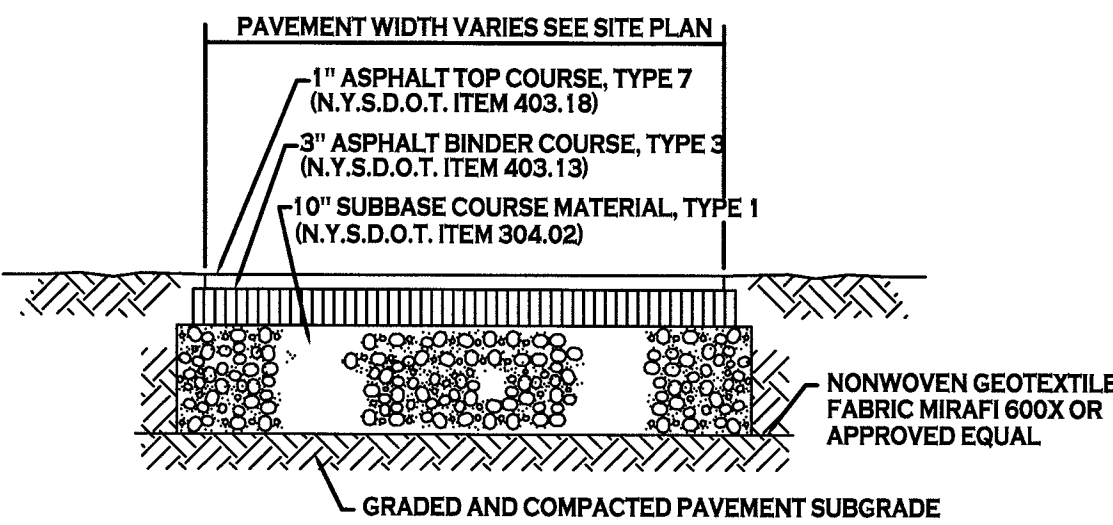
TYPE "A" CONCRETE CURB - 1



PAINTED TRAFFIC ARROWS - 2

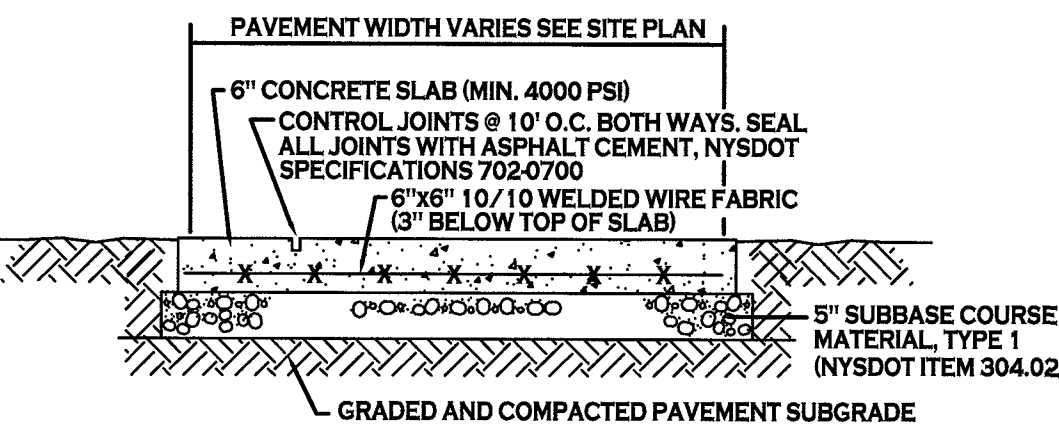


90° PARKING STALL LAYOUT - 6



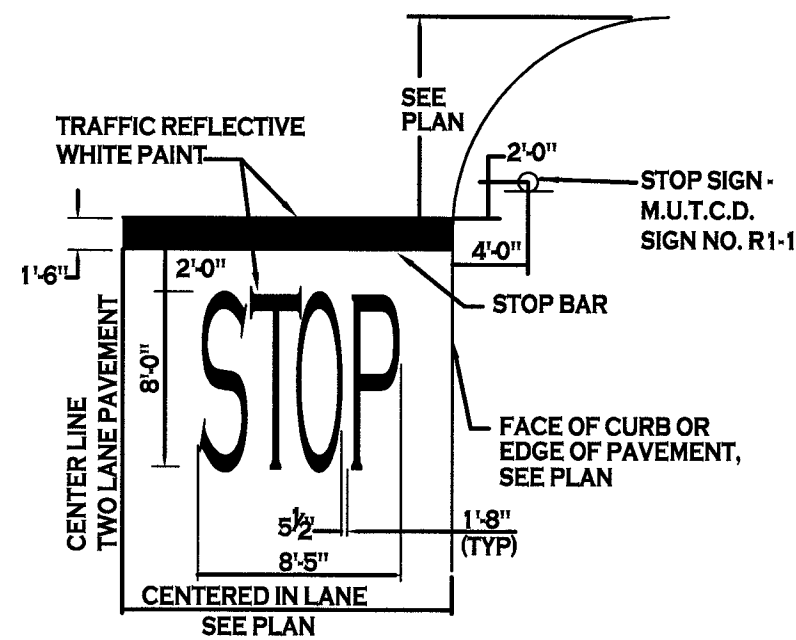
NOTE: CONSTRUCTION METHODS FOR ASPHALT PAVEMENT SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 401.3, WITH SUBBASE CONSTRUCTION METHODS CONFORMING TO NYSDOT STANDARD SPECIFICATION 304.3.

HEAVY DUTY ASPHALT SECTION - 4A

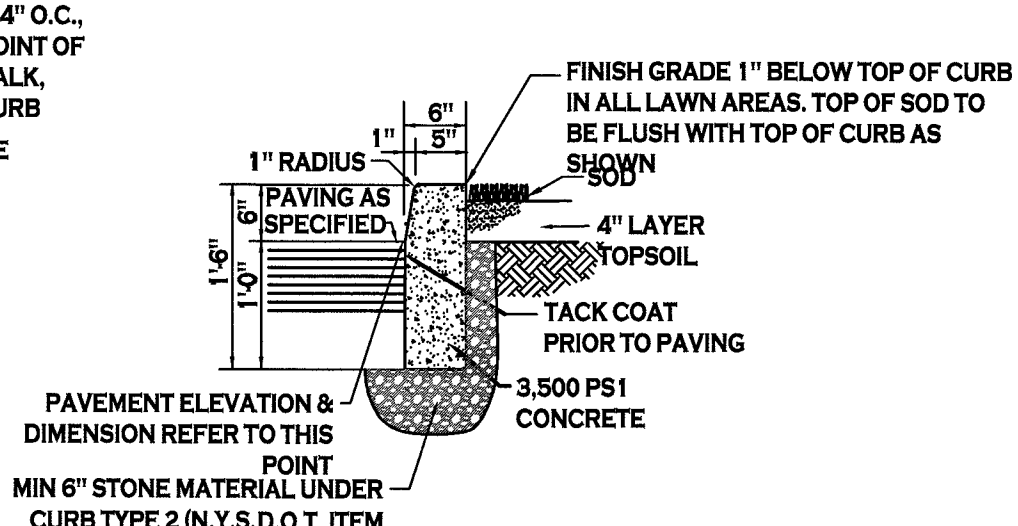


NOTE: CONCRETE PAVEMENT MATERIAL SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 501 AND CONSTRUCTION METHODS SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 502.3.

EXTERIOR CONCRETE SLAB-ON-GRADE SECTION - 4B



STOP BAR DETAIL - 9



ABUTTING LANDSCAPE/GRASS

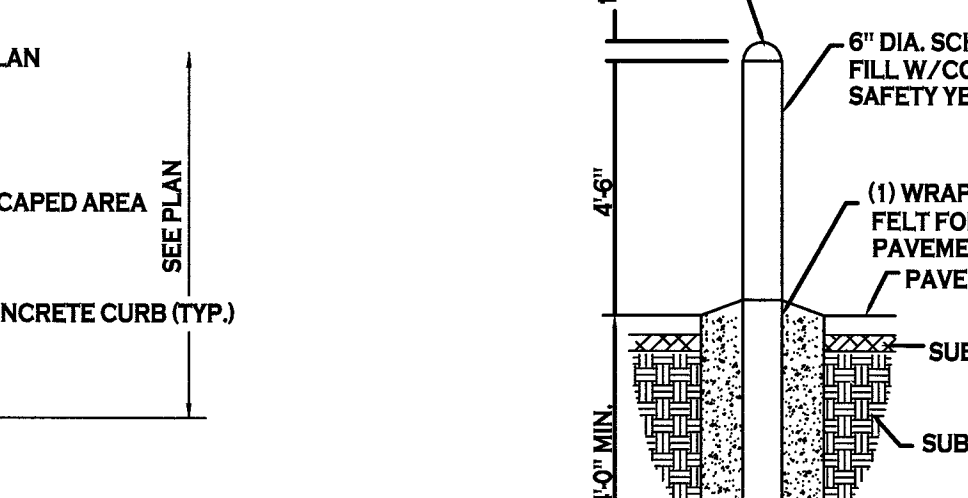
NOTES:

- CONTROL JOINTS TO BE 2" DEEP AT 15'-0" O.C. - SEE SPECIFICATIONS FOR FURTHER JOINT REQUIREMENTS NYSDOT 702-0700.
- WHERE THE CURB DROPS (IS FLUSH WITH ASPHALT) THE DEPTH OF CURB BELOW GRADE SHALL BE INCREASED TO 1'-6" AND OTHER DIMENSIONS ADJUSTED ACCORDINGLY.

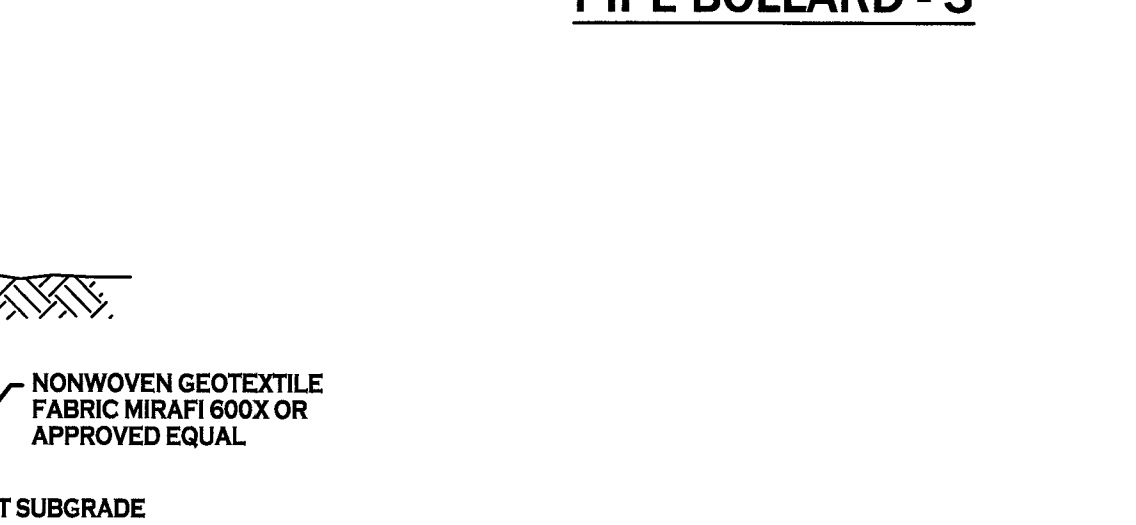
TYPE "A" CONCRETE CURB - 1



PAINTED TRAFFIC ARROWS - 2

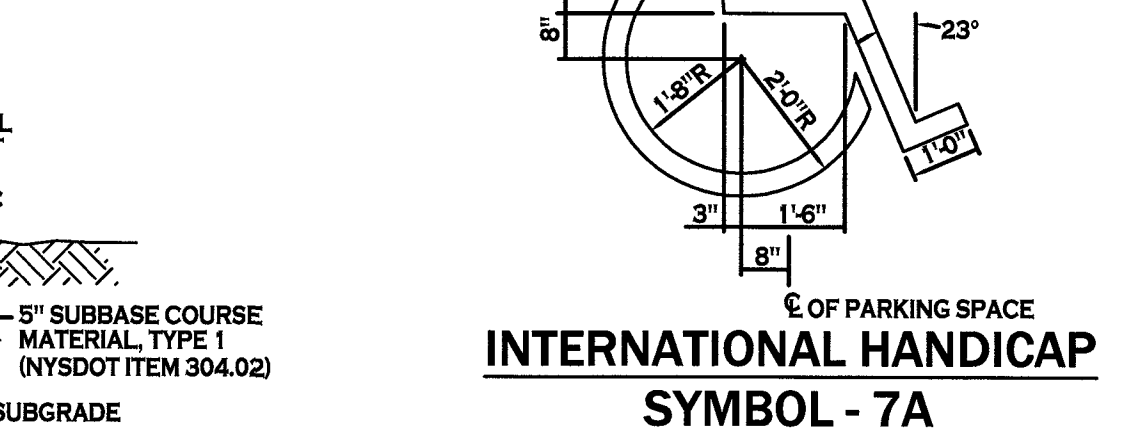


90° PARKING STALL LAYOUT - 6



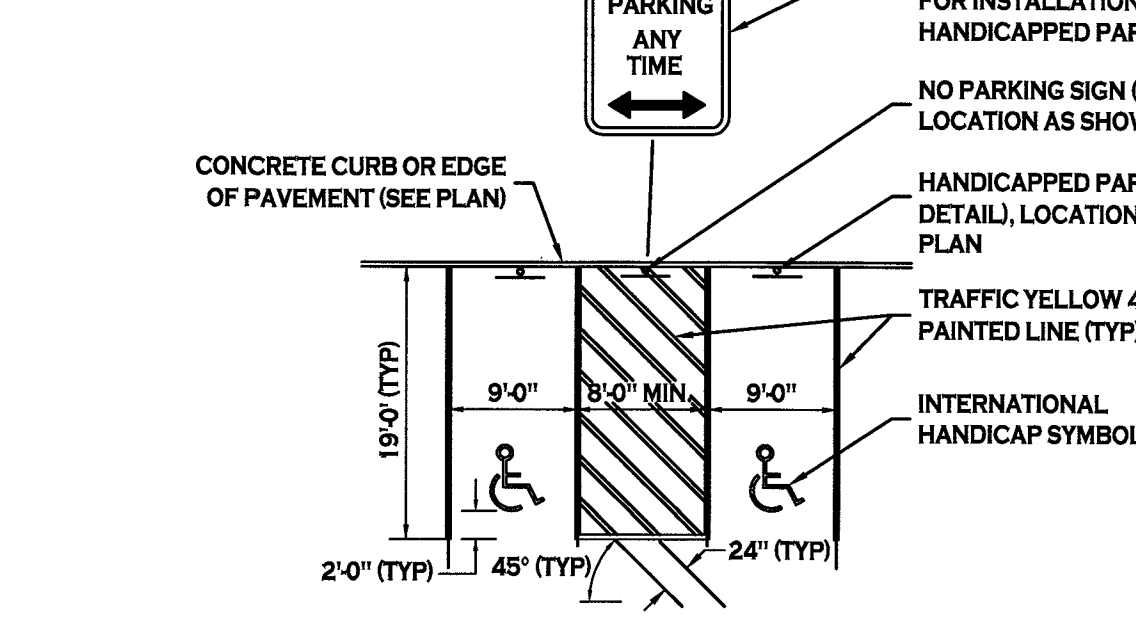
NOTE: CONSTRUCTION METHODS FOR ASPHALT PAVEMENT SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 401.3, WITH SUBBASE CONSTRUCTION METHODS CONFORMING TO NYSDOT STANDARD SPECIFICATION 304.3.

HEAVY DUTY ASPHALT SECTION - 4A

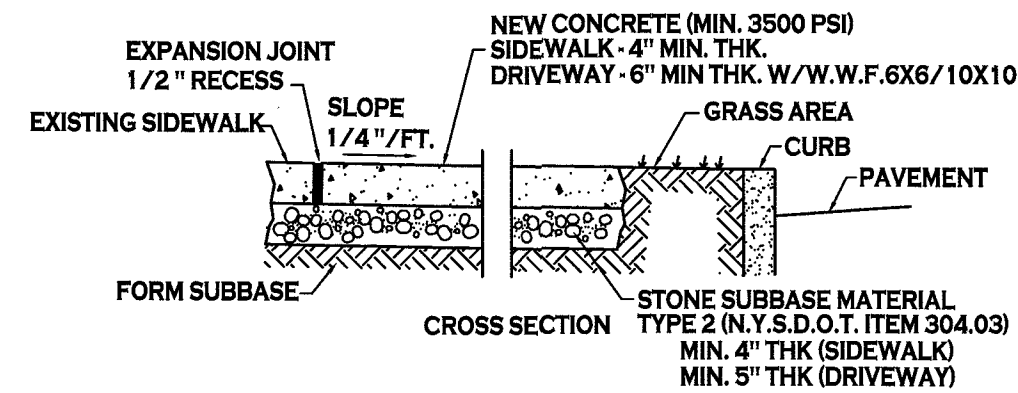


NOTE: CONCRETE PAVEMENT MATERIAL SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 501 AND CONSTRUCTION METHODS SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 502.3.

EXTERIOR CONCRETE SLAB-ON-GRADE SECTION - 4B



STOP BAR DETAIL - 9

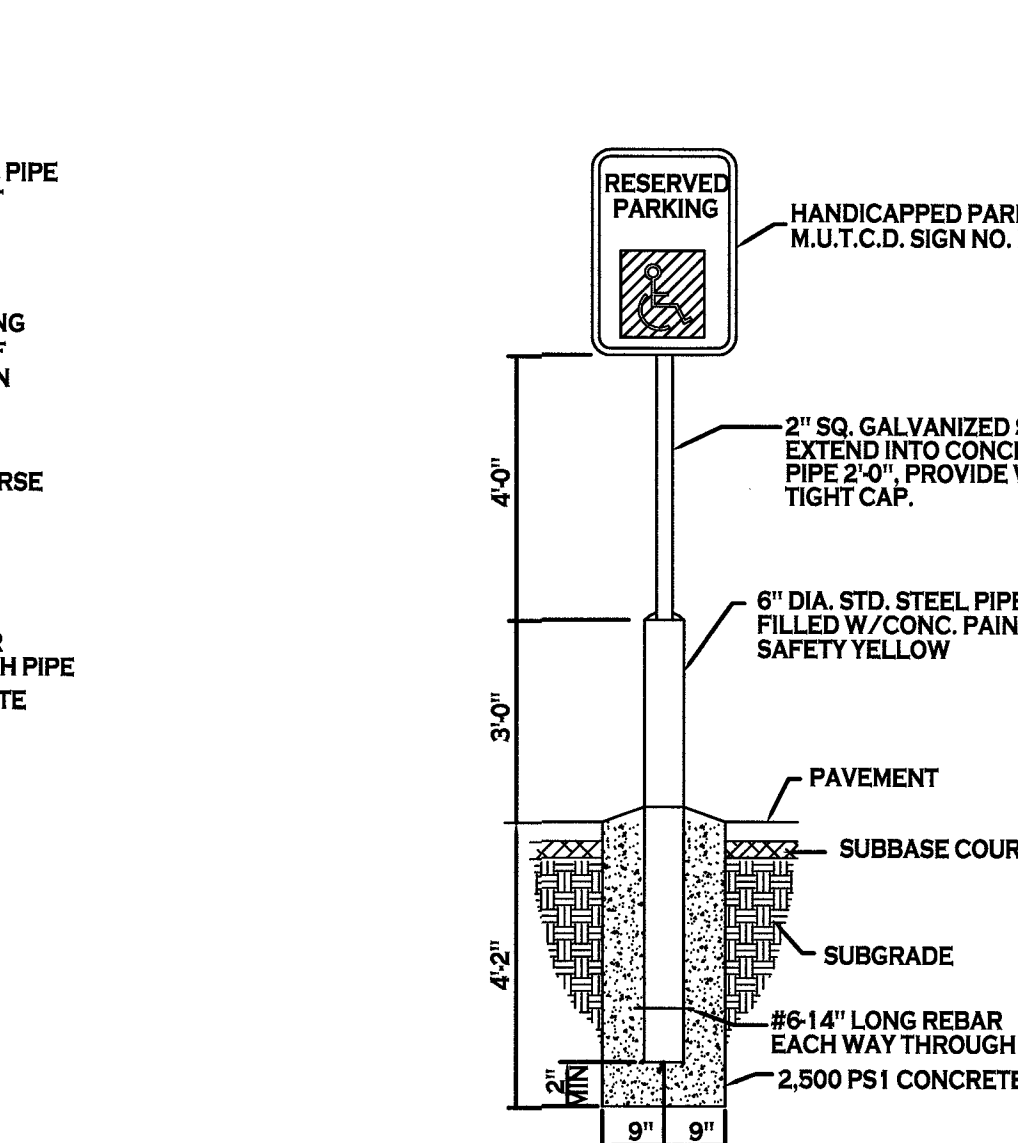


CONCRETE SIDEWALK - 5

NOTES:

- CONTROL JOINTS TO BE AT 5'-0" O.C., BOTH WAYS WHERE APPLICABLE. SEE SPECIFICATIONS FOR FURTHER JOINT REQUIREMENTS NYSDOT 702-0700.
- CONCRETE SIDEWALK AND DRIVEWAY MATERIAL SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 501 AND CONSTRUCTION METHODS SHALL CONFORM TO NYSDOT STANDARD SPECIFICATION 609.3.
- SUBBASE GRADE SHALL FOLLOW THE PROPOSED GRADE OF THE SIDEWALK AND SLOPE AWAY FROM BUILDING WHERE APPLICABLE, PROVIDE CONTINUOUS STONE PATH TO CURB UNDERDRAIN WHERE PROVIDED.
- FULL DEPTH EXPANSION JOINTS SHALL BE INSTALLED EVERY 20' O.C., BOTHWAYS WHERE APPLICABLE. SEE SPECIFICATIONS FOR FURTHER JOINT REQUIREMENTS NYSDOT 702-0700.
- SEE CURB DETAIL FOR DOWLING REQUIREMENTS WHERE ABUTTING CURB.
- INSTALL 6" LONG #3 DOWELS @ 12" O.C. WHERE SIDEWALK ABUTS A BUILDING WALL AT AN ENTRANCE, THICKEN SIDEWALK TO 6" AT BUILDING WALL AND INSTALL DOWEL CENTERED IN THE 6" DEPTH. DOWELS AND THICKENING OF SIDEWALK SHALL EXTEND 18" EITHER SIDE OF ENTRANCE.
- INSTALL 1/2" PREMOLDED EXPANSION JOINT WITH BACKER ROD & SEALANT WHERE SIDEWALK ABUTS BUILDING OR OTHER STRUCTURE.

CONCRETE SIDEWALK - 5

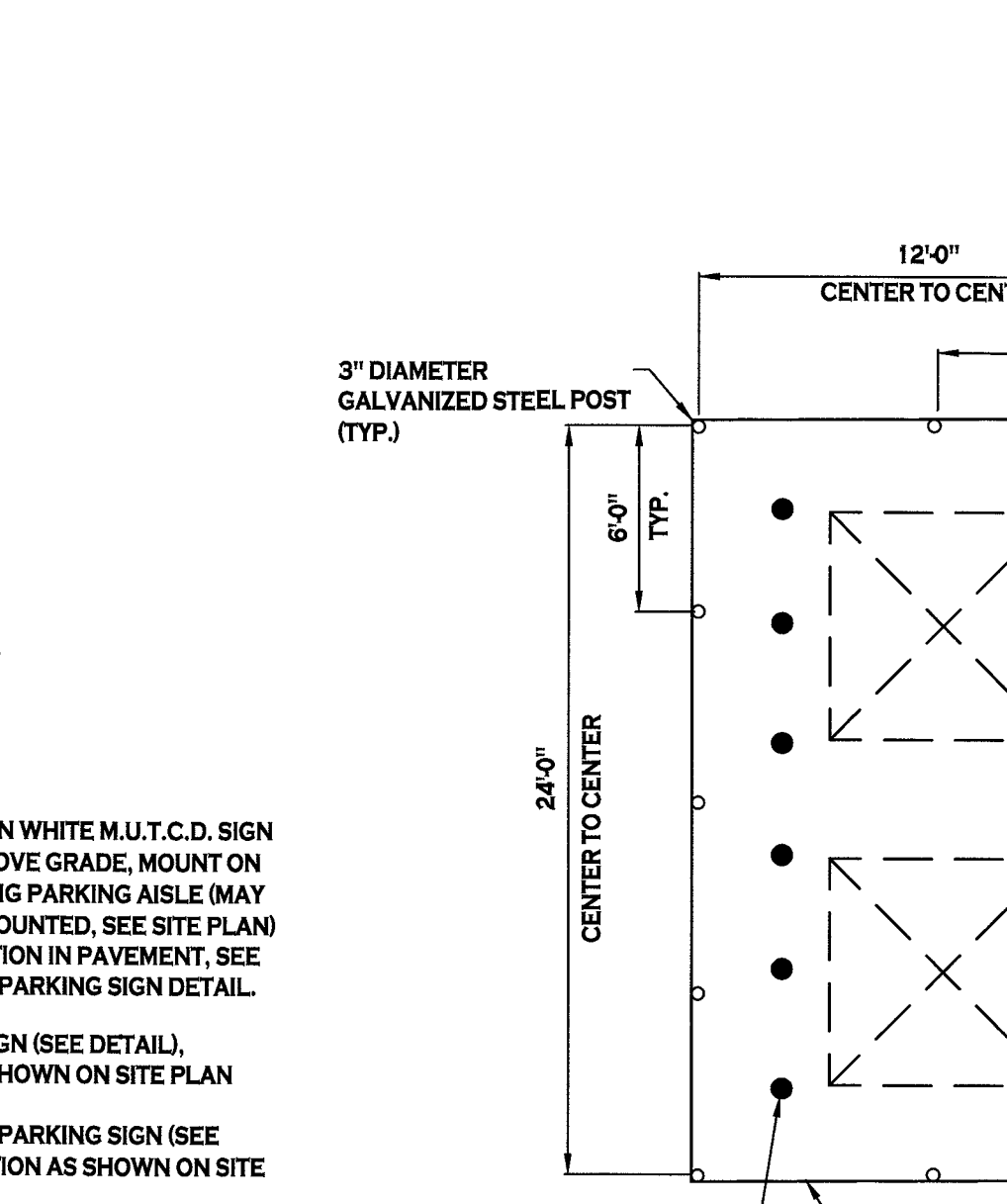


PIPE BOLLARD - 3

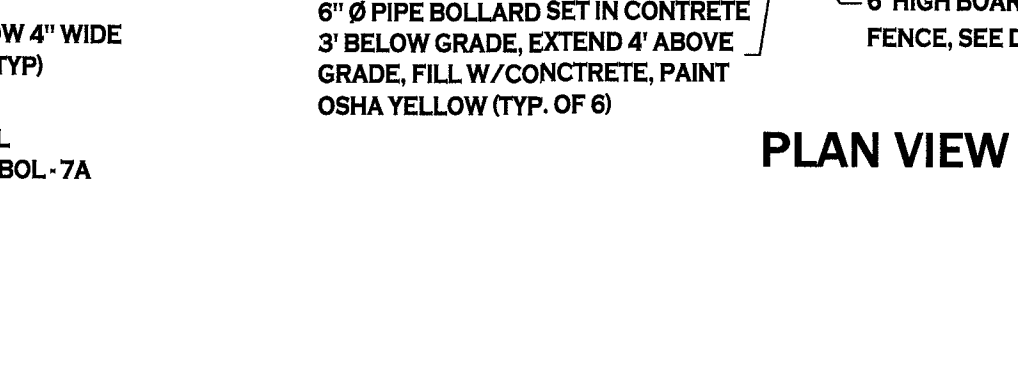
NOTES:
1. HANDICAPPED PARKING SIGN SHALL CONFORM WITH CURRENT STATE AND LOCAL CODES AND REGULATIONS.

HANDICAPPED PARKING SIGN - 8

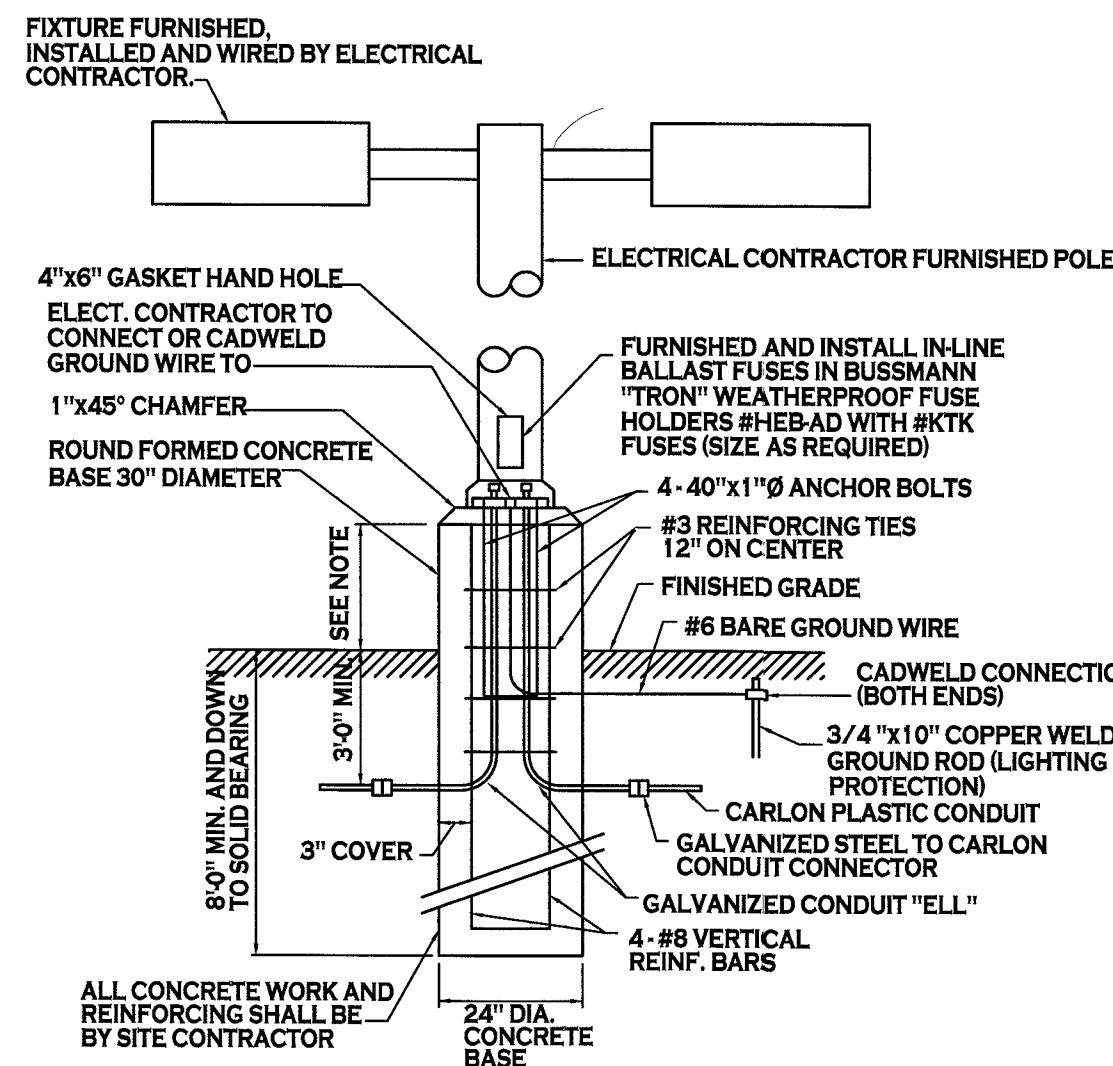
INSTALLED IN PAVEMENT



INTERNATIONAL HANDICAP SYMBOL - 7A



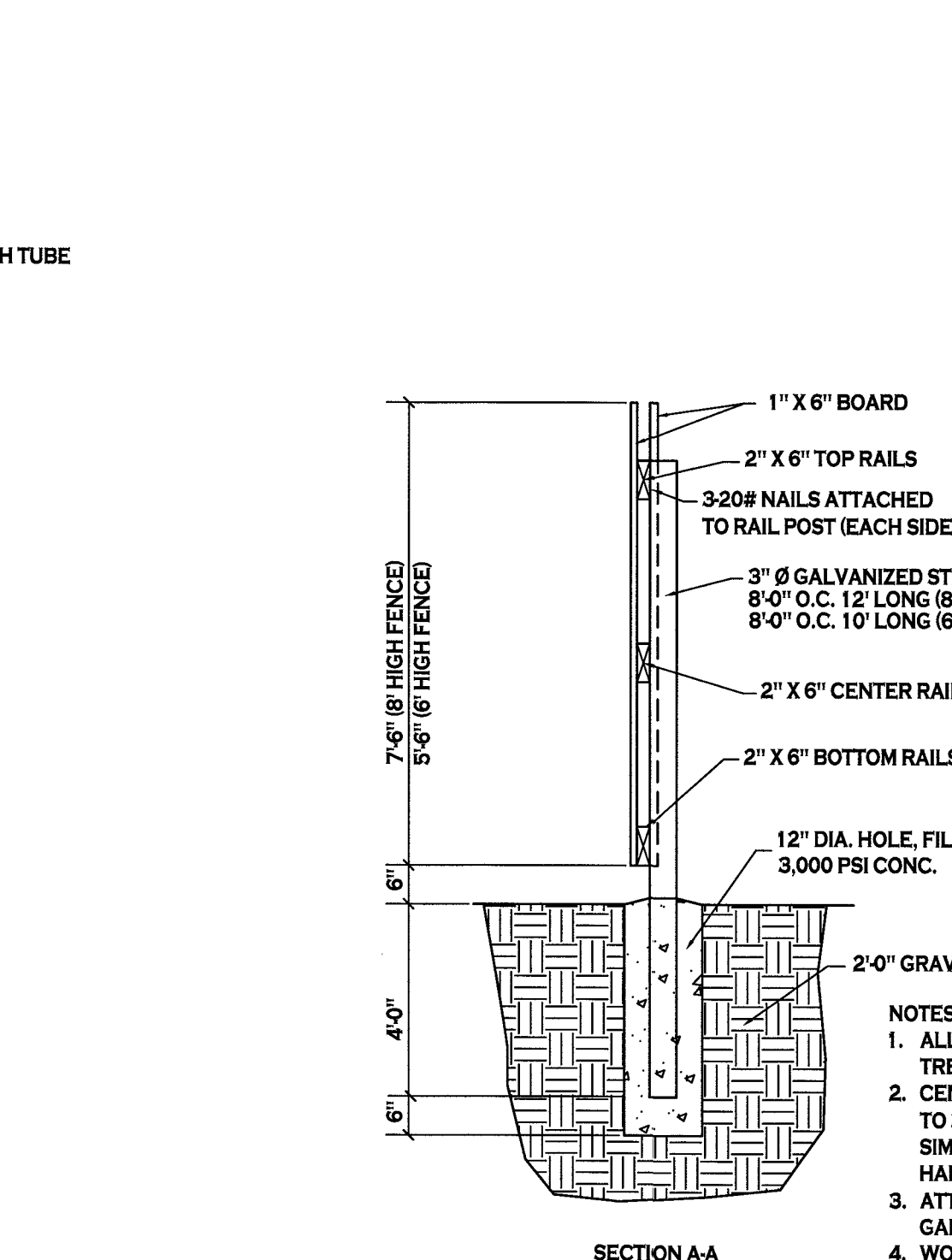
HANDICAPPED PAVEMENT MARKINGS & SIGNAGE - 7



NOTES:

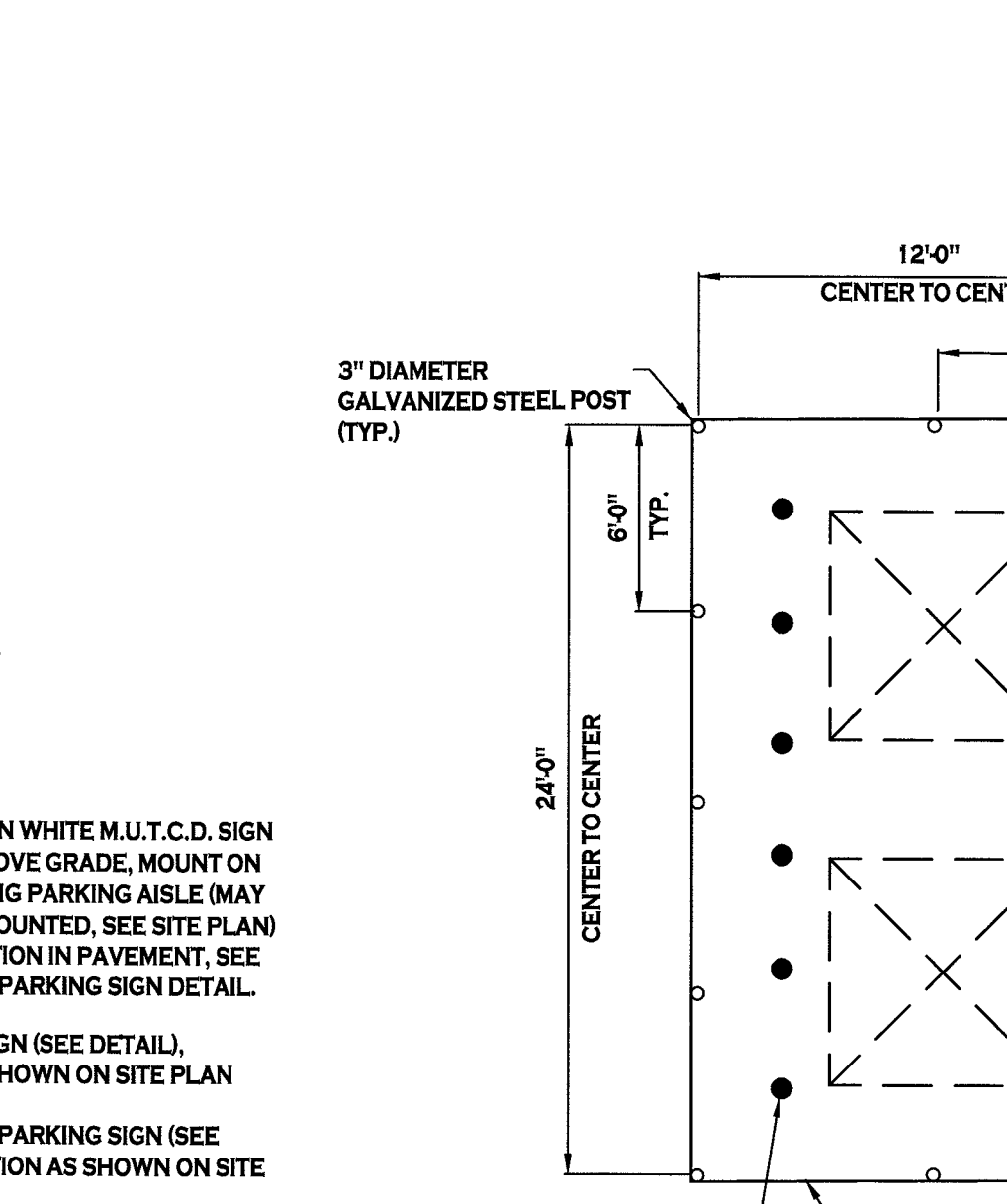
- FOR LOCATIONS OF FOUNDATIONS SEE SITE PLAN
- FOR LIGHT FIXTURE ORDERING INFORMATION SEE SITE LIGHTING PLAN
- LIGHT POLE BASE EXPOSURE ABOVE GRADE SHALL BE:
IN CURBED ISLANDS: 6" ABOVE TOP OF CURB ELEVATION
IN PAVEMENT: 3" ABOVE GRADE
IN NON-CURBED GRASS AREAS: 6" ABOVE GRADE

LIGHT POLE FOUNDATION - 10

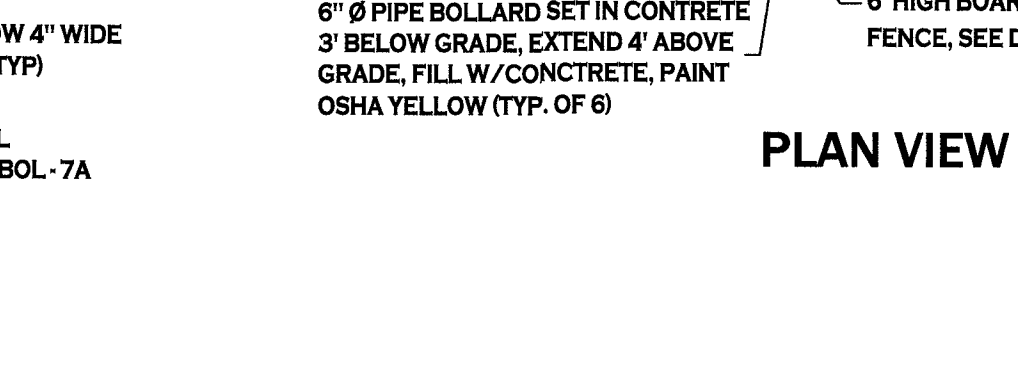


HANDICAPPED PARKING SIGN - 8

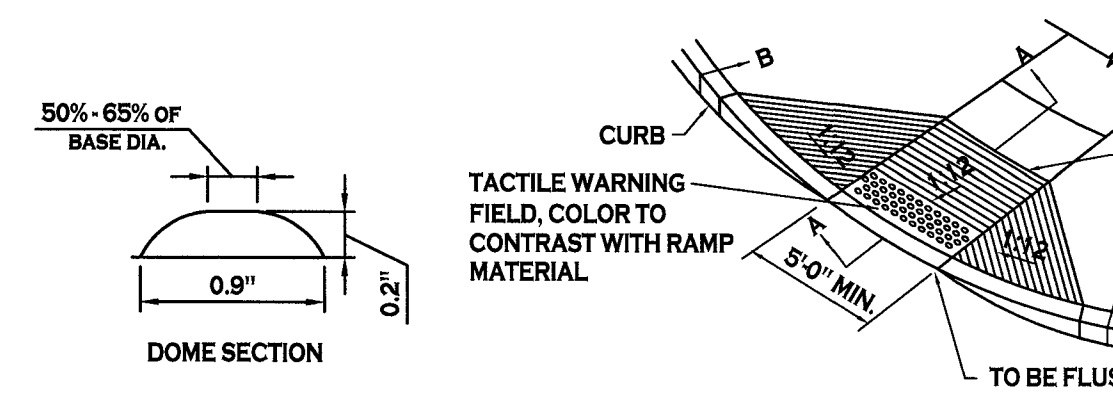
INSTALLED IN PAVEMENT



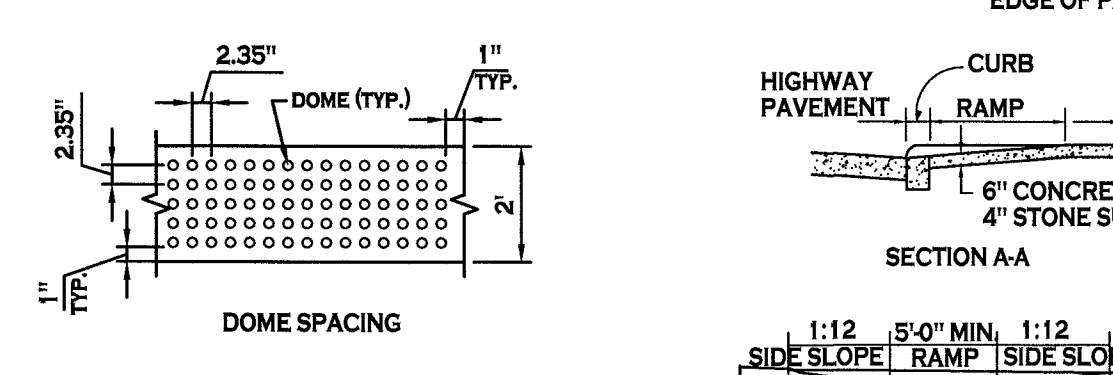
INTERNATIONAL HANDICAP SYMBOL - 7A



HANDICAPPED PAVEMENT MARKINGS & SIGNAGE - 7



SIDEWALK CURB RAMP - 12

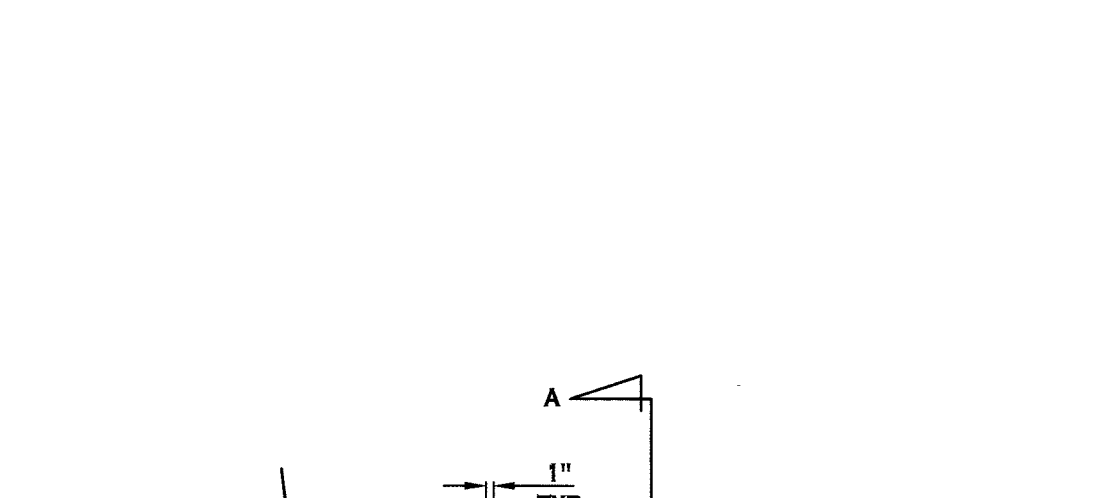


NOTE: TACTILE WARNING DEVICES SHALL BE PER ICC/ANSI A117.1-1998, SECTION 705.3.1.2 OR CURRENT UPDATE

SIDEWALK CURB RAMP - 12

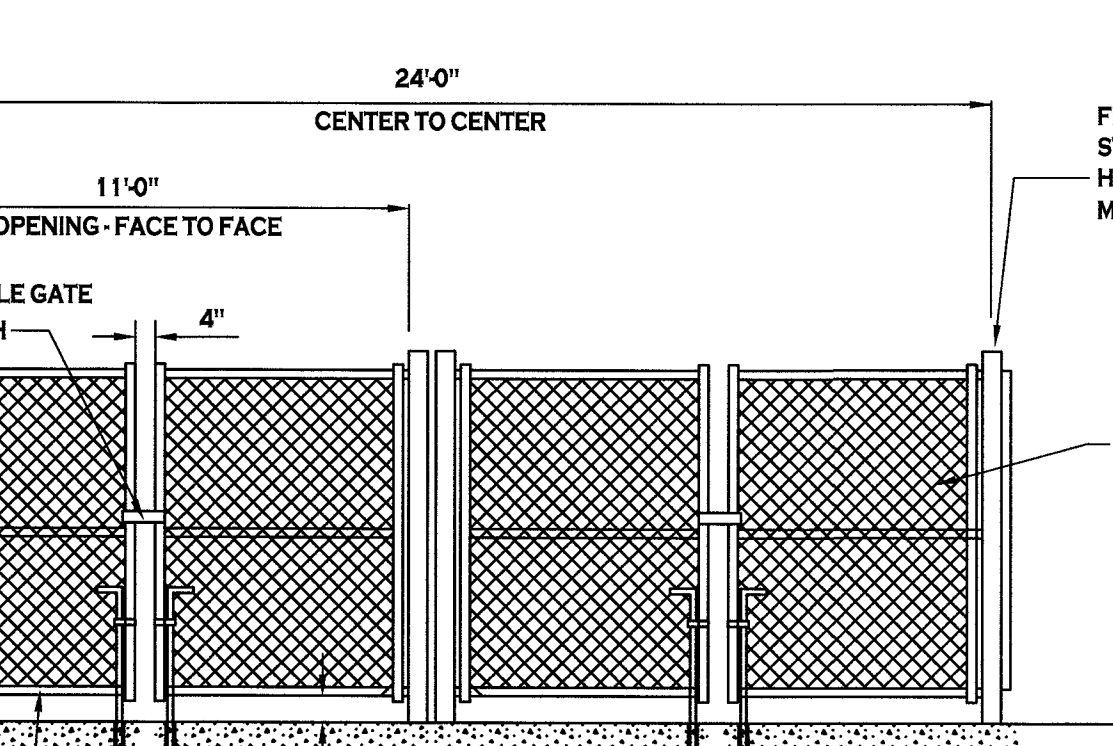


SIDEWALK CURB RAMP - 12



- ALL WOODEN FENCE MATERIAL TO BE PRESSURE TREATED PINE.
- CENTER, BOTTOM AND TOP RAILS TO BE FASTENED TO 3" Ø GALVANIZED STEEL FENCE POSTS USING SIMPSON PIPE GRIP TIES OR EQUAL. ALL HARDWARE TO BE GALVANIZED.
- ATTACH EACH 1" X 6" BOARD TO RAILS USING (3) GALVANIZED NAILS AT EACH RAIL LOCATION.
- WOOD POSTS CAN BE SUBSTITUTED FOR STEEL.

BOARD ON BOARD FENCE FENCE - FOR DUMPSTER ENCLOSURE

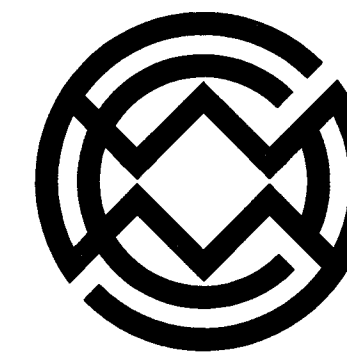


CHAIN LINK FENCE GATE NOTES:

- GATE POST FOOTINGS TO BE MIN. 36" DEEP x (4x) POST DIAMETER, EXTEND POST TO WITHIN 6" OF BOTTOM.
- GATE FRAMES TO BE 2" SQ. GALVANIZED STEEL, WEIGHING 2.60 LB/FT IN ACCORDANCE WITH ASTM F 900.
- CHAIN LINK FENCE FABRIC SHALL BE 2" MESH, 9 GAUGE, ZINC COATED STEEL CORE WIRE. INSTALL MESH WITH HOOK BOLTS AND TENSION BARS ON ALL 4 SIDES, ATTACH AT 15" MAX.
- DOUBLE GATE LATCH TO BE FORKED TYPE CAPABLE OF RETAINING GATE IN CLOSED POSITION AND HAVE PROVISION FOR PAD LOCK. LATCH SHALL BE OPERABLE FROM EITHER SIDE OF GATE.
- ALL HARDWARE TO BE HOT DIPPED GALVANIZED STEEL TO SUIT GATE SIZE.

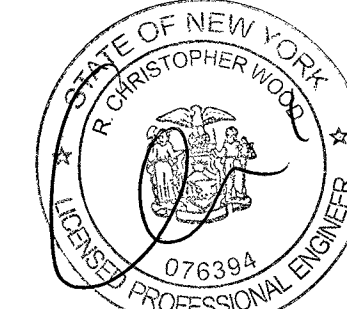
FRONT VIEW

DUMPSTER ENCLOSURE - 13



Carmina Wood Morris

487 Main Street Suite 600
Buffalo, New York 14203
P 716.842.3165
F 716.842.0263



Date

REVISIONS:
No. Description

PROJECT NAME:

New Construction
Express Mart #389
Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07.20.15
Municipality Submission: 09/2015
Drawn by: JLP
Scale: As Noted

DRAWING NAME:

Site
Details

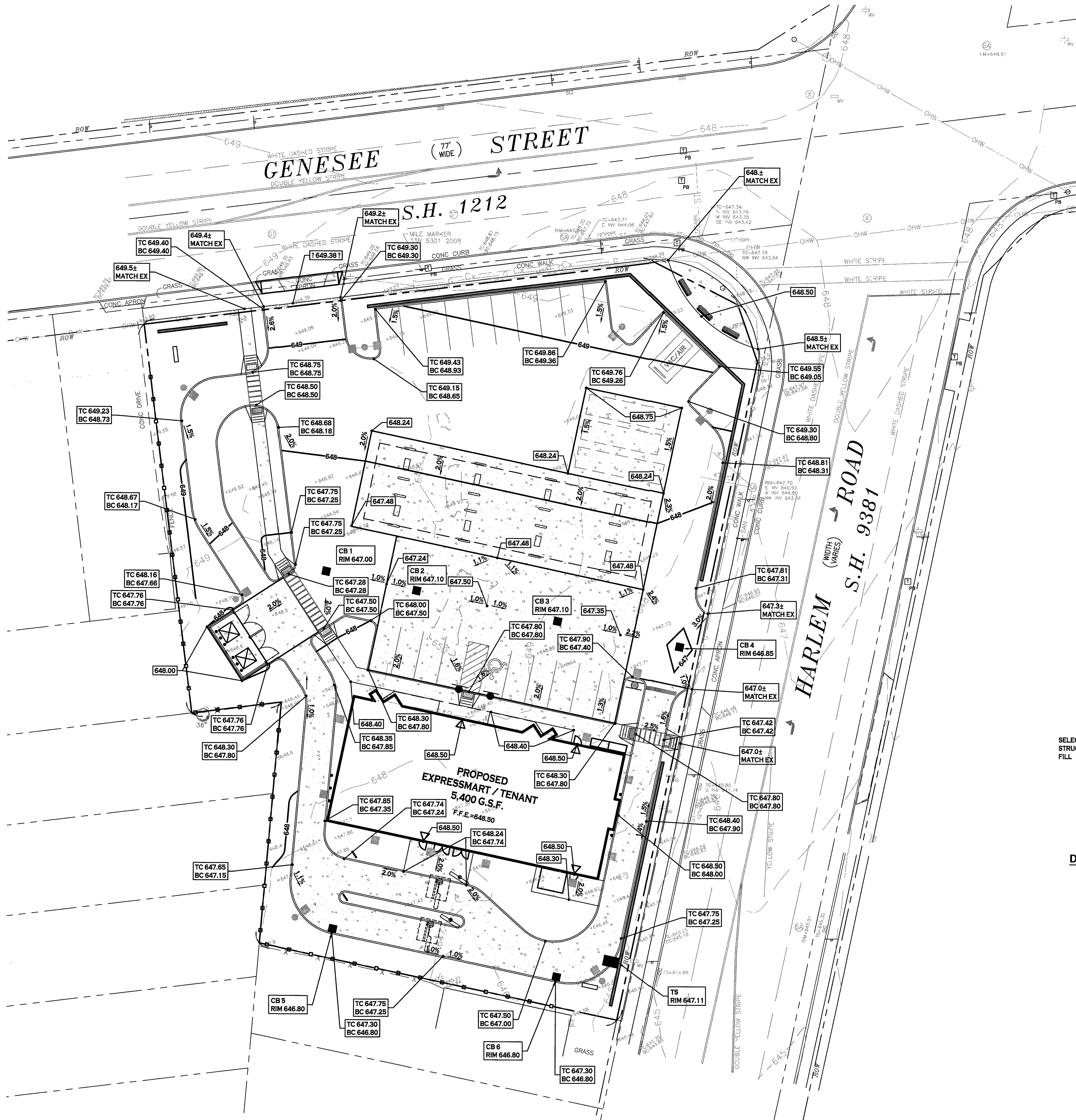
DRAWING NO.

C-101

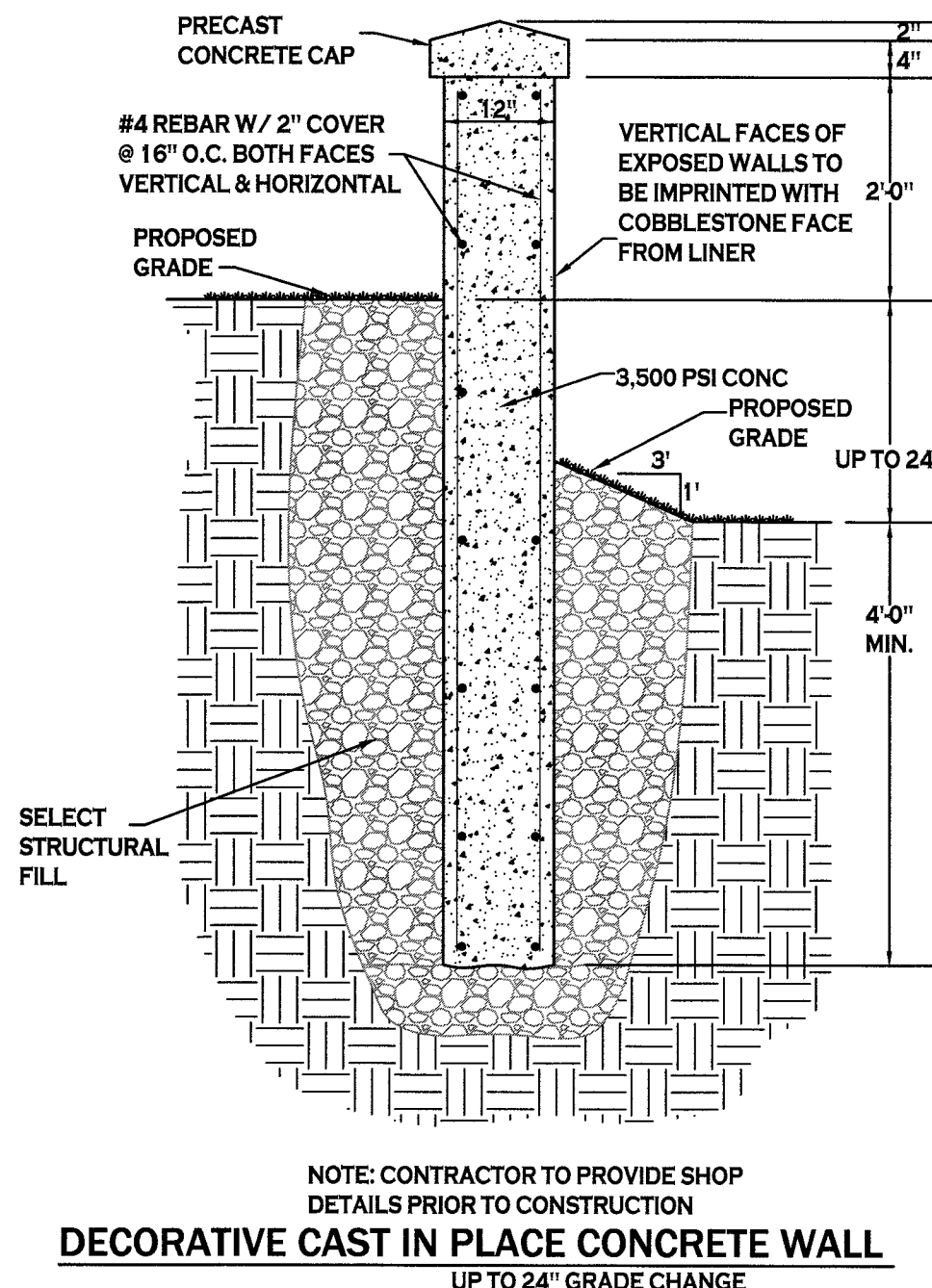
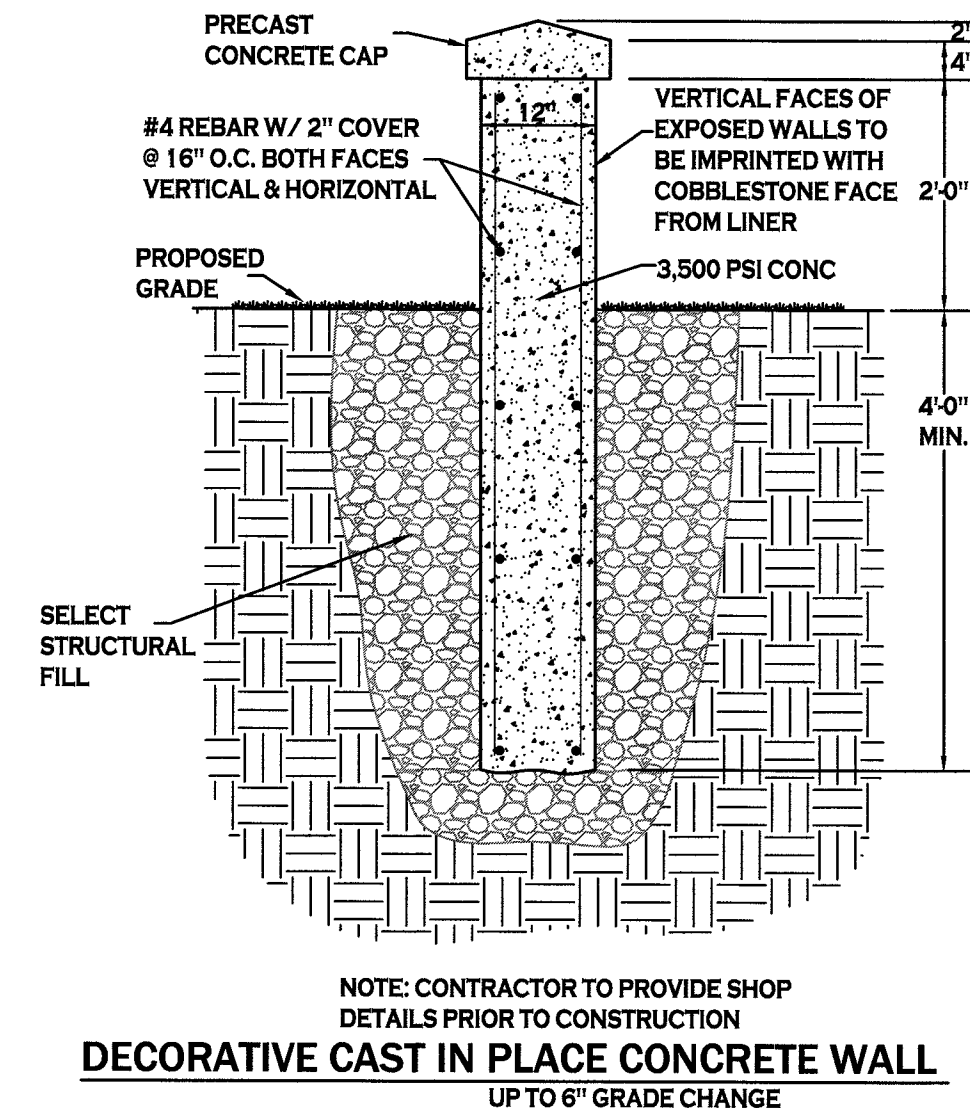
Project no.: 14.055

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PLAN
SCALE: 1"=20'



PROPOSED GRADING LEGEND

| | |
|-----------------------------------|-----------------------|
| PROPOSED CONTOUR | — 101 — |
| PROPOSED SPOT ELEVATION | 100.80 |
| PROPOSED TOP/BOTTOM OF CURB ELEV. | TC 100.50 / BC 100.00 |
| PROPOSED CATCH BASIN | ■ CB |
| PAVEMENT/GROUND SLOPE | — |
| PROPOSED YARD DRAIN | ● YD |
| PROPOSED MANHOLE | ● MH |

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD MORRIS, D.P.C. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.



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487 Main Street Suite 600
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STATE OF NEW YORK
REGISTERED PROFESSIONAL ENGINEER
076394

REVISIONS:

| No. | Description | Date |
|-----|-------------|------|
|-----|-------------|------|

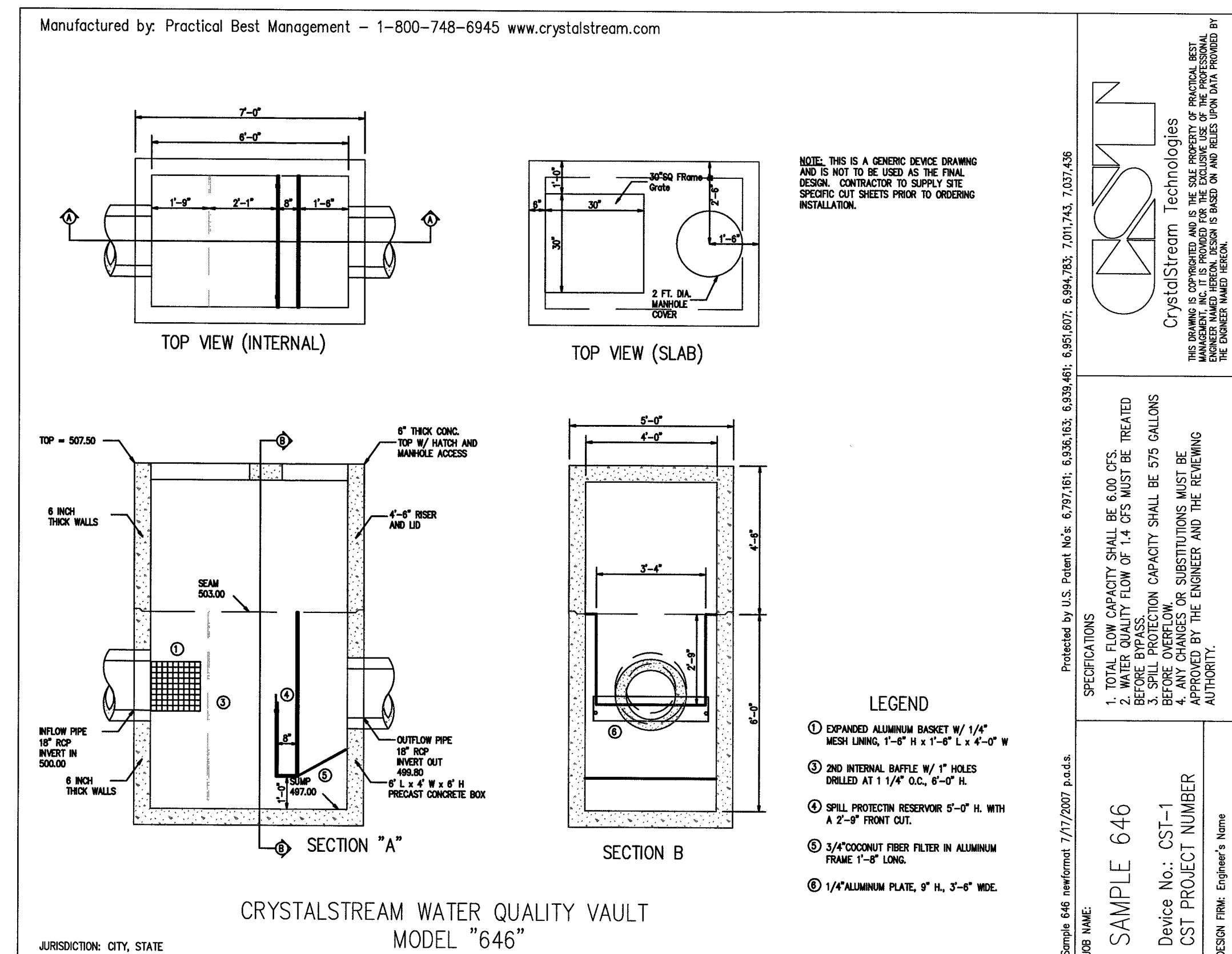
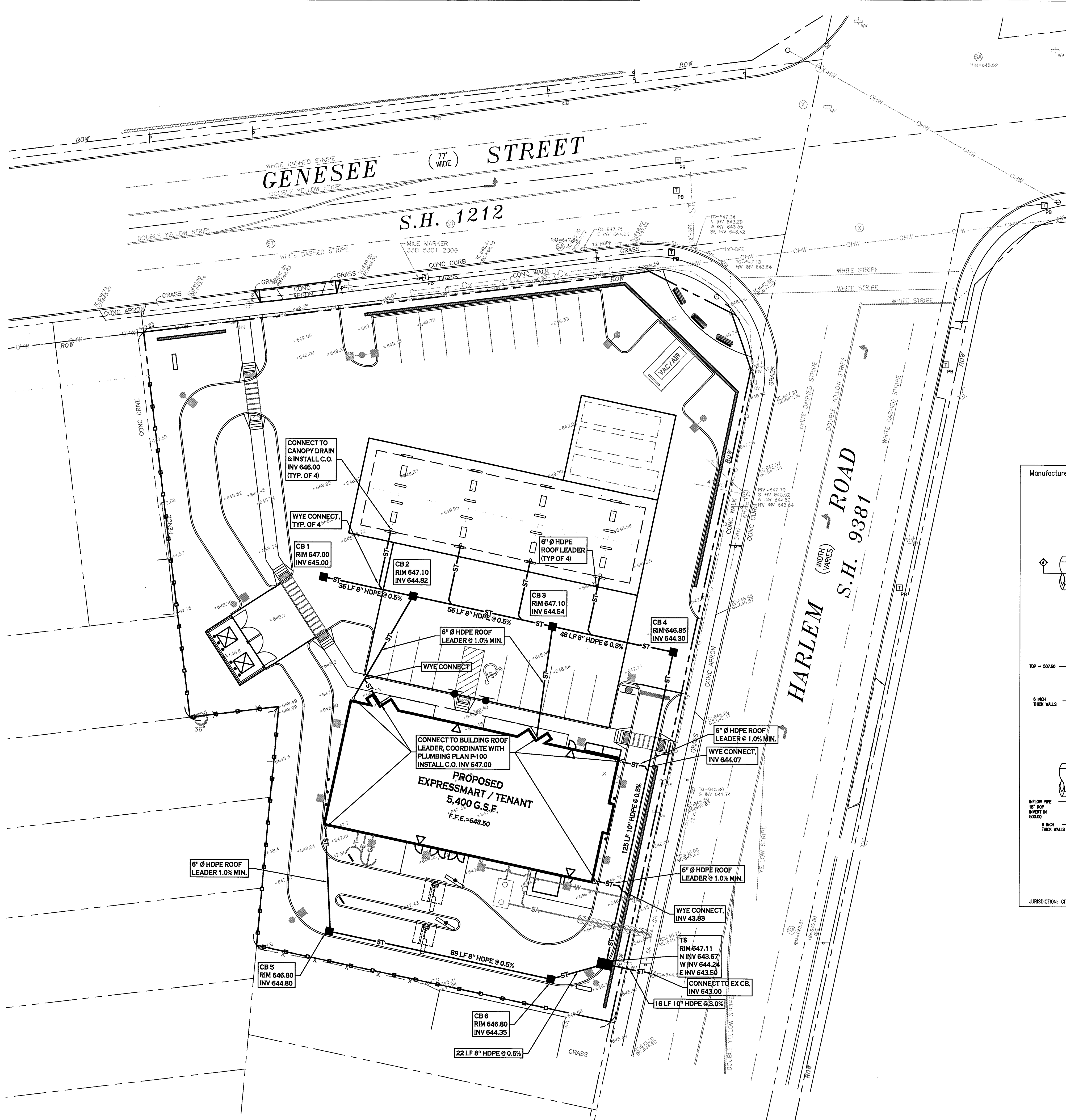
PROJECT NAME:
New Construction
Express Mart #389
Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07/20/1
Municipality Submission: 09/20/1
Drawn by: JL
Scale: As Note


DRAWING NAME:
Grading
Plan

DRAWING NO.
C-200
Project no.: 14.055
Packet Pg. 41

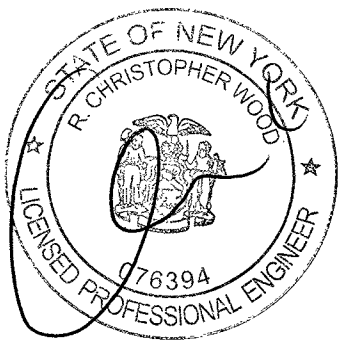
Attachment: Civil Plans (RES-2015-567 - Accept Site Plan-Express Mart - Harlem Rd. & Genesee St.)



PROPOSED UTILITY LEGEND

| | |
|---------------------------|---|
| PROPOSED STORM SEWER | — ST — |
| PROPOSED SANITARY SEWER | — 6" SA — |
| PROPOSED WATERLINE | — 1" W — |
| PROPOSED CATCH BASIN | ■ CB |
| PROPOSED YARD DRAIN | ● YD |
| PROPOSED MANHOLE | ● MH |
| PROPOSED HYDRANT ASSEMBLY |  |
| PROPOSED GATE VALVE | ⊕ GV |

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION
PROVIDED BY OTHERS, CARMINA WOOD MORRIS, D.P.C.
ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.



| REVISIONS: | |
|------------|------------------|
| No. | Description Date |

PROJECT NAME:
New Construction
Express Mart #389
Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07/20/2011
Municipality Submission: 09/20/2011
Drawn by: [Redacted]
Scale: As Noted

DRAWING NAME:
Storm Drainage
Plan

DRAWING NO.

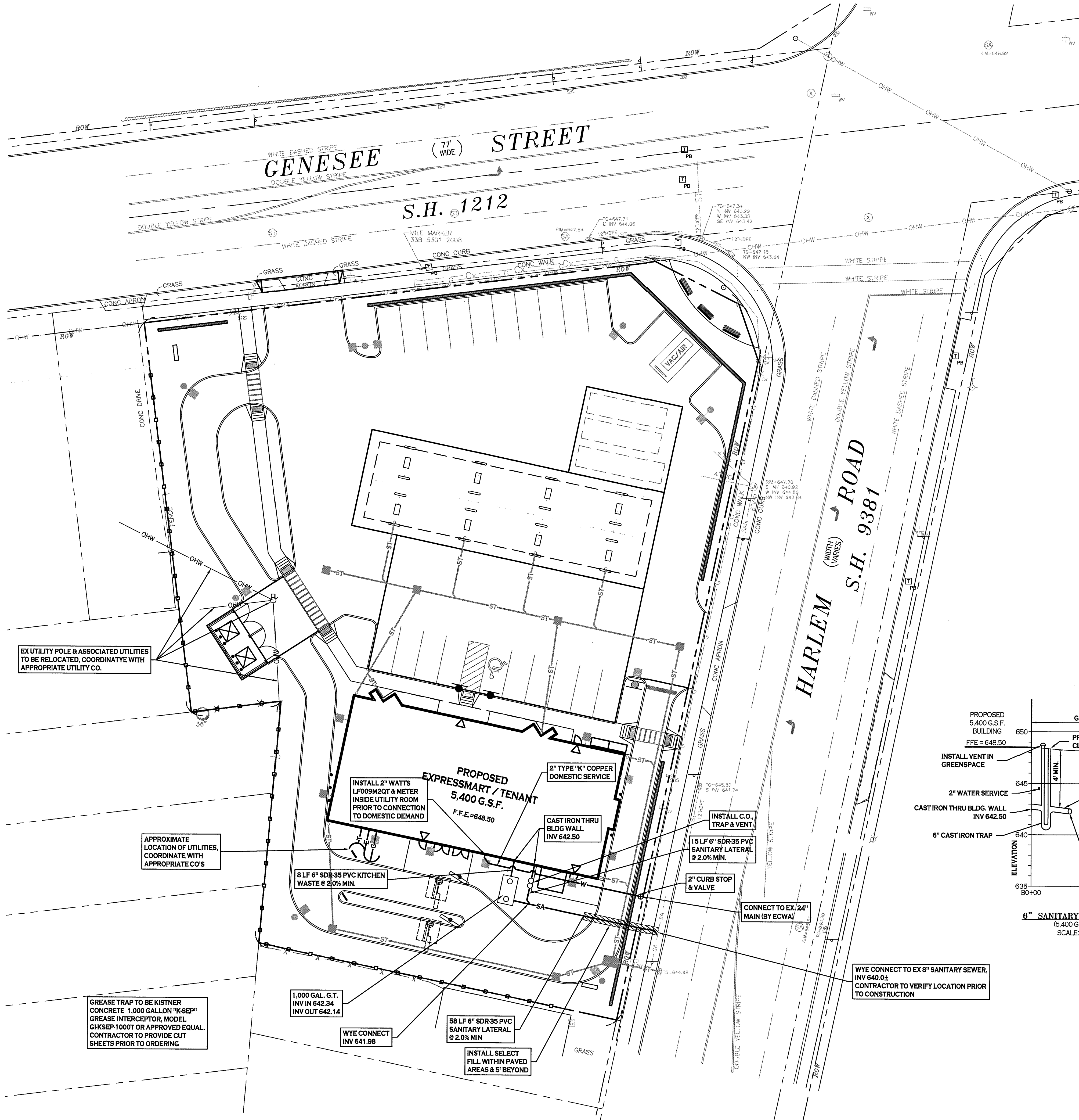
C-300

Project no.: 14.05.

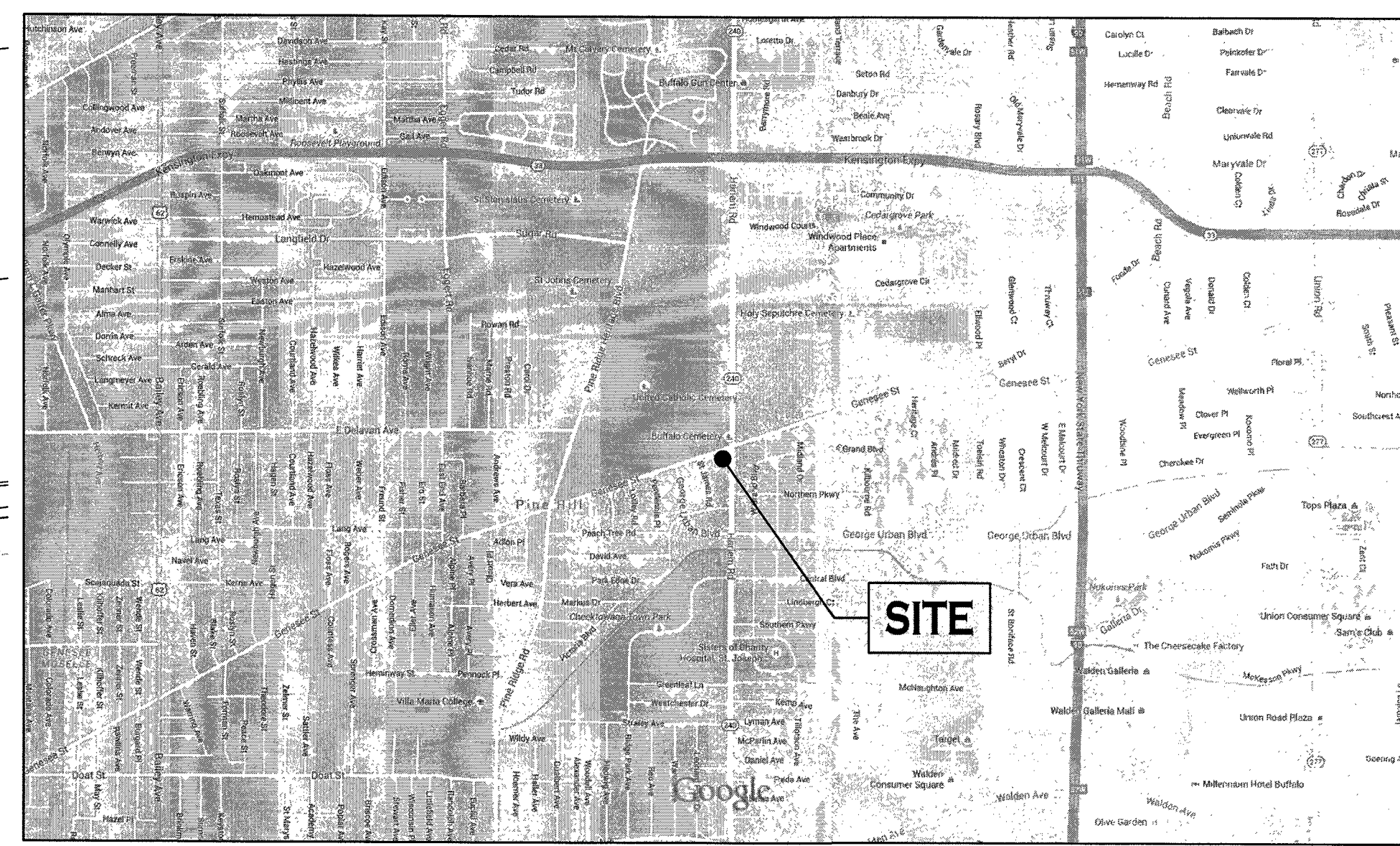


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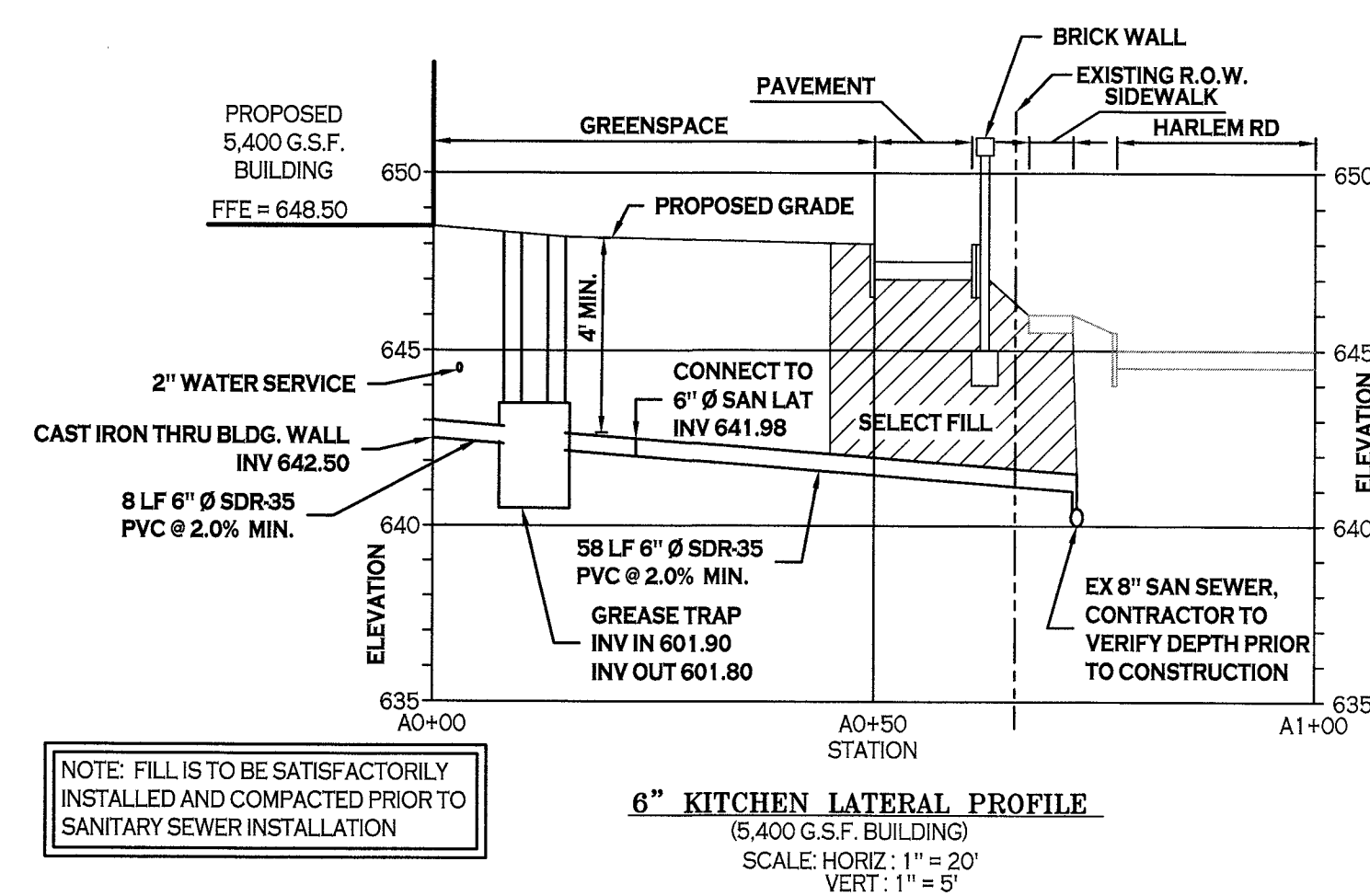
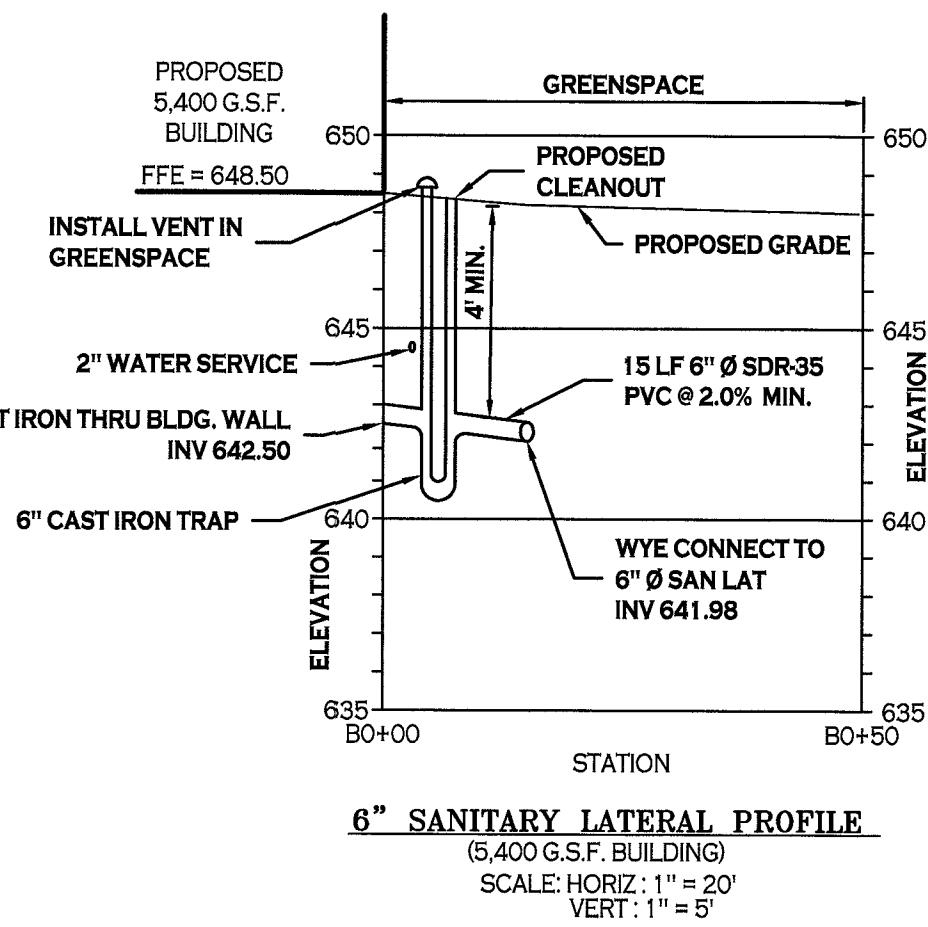
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PLAN
SCALE: 1"=20'



SITE LOCATION
SCALE: NONE



| PROPOSED GRADING LEGEND | |
|-----------------------------------|------------------------|
| PROPOSED CONTOUR | 101 |
| PROPOSED SPOT ELEVATION | 100.80 |
| PROPOSED TOP/BOTTOM OF CURB ELEV. | TC 100.50 BC 100.00 |
| PROPOSED CATCH BASIN | CB |
| PAVEMENT/GROUND SLOPE | |
| PROPOSED YARD DRAIN | YD |
| PROPOSED MANHOLE | MH |

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REVISIONS:
No. Description Date

PROJECT NAME:
New Construction
Express Mart #389
Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07/20
Municipality Submission: 09/20
Drawn by: As Not
Scale:

DRAWING NAME:
Utility
Plan

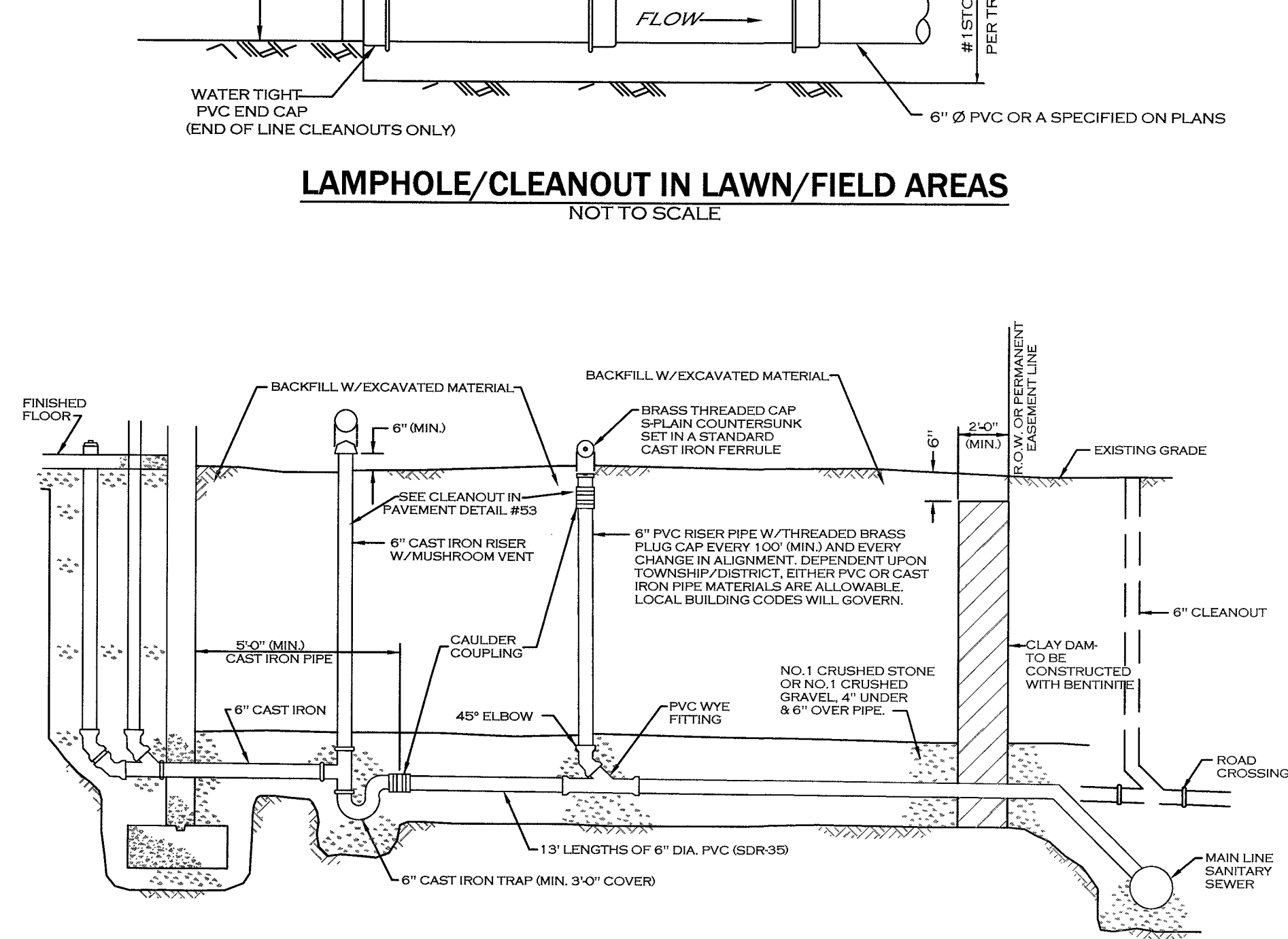
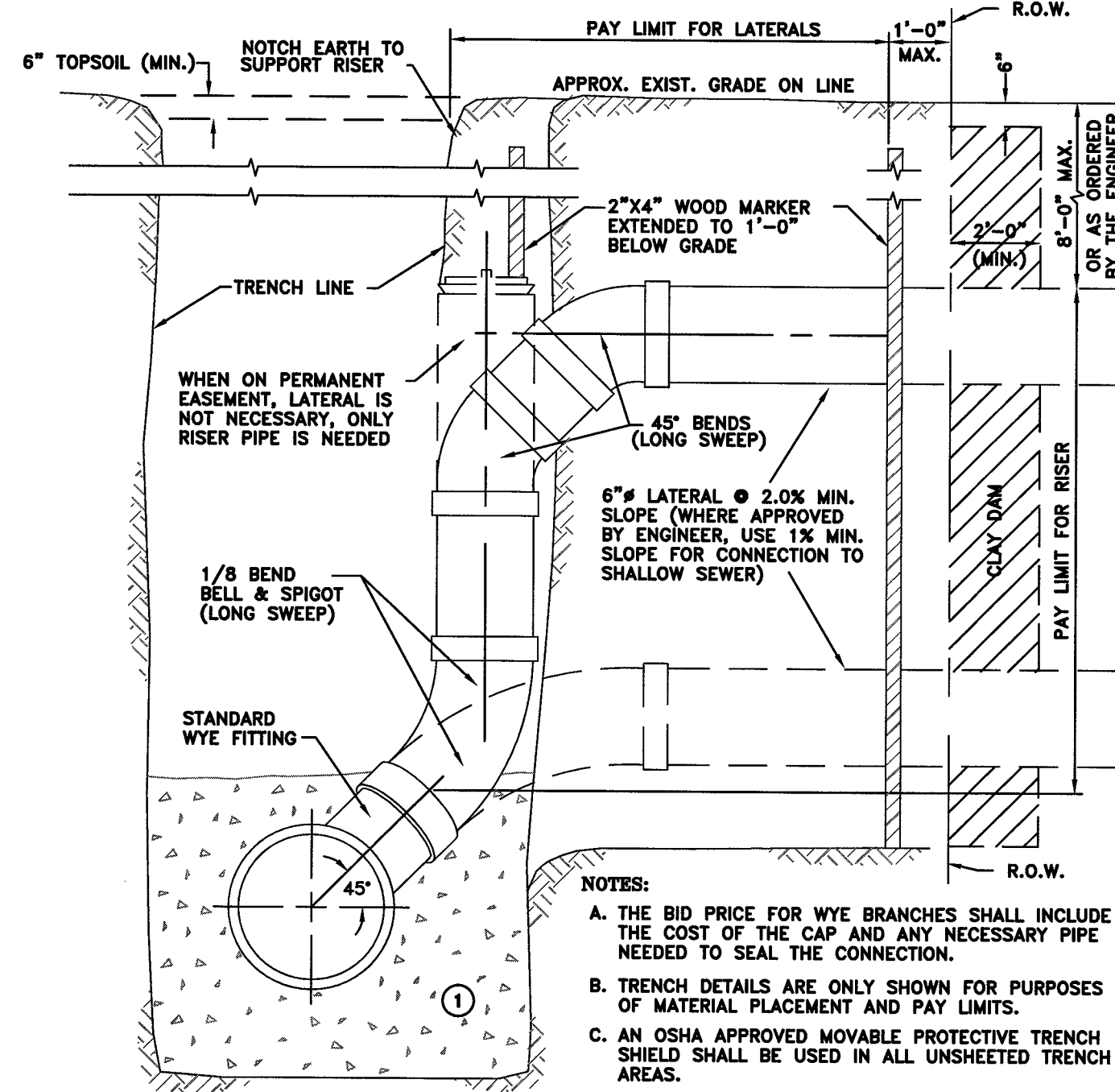
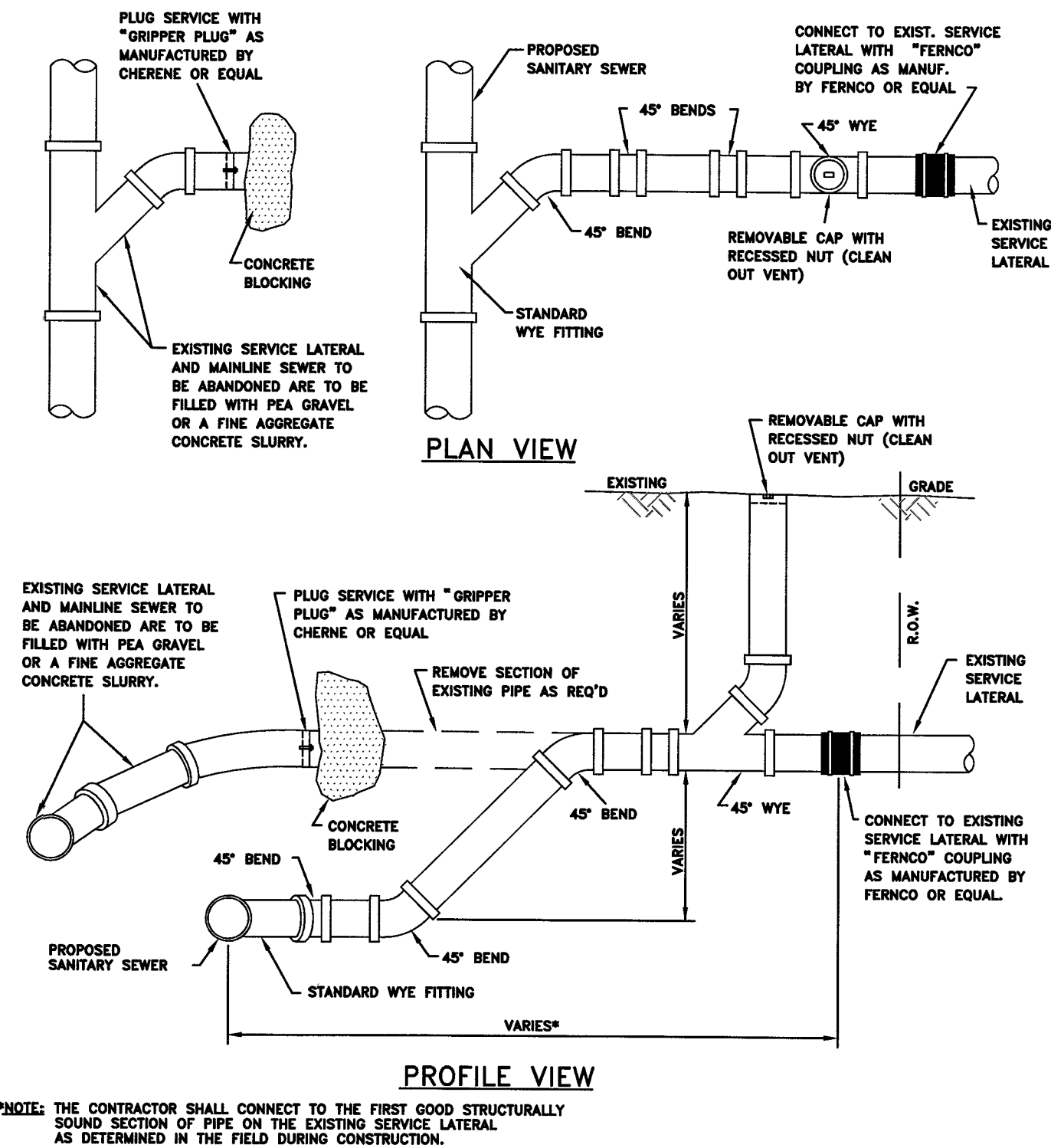
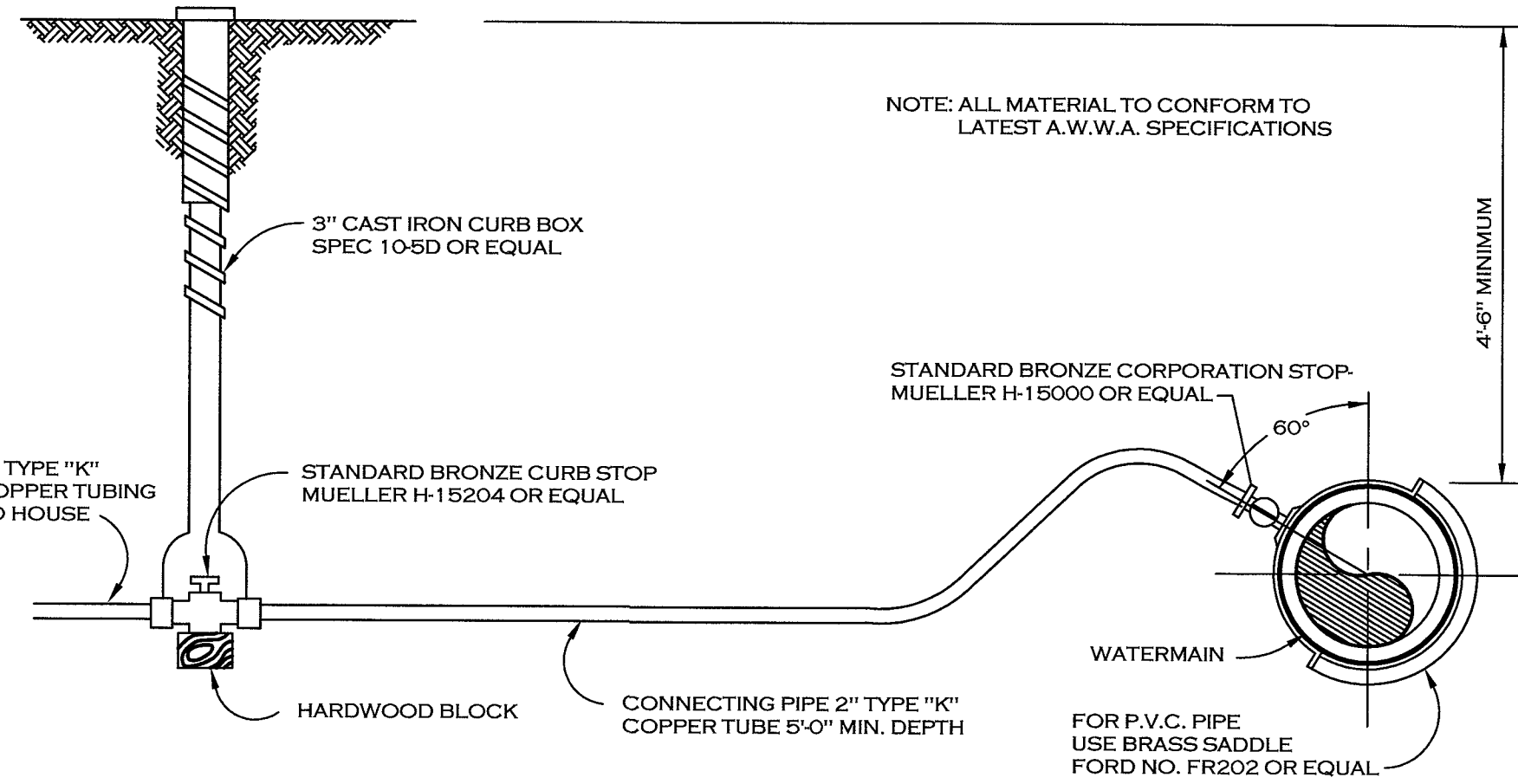
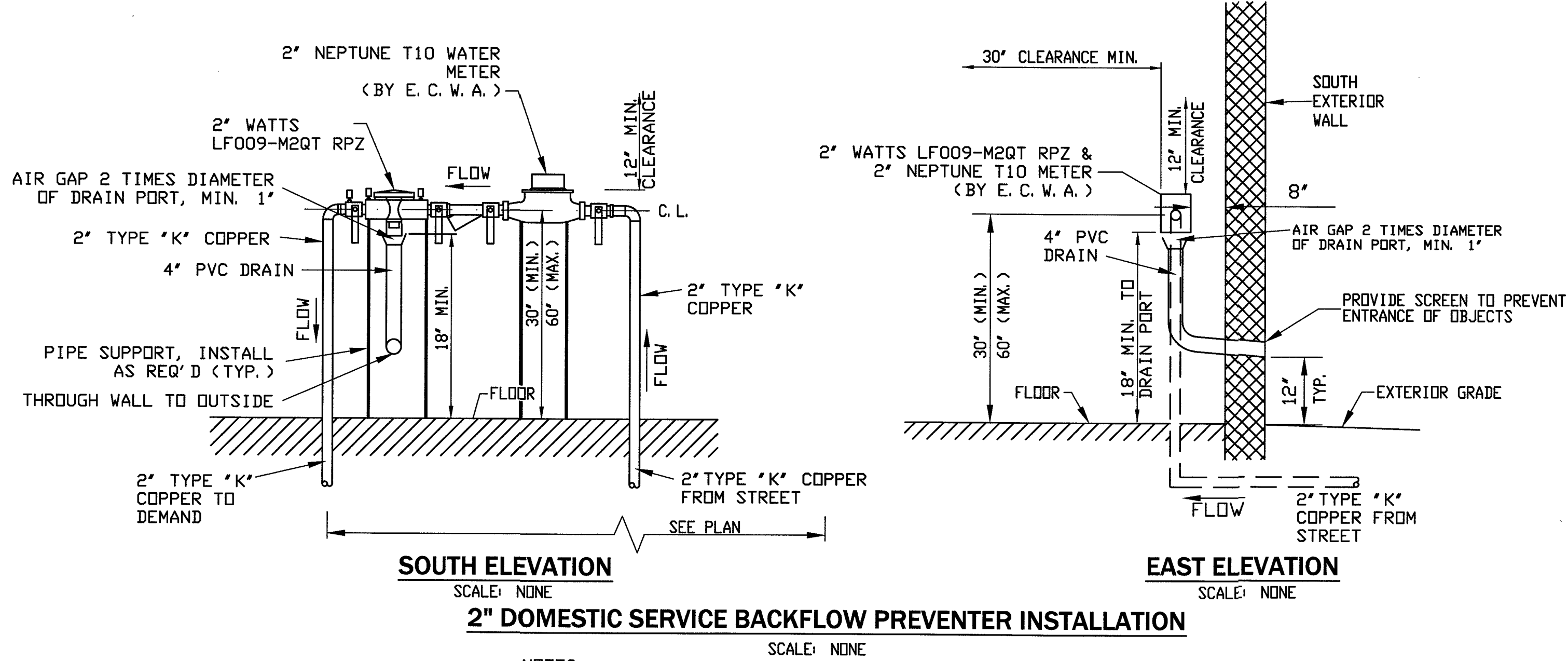
DRAWING NO.

C-400

Project no.: 14.055

Packet Pg. 44

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STATE OF NEW YORK
R. CHRISTOPHER HOD
076394
LICENSED PROFESSIONAL ENGINEER

| REVISIONS: | No. | Description | Date |
|------------|-----|-------------|------|
| | | | |

New Construction

Express Mart #389

Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07.20.1
Municipality Submission: 09/20/21
Drawn by: JLI
Scale: As Note

DRAWING NAME:

Utility
Details

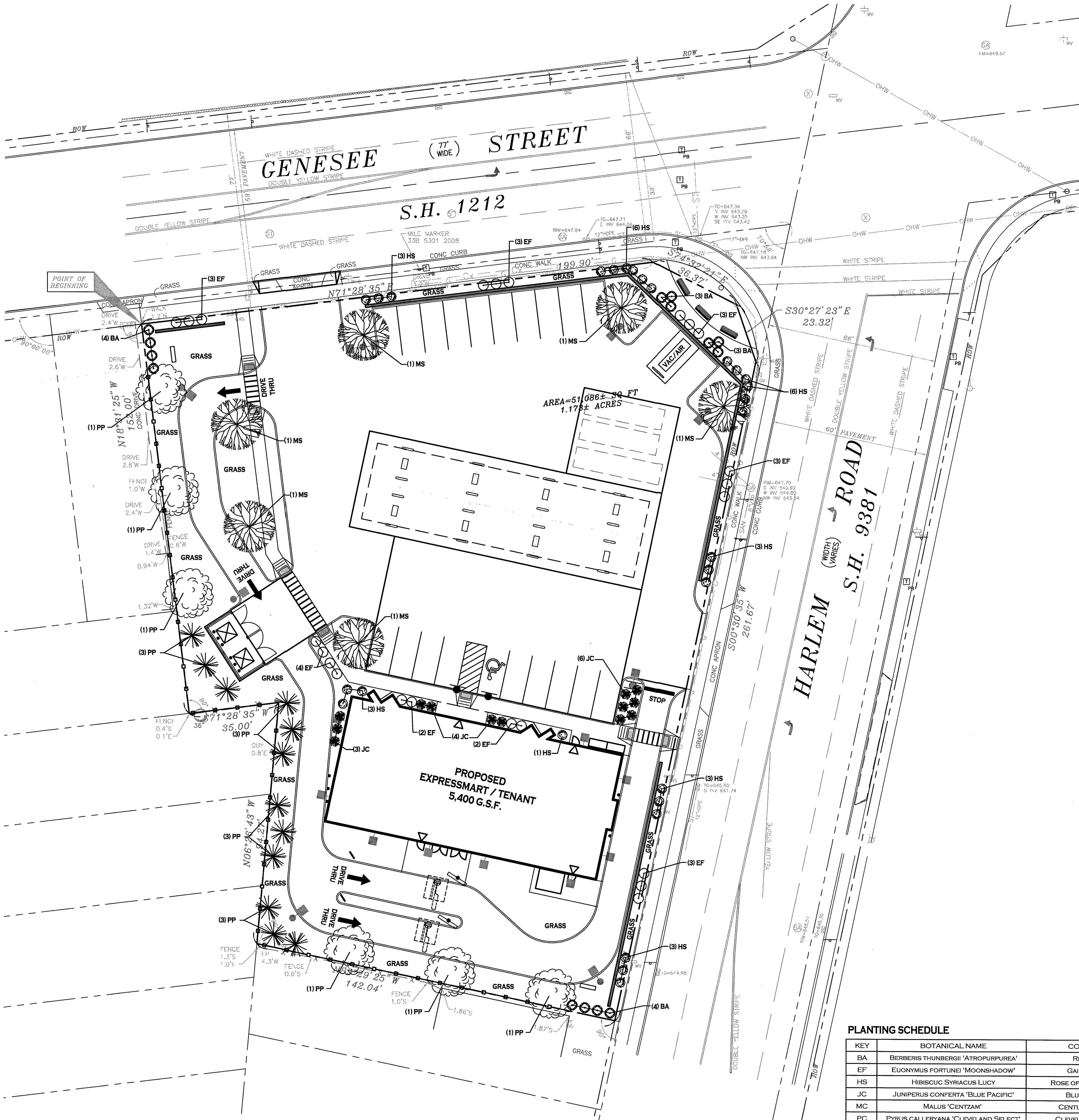
DRAWING NO.

C-401

Project no.: 14.055
Packet Pg. 45

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PLAN
SCALE: 1"=20'

PLANTING SCHEDULE

| KEY | BOTANICAL NAME | COMMON NAME | CAL. | SIZE | ROOT | QUANTITY |
|-----|-------------------------------------|---------------------------|------|-----------|------|----------|
| BA | BERBERIS THUNBERGII 'ATROPURPUREA' | RED BARBERRY | | 2' H·MIN | B&B | 6 |
| EF | EUONYMUS FORTUNE 'MOONSHADOW' | GAIETY EUONYMUS | | 2' H·MIN | B&B | 23 |
| HS | HIBISCUS SYRIACUS LUCY | ROSE OF SHARON - DBL. RED | | 2' H·MIN | B&B | 28 |
| JC | JUNIPERUS CONFERTA 'BLUE PACIFIC' | BLUE CHIP JUNIPER | | 3 GAL. | B&B | 13 |
| MC | MALLUS 'CENTZAM' | CENTURION CRABAPPLE | 2.5" | | B&B | 6 |
| PC | PYRUS CALLERYANA 'CLEVELAND SELECT' | CLEVELAND SELECT PEAR | 2.5" | | B&B | 6 |
| PP | PICEA PUNGENS | COLORADO SPRUCE | | 6'-7' HT. | B&B | 12 |

★ USE DEADMAN GUYS
ON DECIDUOUS TREES
WHERE WIND CONDITION/
EXPOSURE WARRANTS
3 @ 120"

WIRE THRU HOSE
LOOPS 3 @ 120"

2" MULCH

30" CEDAR
DEADMAN
STAKE

REMOVE BURLAP
FROM TOP 1/3
OF BALL

SCARIFY
BOTTOM OF
FIT

SET BALL TO
PREVENT ROCKING

TREE WRAP UP TO
FIRST BRANCH ON
SPECIFIED SPECIES

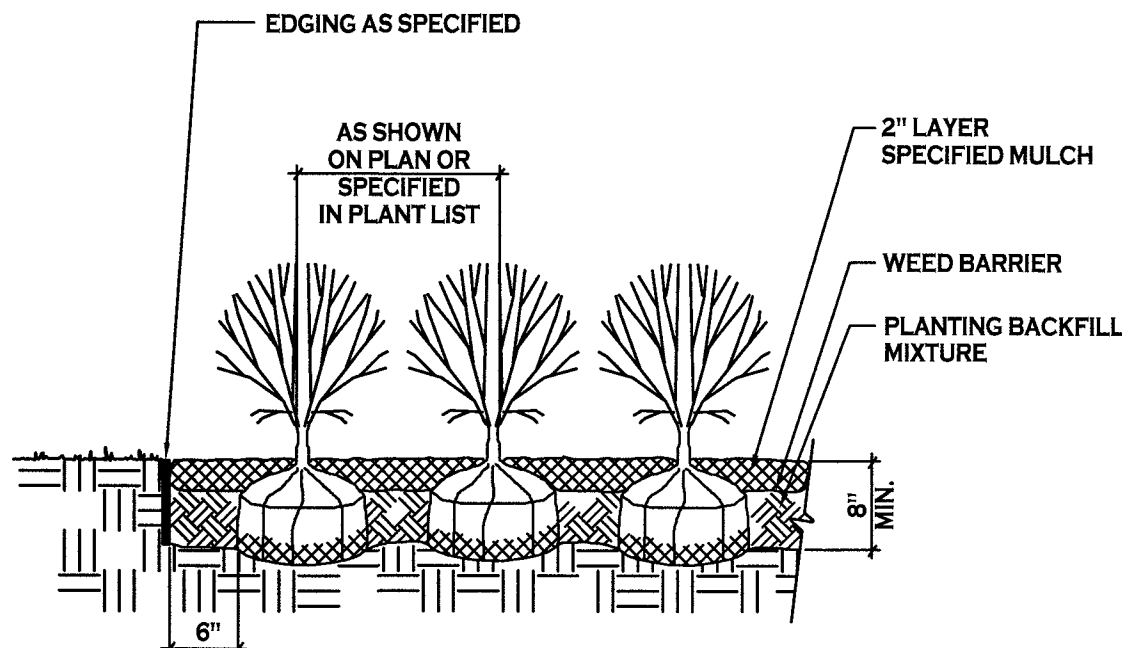
WEED BARRIER

PLANTING BACKFILL
MIXTURE

DEPTH
OF BALL

Ø OF BALL + 24"

STD. TREE PLANTING



STD. SHRUB PLANTING

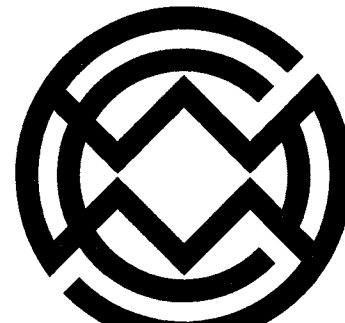
LANDSCAPE NOTES:

- ALL PLANTS INSTALLED SHALL MEET OR EXCEED THE MINIMUM REQUIREMENTS AS NOTED ON THE PLANS AND IN THE LATEST EDITION ON THE AMERICAN STANDARD FOR NURSERY STOCK, BY THE AMERICAN ASSOCIATION OF NURSERYMEN, ANSI Z60.1
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR HIS OWN QUANTITY TAKEOFF, THE QUANTITIES SHOWN ARE A MINIMUM AND ARE FOR REFERENCE ONLY.
- THE CONTRACTOR SHALL PERFORM A ROUGH FIELD STAKEOUT OF ALL PLANTING MATERIAL. LOCATIONS AND CONTACT THE OWNERS FIELD REPRESENTATIVE PRIOR TO ACTUALLY INSTALLING. THE PLANTING MATERIAL LOCATIONS SHOWN ON THE PLANS ARE TO CONVEY THE DESIGN INTENT ONLY, ACTUAL LOCATIONS WILL BE FINALIZED BY THE OWNERS FIELD REPRESENTATIVE AT THE TIME OF INSTALLATION.
- THE CONTRACTOR IS HEREBY NOTIFIED THAT IF UNDERGROUND UTILITIES EXIST IN THE VICINITY OF THE PLANTINGS, ALL PROPOSED PLANTINGS SHALL BE INSTALLED A MINIMUM OF 5' FROM ANY UNDERGROUND UTILITY. CONTACT THE OWNERS FIELD REPRESENTATIVE IF PLANTINGS SHOWN ON THE PLANS VIOLATE THIS SITUATION.
- ALL TREES SHALL BE INSTALLED A MINIMUM OF 20' FROM ANY OVERHEAD ELECTRIC LINES.
- PLANTING BACKFILL MIXTURE SHALL CONSIST OF 4 PARTS TOPSOIL, 1 PART PEAT MOSS, 1/2 PART WELL ROTTED MANURE, 10 LBS 5-10-5 PLANTING FERTILIZER THOROUGHLY MIXED PER CUBIC YARD.
- STAKE AND WRAP TREES IMMEDIATELY FOLLOWING INSTALLATION.
- ALL PLANTED TREES SHALL RECEIVE A 3" LAYER OF SHREDDED PINE BARK MULCH OVER 10 MIL. WEED MAT EQUAL TO "WEEDBLOCK" BY EASY GARDENER OR DEWITT WEED BARRIER.
- THE AREAS ON THE PLAN TO BE SEEDED SHALL HAVE 4" MINIMUM OF TOPSOIL, DISK PLOWED, LEVELED AND HAND RAKED SMOOTH. SURFACE SHALL BE ROLLED TO REMOVE LUMPS.
- ALL SEEDED AREAS SHALL BE HYDROSEEDING IN ACCORDANCE WITH THE SPECIFICATION INDICATED. WHERE REQUIRED BY CLIMATIC CONDITIONS, SLOPE OR SEASON OF PLANTING, SOD MAY BE SUBSTITUTED FOR SEEDING IN ORDER TO ACHIEVE THE REQUIRED COVERAGE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING, MOWING AND OTHER MAINTENANCE TO SEEDED AREAS UNTIL THE PROJECT IS ACCEPTED BY THE OWNER. THIS SHALL INCLUDE WATERING DAILY FOR 15 DAYS OR AS REQUIRED BY WEATHER CONDITIONS AND RESEEDING OF THIN SPOTS FOLLOWING THE GERMINATION OF THE SEEDS.

PLANTING NOTES:

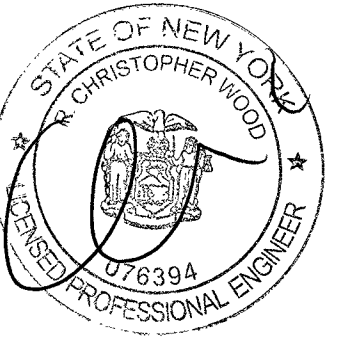
- ALL INTERIOR LANDSCAPED AREAS SHALL HAVE A MINIMUM PLANTING SOIL DEPTH OF THREE (3) FEET AND BE FREE FROM ALL FORMS OF CONSTRUCTION DEBRIS AND FOREIGN MATERIAL.
- ALL TREE PIT SAUCERS, SHRUB BEDS, ORNAMENTAL GRASS BEDS, AND PERENNIAL FLOWER BEDS SHALL RECEIVE "PREEN" HERBICIDE AND THREE (3) INCHES DEPTH OF DARK SHREDDED HARDWOOD BARK MULCH.
- ALL SEASONAL FLOWER BEDS SHALL BE A MINIMUM OF TWELVE (12) INCHES DEEP WITH A WELL-BLENDED MIXTURE OF 50% PEAT MOSS & 50% SCREENED TOPSOIL. SEASONAL FLOWER BEDS SHALL RECEIVE "PREEN" HERBICIDE. NO MULCH SHALL BE INSTALLED IN THE SEASONAL FLOWER BEDS.
- ALL DECIDUOUS AND EVERGREEN TREES SHALL BE STAKED WITH THREE (3) TREE STAKES AS PER TREE PLANTING DETAIL.

NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION
PROVIDED BY OTHERS. CARMINA WOOD MORRIS, D.P.C.
ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.



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REVISIONS:
No. Description Date

PROJECT NAME:

New Construction

Express Mart #389

Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07.20.15
Municipality Submission: 09/2015
Drawn by: JLP
Scale: As Noted

DRAWING NAME:

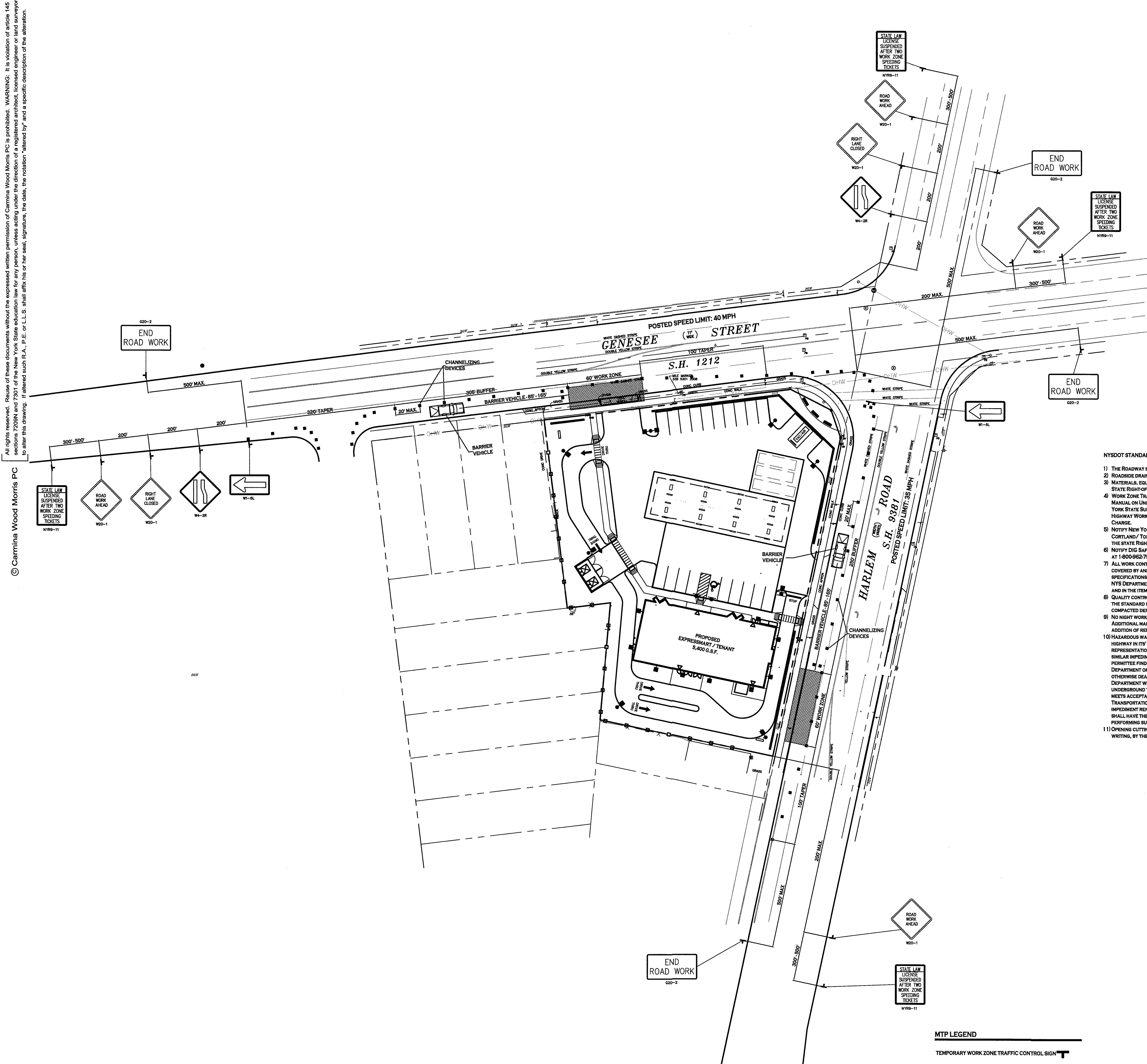
Landscape
Plan

DRAWING NO.

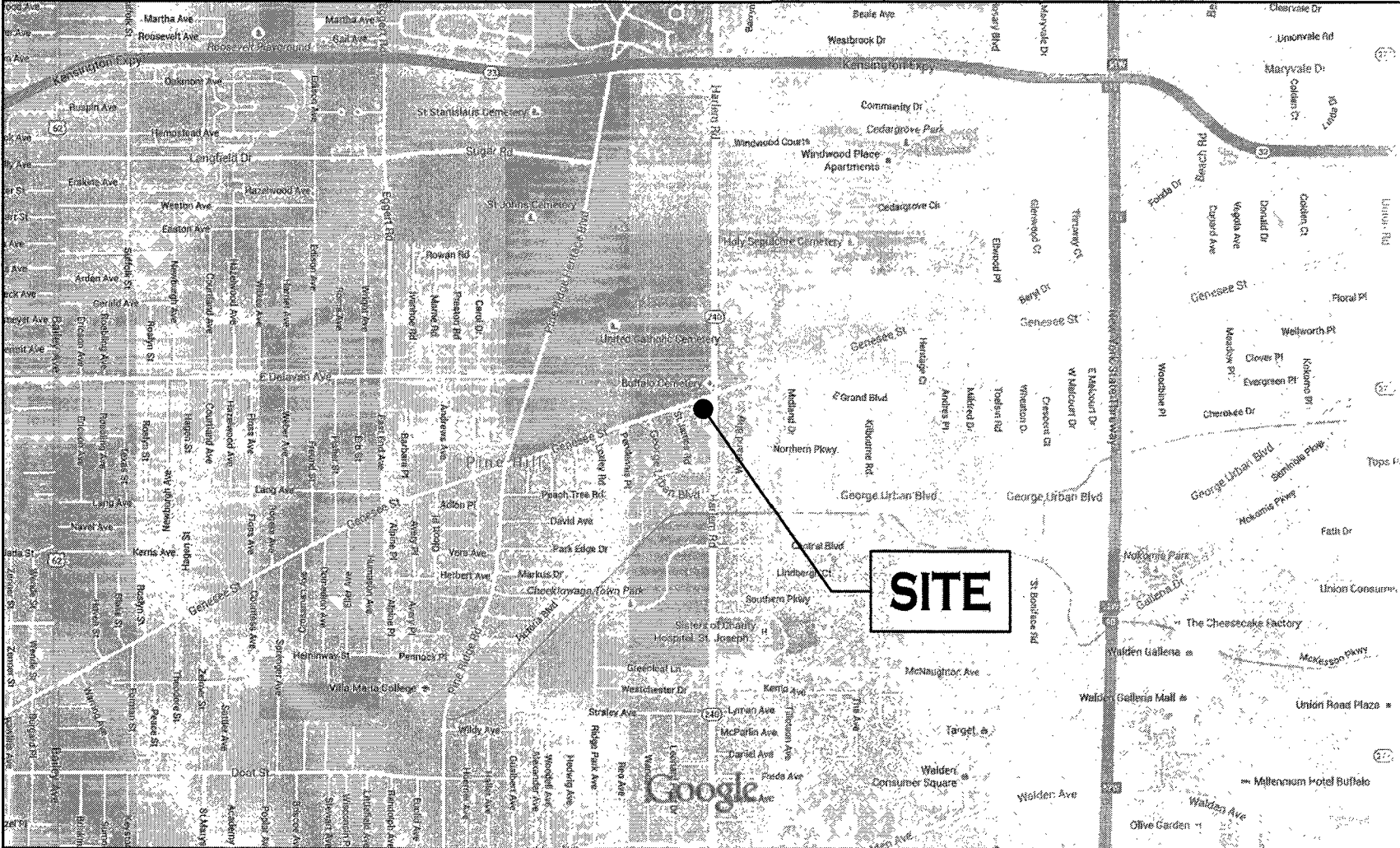
L-100

Project no.: 14.055

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N
PLAN
SCALE: 1"=40'



N
SITE LOCATION
SCALE: NONE

- NOTES:
1. MPT DEVICE LOCATIONS SHALL BE MODIFIED AS FIELD CONDITIONS WARRANT, NOTIFY OWNER AND NYSDOT ENGINEER OF CHANGES PRIOR TO IMPLEMENTING.
 2. LANE CLOSURES WILL ONLY BE ALLOWED BETWEEN 9:00AM - 3:00PM.
 3. THERE SHALL BE NO WORKERS, EQUIPMENT OR OTHER VEHICLES IN THE BUFFER SPACE OR ROLL AHEAD DISTANCE.
 4. THERE SHALL BE NO PAVEMENT-EDGE DROP-OFFS GREATER THAN 3 1/4" WHEN THE WORK ZONE TRAFFIC CONTROL IS NOT IN PLACE.
 5. THE BARRIER VEHICLE SHALL BE AN UNOCCUPIED LARGE DUMP TRUCK WITH THE PARKING BRAKE SET AND WITH THE FRONT WHEELS TURNED AWAY FROM EMPLOYEES IN THE WORK AREA.

NYSDOT STANDARD GENERAL PLAN NOTES

- 1) THE ROADWAY SHALL BE KEPT CLEAN OF MUD AND DEBRIS AT ALL TIMES.
- 2) ROADSIDE DRAINAGE SHALL BE MAINTAINED AT ALL TIMES.
- 3) MATERIALS, EQUIPMENT AND VEHICLES SHALL NOT BE STORED OR PARKED WITHIN THE NEW YORK STATE RIGHT-OF-WAY.
- 4) WORK ZONE TRAFFIC CONTROL SHALL COMPLY WITH THE 2003 EDITION OF THE NATIONAL MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS AND THE NEW YORK STATE SUPPLEMENT, AND SHALL BE IN ACCORDANCE WITH THE NYSDOT CONTRACTOR HIGHWAY WORK PERMIT DOCUMENTS AND AS DEEMED NECESSARY BY THE NYS ENGINEER IN CHARGE.
- 5) NOTIFY NEW YORK STATE DEPARTMENT OF TRANSPORTATION RESIDENT ENGINEER AT THE CORTLAND/TOMPKINS RESIDENCY, (607) 756-7072, THREE WORKING DAYS PRIOR TO WORKING IN THE STATE RIGHT-OF-WAY.
- 6) NOTIFY DIS SAFELY NEW YORK THREE WORKING DAYS PRIOR TO DIGGING, DRILLING OR BLASTING AT 1-800-962-7962 FOR A UTILITY STAKEOUT.
- 7) ALL WORK CONTEMPLATED AND MATERIALS USED WITHIN THE NYS RIGHT-OF-WAY SHALL BE COVERED BY AND IN CONFORMITY WITH THE NYS DEPARTMENT OF TRANSPORTATION MAY 1, 2008 SPECIFICATIONS BOOK AND ANY SUBSEQUENT ADDENDA ALONG WITH ANY APPROPRIATE CURRENT NYS DEPARTMENT OF TRANSPORTATION STANDARD SHEETS, EXCEPT AS MODIFIED IN THESE PLANS AND IN THE ITEMIZED PROPOSAL. METRIC UNITS MAY BE CONVERTED TO ENGLISH.
- 8) QUALITY CONTROL OF ASPHALT CONCRETE SHALL MEET THE REQUIREMENTS OF SECTION 402 OF THE STANDARD SPECIFICATIONS. ASPHALT COURSE DEPTHS SHOWN ON THE PLANS ARE COMPACTED DEPTHS.
- 9) NO NIGHT WORK WILL BE ALLOWED UNLESS PRIOR APPROVAL IS GIVEN BY THE DEPARTMENT. ADDITIONAL MAINTENANCE AND PROTECTION OF TRAFFIC WILL BE REQUIRED INCLUDING THE ADDITION OF REFLECTIVE MATERIALS AND LIGHTING.
- 10) HAZARDOUS WASTE NOTIFICATION - THE PERMITTEE ACCEPTS THE RIGHT-OF-WAY OF THE STATE HIGHWAY IN ITS "AS IS" CONDITION. THE DEPARTMENT OF TRANSPORTATION MAKES NO REPRESENTATION AS TO THE ABSENCE OF UNDERGROUND TANKS, STRUCTURES, FEATURES OR SIMILAR IMPEDIMENTS TO THE COMPLETION OF THE WORK PERMITTED HEREUNDER. SHOULD PERMITTEE FIND SOME PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS TO ITS WORK, THE DEPARTMENT OF TRANSPORTATION SHALL HAVE NO OBLIGATION TO CURE, REMOVE, REMEDY OR OTHERWISE DEAL WITH SUCH PREVIOUSLY UNKNOWN UNDERGROUND IMPEDIMENTS. THE DEPARTMENT WILL PERMIT THE PERMITTEE TO REMOVE, MODIFY OR OTHERWISE DEAL WITH SUCH UNDERGROUND TANKS, STRUCTURE FEATURE OR IMPEDIMENT IF SUCH IS DONE IN A MANNER WHICH MEETS ACCEPTABLE ENGINEERING PRACTICE AND IS PRE-APPROVED BY THE DEPARTMENT OF TRANSPORTATION. SHOULD PERMITTEE DETERMINE THAT SUCH UNFORESEEN UNDERGROUND IMPEDIMENT REQUIRES PERMITTED WORK AS AUTHORIZED BY THIS PERMIT UNFEASIBLE, PERMITTEE SHALL HAVE THE OPTION OF RESTORING THE HIGHWAY TO ITS ORIGINAL CONDITION AND NOT PERFORMING SUCH WORK.
- 11) OPENING CUTTING OF THE ROADWAY SHALL NOT BE ALLOWED UNLESS PERMISSION IS GRANTED IN WRITING, BY THE REGIONAL TRAFFIC ENGINEER.

Notes for
Work Zone Traffic Control

GENERAL NOTES

1. THE TYPICAL DETAILS DEPICTED ON THE STANDARD SHEETS AND IN THE MUTCD, REFLECT THE MINIMUM REQUIREMENTS.
2. THE CONTRACTOR MUST SUBMIT TO THE ENGINEER, IN WRITING, PROPOSED REVISIONS TO THE TRAFFIC CONTROL PLAN FOR REVIEW AND APPROVAL BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE FIVE (5) WORK DAYS PRIOR TO THE PLANNED IMPLEMENTATION OF SUCH PROPOSED REVISIONS, EXCEPT FOR CHANGES THAT ALTER THE SCOPE OF THE TRAFFIC CONTROL PLAN. SUCH CHANGES IN SCOPE MUST BE SUBMITTED TO THE ENGINEER FOR APPROVAL BY THE REGIONAL DIRECTOR OR HIS/HER DESIGNEE THIRTY (30) WORKING DAYS PRIOR TO IMPLEMENTATION OF SUCH REVISIONS.
3. THE CONTRACTOR SHALL PROVIDE THE ENGINEER, IN WRITING, WITH THE NAMES, ADDRESSES, AND TELEPHONE NUMBERS OF STAFF WHO ARE AUTHORIZED TO SECURE LABOR, MATERIALS, AND EQUIPMENT FOR EMERGENCY REPAIRS OUTSIDE NORMAL WORKING HOURS. THE ENGINEER WILL PROVIDE THE SUBMITTED INFORMATION TO REGIONAL MANAGEMENT, THE NEW YORK STATE POLICE, THE RESIDENT ENGINEER, AND THE LOCAL POLICE.

ACTIVITY AREA

1. THE CONTRACTOR SHALL MAINTAIN A MINIMUM 500' LONGITUDINAL DISTANCE BETWEEN CONSTRUCTION OPERATIONS ON ALTERNATE SIDES OF THE ROADWAY, UNLESS OTHERWISE APPROVED BY THE ENGINEER.
2. WHEN TWO OR MORE AREAS ARE ADJACENT, OVERLAP, OR ARE IN CLOSE PROXIMITY, THE CONTRACTOR SHALL ENSURE THERE ARE NO CONFLICTING SIGNS AND THAT LANE CONTINUITY IS MAINTAINED THROUGHOUT ALL WORK AREAS.

SIGNS

1. THE LOCATIONS OF THE SIGNS SHOWN ON THE WORK ZONE TRAFFIC CONTROL PLANS AND DETAILS MAY BE ADJUSTED FOR EMERGENCY SITUATIONS AND OTHER CONSIDERATIONS. THE FINAL LOCATIONS OF SIGNS ARE SUBJECT TO APPROVAL BY THE ENGINEER-IN-CHARGE.

Notes for
Work Zone Traffic Control

SIGNS

2. ANY EXISTING SIGNS, INCLUDING OVERHEAD SIGNS, WHICH CONFLICT WITH THE TEMPORARY TRAFFIC CONTROL SIGN LAYOUT SHALL BE COVERED, REMOVED, STORED OR RESET, AS APPROVED BY THE ENGINEER. ALL APPROPRIATE EXISTING SIGNS SHALL BE RESTORED TO THEIR ORIGINAL POSITION AND/OR LOCATION UNLESS OTHERWISE REPLACED IN THIS CONTRACT.
3. SIGNS AT OR NEAR INTERSECTIONS SHALL BE PLACED SO THAT THEY DO NOT OBSTRUCT A MOTORIST'S LINE OF SIGHT.
4. ALL WARNING AND REGULATORY SIGNS SHALL BE POSTED ON BOTH SIDES OF MULTI-LANE DIVIDED HIGHWAYS, MULTI-LANE RAMPS, AND ONE-WAY STREETS. IN CASES WHERE LANE RESTRICTIONS REDUCE THE TRAVEL LANE TO ONE LANE, SIGNS SHALL BE POSTED ON THE RIGHT SIDE OF THE ACTIVE TRAVEL LANE, UNLESS OTHERWISE AUTHORIZED BY THE ENGINEER.
5. SIGNS MOUNTED ON THE MEDIAN OF DIVIDED HIGHWAYS WHERE MEDIAN BARRIER IS IN PLACE MAY BE MOUNTED ON THE BARRIER WITH A SADDLE TYPE BRACKET, LAYING THE SIGN DOWN IN A HORIZONTAL POSITION IS NOT PERMITTED.
6. THE DIMENSIONS OF WORK ZONE TRAFFIC CONTROL SIGNS ARE DESCRIBED IN THE MUTCD. ANY CHANGES TO THE DIMENSIONS SHALL BE APPROVED BY THE REGIONAL DIRECTOR OR BY HIS/HER DESIGNEE.
7. NYR9-12 MAY BE USED IN PLACE OF NYR9-11.

CHANNELIZING DEVICES

1. WHERE POSSIBLE, ALL CHANNELIZING AND GUIDING DEVICES ARE TO BE PLACED SO AS TO PROVIDE A MINIMUM 2' LATERAL CLEARANCE TO THE TRAVELED WAY.

PUBLIC ACCESS

1. PROPERTY OWNERS WHOSE DRIVEWAYS WILL BE MADE INACCESSIBLE SHALL BE NOTIFIED BY THE CONTRACTOR AT LEAST 24 HOURS PRIOR TO RESTRICTING USE OF THE DRIVEWAY. FOR MULTIPLE ACCESS PROPERTIES, AT LEAST ONE DRIVEWAY SHALL BE OPEN AT ALL TIMES. ACCESS SHALL BE RESTORED TO ALL DRIVEWAYS AS SOON AS POSSIBLE.

Notes for
Work Zone Traffic Control

2. SUITABLE RUMPS SHALL BE INSTALLED TO MAINTAIN SMOOTH TRANSITIONS FROM RESIDENTIAL, COMMERCIAL DRIVEWAYS TO AND FROM THE WORK AREA.

LANE CLOSURES

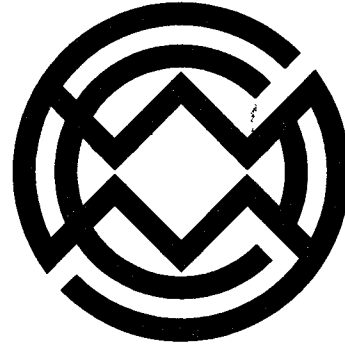
1. THE CONTRACTOR SHALL LOCATE LANE CLOSURES TO PROVIDE OPTIMUM VISIBILITY, I.E. BEFORE CURVES AND CRESTS, TO THE EXTENT CONDITIONS PERMIT.
2. THE ENGINEER MAY REQUIRE THAT ALL LANES BE RE-OPENED AT ANY TIME IF THE ROUTE IS NEEDED FOR EMERGENCY PURPOSES. THIS COULD INCLUDE INCIDENTS AT LOCATIONS OUTSIDE THE CONTRACT LIMITS.

LANE WIDTHS

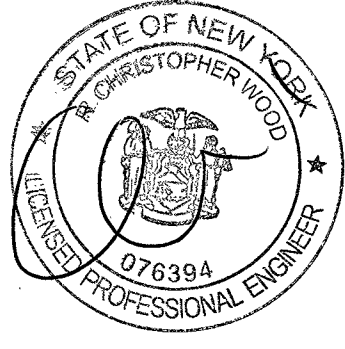
1. UNLESS AUTHORIZED BY THE ENGINEER, THE MINIMUM LANE WIDTHS FOR WORK ZONE TRAVEL LANES SHALL BE AS FOLLOWS: FREEWAYS AND/OR EXPRESSWAYS IS 11'. THE MINIMUM LANE WIDTH FOR ALL OTHER TYPES OF ROADWAYS IS 10'.
2. THE CONTRACTOR SHALL PROVIDE A WRITTEN NOTICE TO THE ENGINEER, A MINIMUM OF 21 CALENDAR DAYS IN ADVANCE OF PERFORMING ANY WORK THAT RESULTS IN THE REDUCED WIDTH OF AN EXISTING ROADWAY, SO THAT THE ENGINEER MAY NOTIFY THE REGIONAL PERMIT ENGINEER IN A TIMELY MANNER.

BARRIER/SHADOW VEHICLES

1. BARRIER AND SHADOW VEHICLES SHALL BE REQUIRED AS PER STANDARD SHEET TITLED "WORK ZONE TRAFFIC CONTROL LEGENDS AND NOTES".
2. NO WORK ACTIVITY, EQUIPMENT, VEHICLES AND/OR MATERIALS SHALL BE LOCATED BETWEEN THE BARRIER OR SHADOW VEHICLE AND THE ACTIVE WORK AREA ROLL AHEAD DISTANCES.
3. THE CONTRACTOR MAY BE REQUIRED TO PROVIDE A BARRIER VEHICLE IN CONJUNCTION WITH POLICE PRESENCE IN THE WORK ZONE, TO BE INCLUDED IN THE UNIT BID PRICE FOR BASIC WORK ZONE TRAFFIC CONTROL.



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REVISIONS:

| No. | Description | Date |
|-----|-------------|------|
| | | |

PROJECT NAME:

New Construction
Express Mart #389
Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07.20.15
Municipality Submission: 09/20/15
Drawn by: JLP
Scale: As Noted

DRAWING NAME:
**Maintenance &
Protection of
Traffic Plan**

DRAWING NO.

MPT-100

Project no.: 14.055



| REVISIONS: | |
|------------|------------------|
| No. | Description Date |

Attachment: Civil Plans (RES-2015-567 : Accept Site Plan-Express Mart - Harlem Rd.& Genesee St.)

PROJECT NAME:

New Construction

Express Mart #389

Corner of Harlem & Genesee
Cheektowaga, NY

Issued for Construction: 07.20.15
Municipality Submission: 09/2015
Drawn by: JLI
Scale: As Noted

DRAWING NAME:

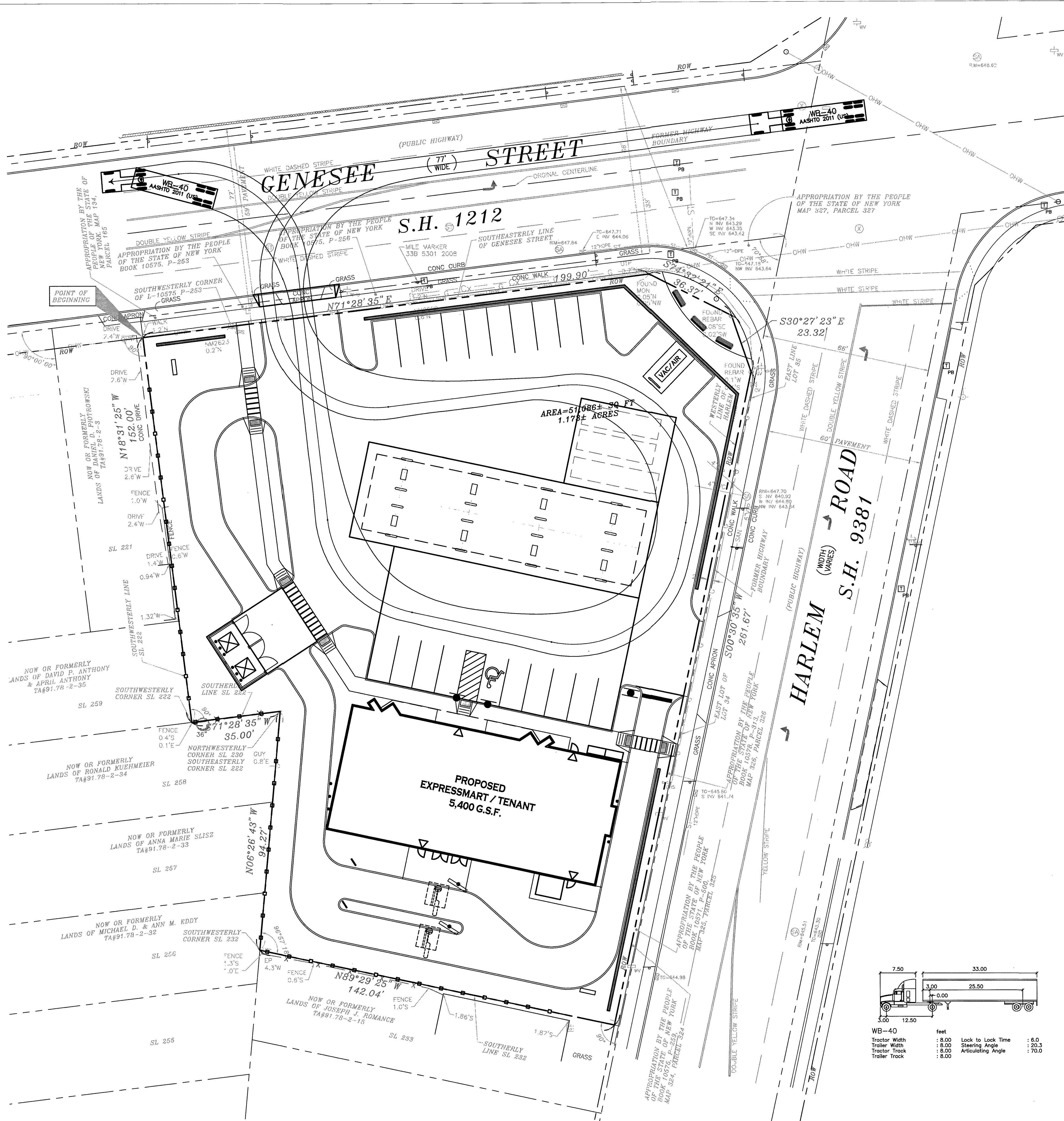
Truck Plan

DRAWING NO.

T-100

Project no.: 14.055

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NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION
PROVIDED BY OTHERS, CARMINA WOOD MORRIS, D.P.C.
ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.





Town of Cheektowaga

Special Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, October 27, 2015

5:30 PM

Council Chambers

I. Call to Order

5:30 PM Meeting called to order on October 27, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Kerry Peek, Senior Services Director

II. Public Comment Period

III. Public Hearings

1. 2016 Preliminary Ad Valorem Budget

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Gerald Kaminski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. 2016 Benefit Basis Budget

RESULT: **CLOSED [UNANIMOUS]**
MOVER: Mary Holtz, Supervisor
SECONDER: Gerald Kaminski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Adjourn

Motion by Supervisor Holtz; Seconded by Councilmember Rogowski to adjourn the meeting at 7:22 PM

Alice Magierski, Town Clerk



Town of Cheektowaga

Work Session

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, October 27, 2015

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on October 27, 2015 at Council Office, Conference Room, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Resolutions



1. RESOLUTION 2015-582

Request Erie County to Levy Omitted Taxes Against Properties in the Town

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, in any given year, when the owners of properties fail or refuse to maintain their properties, the Town of Cheektowaga must maintain or demolish the properties, and

WHEREAS, if the owners of these properties refuse to reimburse the Town for expenses incurred by the Town for the maintenance or demolition of said properties, the Town must place special assessments against these properties, and

WHEREAS, pursuant to the Town Law of the State of New York, the Town must notify the County of Erie of these special assessments which are considered omitted taxes under the law, and

WHEREAS, in **2015**, the Town maintained and demolished various properties in the Town, and the expenses for same were not paid by the respective property owners, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the Erie County Legislature to levy the sum of **\$361,710.95** against the applicable properties, and BE IT FURTHER

RESOLVED, that the Assessor is hereby directed to deliver to the County of Erie her master computer assessment roll file, and BE IT FURTHER

RESOLVED, that the Town Supervisor be and hereby is authorized and directed to execute a Letter of Authorization to the Erie County Real Property Tax Department to enforce the various unpaid accounts/omitted taxes mentioned above.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-583

Retain Services of Greenman-Pedersen, Inc. For Evaluation of the Brentwood Drive Bridge

Sponsored By: Supervisor Holtz, Councilmember Meyers

WHEREAS, a recent inspection of the Brentwood Drive Bridge which spans Slate Bottom Creek, BIN 2260300, by the New York State Department of Transportation Bridge Inspection Unit has identified structural deficiencies for which the Town has maintenance responsibility, AND

WHEREAS, there is a need to promptly perform further inspection and analysis to evaluate the deficiency of said bridge and design temporary shoring to reinforce the bridge, design a permanent repair and develop cost estimates for such, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Greenman-Pedersen, Inc. dated October 19, 2015 as submitted to the Town Engineer and Town Superintendent of Highways for professional services associated with evaluation of the structural bridge elements, and preparation of a remedial action plan for bridge rehabilitation, is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign said agreement with Greenman-Pedersen, Inc. for the provision of said professional services in an amount not to exceed \$19,300 shall be chargeable to the Ditch and Creek Maintenance Account #400.8140.4543.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-584

Accept Proposal of Nussbaumer & Clarke, Inc. for Additional Services for Improvements at the Roycroft Pump Station

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, by resolution dated June 16, 2014 this Town Board engaged the firm of Nussbaumer & Clarke, Inc. to prepare an engineering report, detailed drawings and technical specifications for the installation of new pumps, motors and variable frequency drives, replacement of suction piping, valves, structural support components and associated electrical, instrumentation and control modifications at the Roycroft Pump Station, AND

WHEREAS, the Sewer Maintenance Department has requested changes, modifications and additions to the scope of work which will provide for a safer and more efficient work environment while operating and servicing the pump station, as outlined in a proposal dated October 16, 2015 from Nussbaumer & Clarke, Inc. to the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to execute the Proposal for Additional Services with Nussbaumer & Clarke, Inc. dated October 16, 2015 in an amount not to exceed \$9,450.00, chargeable to Account No. 255.8125.4581.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-585

Authorize National Grid to Install Six (6) New Street Lights on the Cleveland Drive Bridge

Sponsored By: Meyers, Benczkowski, Rogowski

WHEREAS, the New York Thruway Authority's on-going project for the replacement of the Cleveland Drive Bridge (B.I.N. 5512000), New York State Thruway (I-90), Contract Tab. 14-23B necessitates the removal and replacement of existing street lighting facilities on and in the vicinity of the bridge which are owned by the Town, AND

WHEREAS, by Town Board Resolution 2015-497 on September 8, 2015 the Town approved the removal and elimination of street lights #857, 866, 875, 886, 921 and 924 Cleveland Drive, AND

WHEREAS, the construction contract includes the installation of six (6) new 250W High Pressure Sodium Teardrop Luminaires on 30' Town owned standards, said new street lights to be numbered #847, 856, 867, 886, 926 and 907, AND

WHEREAS, the estimated annual charge for said facilities is \$2,906.94, chargeable to the General Lighting District, AND

WHEREAS, the installation fee associated with installing the fore mentioned street lights is \$3,293.00 as indicated in National Grid's proposal dated September 16, 2015, AND

WHEREAS, the construction contract provides for the Town to be reimbursed for installation costs, NOW, THEREFORE, BE IT

RESOLVED, that National Grid be authorized to install the fore mentioned street lighting facilities associated with said project at no net cost to the Town, AND BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed to sign PSC No. 214 Electricity S.C. No. 2 Schedule SL2 Form dated October 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

III. Adjournment

Motion by Councilmember Rogowski; Seconded by Councilmember Adamczyk to adjourn the meeting at 7:30 PM

Alice Magierski, Town Clerk



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, November 2, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on November 2, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Robert Brandon, Zoning Board Chairman
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Public Hearings

1. Demolition of 17 Yvette Drive

History:

10/19/15 Board MEETING CANCELLED

Next: 11/02/15

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: Christine Adamczyk, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Community Development Funds

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Christine Adamczyk, Councilmember
SECONDER: Mary Holtz, Supervisor
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

3. Community Development to Amend Annual Plans

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Christine Adamczyk, Councilmember
SECONDER: Mary Holtz, Supervisor
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-586

Warrant

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to November 2, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$4,401,646.47 |
| RISK RETENTION FUND | 1,175,177.22 |
| NYS HOME PROGRAM | 100.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 10,790.00 |
| SPECIAL DISTRICTS FUND | 789,723.93 |
| HIGHWAY FUND | 573,218.64 |
| CAPITAL FUND | 330,899.37 |
| TRUST & AGENCY FUND | 2,024.32 |
| HUD CDBG FUND | 800.14 |
| PART TOWN FUND | 116,477.06 |
| NYS AFFORDABLE HOUSING | 16,185.00 |
| | <hr/> |
| | \$7,417,042.15 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-587

Adopt Ad Valorem Budget for 2016

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, officers and employees in charge of the various administrative units of the government of the Town of Cheektowaga have submitted estimate of revenues and expenditures for the 2016 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, 2016, and a public hearing was conducted there on October 27, 2015 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, 2016.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-588

Adopt Benefit Basis Budget for 2016

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, Mary F. Holtz, 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 set forth, namely:

Town of Cheektowaga Final Benefit Basis Budget, AND

WHEREAS, a Public Hearing was duly held on the 27th day of October, 2015 at 5:30 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 Roll for the Year 2016.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-589

Approval of Change Order No. 1 for Concrete Installation

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, by Town Board Resolution dated April 6, 2015 (Resolution 2015-14), the contract for Concrete Installation was awarded to Yarussi Construction, Inc., 5650 Simmons Ave., Niagara Falls, New York, 14304, AND

WHEREAS, unexpectedly, additional Community Development Block Grant Funds became available to do additional sidewalk replacement work in the north area of the Town, AND

WHEREAS, the Town has amended its annual Community Development plan to utilize said funds in 2015 for sidewalk replacement work in this area of Town, AND

WHEREAS, sidewalk in the area specified in the change order are in desperate need of replacement as soon as possible and, if the aforementioned Community Development funds are not utilized in 2015, they may be lost, AND

WHEREAS, in order for Community Development fund to be utilized this year, it is necessary that a change order be issued for the aforementioned contract awarded to Yarussi Construction, Inc. To include the additional work, AND

WHEREAS, the additional scope of work is estimated at \$350,000.00 beyond the original scope of the project as further detailed in the Change Order Document; and this work is in accordance overall with the original scope of the work awarded by the above mentioned resolution, NOW THEREFORE, BE IT

RESOLVED, that Change Order No 1 to the aforementioned contract for concrete installation in the amount of \$350,000.00, be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that moneys for said Change Order shall be appropriated from a budget line from the Director of Community Development budget, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 1 on behalf of this Town Board.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-590

Notice to Bidders - One (1) 2016 or Newer Ford Escape SE, SUV, or Equal (BID #2015-33 CD)

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, it is in order that a Notice to Bidders be advertised for the purchase of one (1) new and unused 2016 or newer Ford Escape SE, SUV, or equivalent (with trade-in of used vehicles), (Bid 2015-33 CD), NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of said vehicle, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of November, 2015 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall 3301 Broadway Street, Cheektowaga, NY 14227.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on 18th day of November, 2015 at 11:00 A.M., Local Time, at the Town Hall, Council Chambers, 3301 Broadway Street, Cheektowaga, NY 14227, for the purchase of one (1) new and unused 2015 or newer Ford Escape SE, SUV (with trade-in of used vehicles), or equivalent (Bid 2015-33 CD).

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

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-591

Accept Site Plan-40 Dewberry Lane

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Todd Wojciechowski of Elite Machine & Design, Inc. Submitted a development review application for the construction of a 2,304 s.f building addition to and existing warehouse/fabrication building at 40 Dewberry Lane, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of October 8, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-592

Authorize Supervisor to Execute Agreement with Cheektowaga Central School District

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, on occasion, commercial property owners in the Town of Cheektowaga challenge their assessments in court, and

WHEREAS, presently Cheektowaga Central School District and the Town of Cheektowaga utilize different attorneys to represent their interest in court on these legal challenges, and

WHEREAS, representatives of the Town of Cheektowaga met with representatives of Cheektowaga Central School District to discuss sharing attorneys and splitting the costs of such attorneys in order to save taxpayers money, and

WHEREAS, both sides agreed to utilize the Town's attorneys to represent both parties on these assessment challenges, and

WHEREAS, the Town Attorney has prepared an agreement between both parties to accomplish this, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned agreement between the Town of Cheektowaga and Cheektowaga Central School District on behalf of the Town, the term of said agreement to expire on June 30, 2016 (unless sooner terminated by either party).

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-593

Authorize Supervisor to Execute Agreement with National Grid to Attach Holiday Decorations to Electrical Poles

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, during the holiday season, the Town of Cheektowaga usually attaches decorations to electrical poles throughout the town; and

WHEREAS, National Grid is the owner of electrical poles in a portion of the Town of Cheektowaga; and

WHEREAS, National Grid has notified the Town of Cheektowaga that, if we decide to attach decorations to National Grid's poles, the Town needs to execute an agreement with National Grid; and

WHEREAS, the Town is interested in attaching holiday decorations to National Grid's electrical poles; NOW, THEREFORE, BE IT

RESOLVED, that subject to approval by the Town Attorney, the Supervisor be and hereby is authorized and directed to execute an agreement with National Grid and any other documents necessary to permit the Town to attach holiday decorations to the electrical poles of National Grid.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-594

Authorize Supervisor to Sign Contracts for Concerts and Special Events for 2016

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that subject to approval by the Town Attorney, the Supervisor be and hereby is authorized to sign contracts between the Town of Cheektowaga, performers, sponsors and recurring vendors for concerts and special events to be held during the year 2016.

FUNDING SOURCE:

0100-7140-4503

0100-7140-4491

0100-7620-4491

0100-7620-4685

0100-7550-4374

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-595

Purchase 1 Passenger Van for the Senior Center

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga Office of Community Development would like to purchase one (1) Passenger Van for use by the Town of Cheektowaga Senior Center, and

WHEREAS, Article 5-A of the General Municipal Law of the State of New York permits a municipality to utilize County bid pricing for purchases in lieu of advertising for bids on its own, and

WHEREAS, the County of Chautauqua has awarded a bid for the purchase of such vehicle (Contract Number PC66384) and has, as part of said bid process, allowed various municipalities, including the Town of Cheektowaga, to utilize its bid prices for the purchase of such vehicle, and

WHEREAS, the Cheektowaga Office of Community Development has reviewed the County bid pricing for the vehicle it wishes to purchase, and has determined that the Town of Cheektowaga can save money by utilizing Chautauqua County's bid to purchase this vehicle, and

WHEREAS, the Chautauqua County bid price for one (1) Passenger Van is \$26,529.85, and

WHEREAS, Cappellino Chevrolet, f.k.a. Emerling Chevrolet, has agreed to provide one (1) Passenger Van at a cost of \$26,529.85, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby agrees to utilize Chautauqua County Contract Number PC66384 for the purchase of one (1) Passenger Van at a total cost of \$26,529.85 as per the proposal submitted by Cappellino Chevrolet dated 10/24/2015, and BE IT FURTHER

RESOLVED, that funding for the purchase of these vehicles shall be appropriated from Community Development Block Grant Funds, Account No. 700.1013.0665.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-596

Retain Firm of Grantmakers Advantage, Inc. for Grant Consulting

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

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

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

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

WHEREAS, Grantmakers Advantage, Inc. has submitted a proposal to perform grant development, writing and administration services to the Town for the remainder of 2015 and calendar year 2016, and

WHEREAS, this Town Board wishes to continue to retain the services of a grants consultant firm for the remainder of 2015 and calendar year 2016, NOW, THEREFORE, BE IT

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

RESOLVED, that the fee stipulated in such agreement, \$49,917.00, shall be appropriated from budget line item number 0100-1220-4957.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-597

Memorial Tree Planting Policy

Sponsored By: Holtz, Kaminski, Rogowski, Benczkowski, Meyers, Adamczyk

WHEREAS, the Town of Cheektowaga has received requests from residents to plant trees in the Town's parks and as memorials to loved-ones, and

WHEREAS, the Town Facilities Department is charged with the maintenance of Town Parks, and

WHEREAS, Town Facilities Department has developed a list of tree species which are approved for planting in Town parks, and annually solicits quotes for the purchase of said trees, and

WHEREAS, there is a need for this Town Board to adopt a policy for the planting of memorial trees in Town parks, **NOW, THEREFORE, BE IT**

RESOLVED, that the Town Board hereby approves the following policy for those who wish to purchase a tree in memory of a loved one to be placed in a Town park:

MEMORIAL TREE PLANTING POLICY

If an individual desires to have a tree planted in one of the Town of Cheektowaga parks, he/she must contact the General Crew Chief of the Facilities Department to obtain approval from him for the type of species and location for the tree to be planted.

Once approved, the individual must purchase the tree through the Town-approved vendor at the price quoted to the Town.

Once the tree is purchased by the individual and delivered to the Town park approved for said tree, the Town Facilities Department employees shall plant the tree in the location approved therefor by the General Crew Chief of the Facilities Department

As an additional option, the individual purchasing the memorial tree may also purchase a small brick (in a size approved by the General Crew Chief of the Facilities Department) with an appropriate inscription/name on said brick. The General Crew Chief of the Facilities Department will give the individual the name of a company/companies through which the individual can purchase the brick. The brick must be delivered to the Facilities Department. The Facilities Department will place the brick in an appropriate location at the base of the memorial tree.

The Town of Cheektowaga will assume no responsibility or liability for damage to the memorial tree or brick.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-598

Unsafe Soffit Assembly/49 Gualbert

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 49 Gualbert Avenue, Cheektowaga, New York SBL# 101.60-7-36 that is a danger to the safety of others, and records kept by the Assessors Office identify Sheila Craft, 7888 Utley Road, East Otto, New York 14729, as the owner AND

WHEREAS, an inspection of such premises was conducted at 49 Gualbert Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-599

Authorization of Student Interns (Police Department)

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, Sherrita Samuel, a student at Medaille College, and Mark Girardi, also a student at Medaille College, have requested to participate in the student internship program at the Police Department; AND

WHEREAS, these individuals have been interviewed by the Police Department and the Police Department is willing to afford them the opportunity to intern in the department; NOW, THEREFORE, BE IT

RESOLVED, that Sherrita Samuel of Cheektowaga, New York, and Mark Girardi of West Seneca, New York, be and hereby are authorized to participate as unpaid interns in the Police Department, subject to their execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that said internships be and hereby are effective November 3, 2015 through January 31, 2016; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement of Confidentiality, and all other documents necessary to effectuate this student internship in the Police Department.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-600

Youth & Recreation Terminations

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

| | | |
|-------------------|---------|-------|
| Allison Herman | 8/27/14 | 14225 |
| Austin Junik | 8/15/15 | 14206 |
| Melissa Owczarzak | 8/22/14 | 14043 |
| Samantha Poules | 7/30/15 | 14227 |
| Cerene Usinski | 8/23/15 | 14225 |

Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to waive the reading of names for the following resolutions: 2015-600; 2015-601 and 2015-602. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Diane Benczkowski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



16. RESOLUTION 2015-601

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Attendant – 7180.1801 - \$8.75 – Part-time

Morgan Miecznikowski

Recreation Attendant – 7140.1632 - \$8.75 – Regular Part-time

David Kovatchev

Keri Murphy

BE IT FURTHER RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective November 4, 2015:

Recreation Attendant - 7140.1664 - Regular Part-time - \$10.00

Melissa Pawlak

Recreation Instructor – 7140.1664 – Regular Part-Time - \$10.75

Joelle Gretch

Recreation Attendant - 7140.1664 - Regular Part-time - \$11.00

Gayle Anthony

Recreation Instructor – 7140.1664 – Regular Part-Time - \$11.90

Joy Donnelly-Smith

Recreation Attendant - 7140.1664 - Regular Part-time - \$12.55

Sandra Suwalski

Recreation Attendant - 7140.1664 - Regular Part-time - \$12.80

Ann Sheldon

Recreation Attendant - 7140.1630 - Regular Part-time - \$13.00

Lisa Miller

Recreation Attendant - 7140.1664 - Regular Part-Time - \$13.30

Nancy Fumerelle

Recreation Attendant - 7140.1664 - Regular Part-time - \$14.30

Laila Desjardins

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-602

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

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

POLICE DEPARTMENT School Crossing Guard \$10.00/hour effective 10/26/15
Pauline Ramsey, Cheektowaga, New York

SANITATION DEPARTMENT Laborer \$9.25/hour effective 10/19/15
Walter W. Szafraniec, Cheektowaga, New York

SENIOR SERVICES Van Driver \$9.50/hour effective 11/3/15
Ronald Moore, Cheektowaga, New York

FACILITIES DEPARTMENT (Parks Division) Laborer \$9.00/hour effective 11/3/15
Jessica J. Full, Cheektowaga, New York

BE IT RESOLVED, that the following individuals be and hereby are hired as **SEASONAL EMPLOYEES**, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$9.25/hour effective 10/15/15
Jerome M. Costner, Jr., Cheektowaga, New York

SANITATION DEPARTMENT Laborer \$9.25/hour effective 10/21/15
Gaylon A. Snyder, Cheektowaga, New York

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

SANITATION DEPARTMENT
Nicholas D. Pilarski effective 10/6/15
Ryan M. Klein effective 10/7/15

SEWER MAINTENANCE DEPARTMENT
Kobe J. Walenka effective 10/17/15

FACILITIES DEPARTMENT
Craig R. Maconaghy, Jr. effective 10/18/15

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-603

Appointment of Automotive Mechanic (Non-Competitive/Permanent) Central Garage/Joseph M. McCarville

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, a vacancy exists in the title of Automotive Mechanic in the Central Garage;
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, Joseph M. McCarville has applied for said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Joseph M. McCarville of Depew, New York, be and hereby is appointed to the position of Automotive Mechanic in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective November 4, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-604

Appointment of Welder (Non-Competitive/Permanent) Central Garage/Ronald W. Stout

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the position of Welder in the Central Garage; AND

WHEREAS, notice of said 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 bids were received from any Town of Cheektowaga Employees Association bargaining unit member; AND

WHEREAS, Ronald W. Stout applied for said vacancy and meets all the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Ronald W. Stout of Sloan, New York, be and hereby is appointed to the position of Welder in the Highway Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective November 4, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-605

Appointment of Laborer (Labor/Permanent) Highway Department/Michael J. Noworyta

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Laborer in the Highway 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 Town of Cheektowaga Employees Association bargaining unit member bid on said vacancy; AND

WHEREAS, Michael J. Noworyta, applied for said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Michael J. Noworyta, of Cheektowaga, New York, be and hereby is appointed to the position of Laborer in the Highway Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective October 1, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-606

Travel Authorization Engineering Department

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the 27th Annual Fall Bridge Conference is being held November 13, 2015 at the Millennium Hotel in Buffalo, New York; AND

WHEREAS, Town Engineer Patrick Bowen has requested to attend said conference; AND

WHEREAS, he has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$110; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Town Engineer Patrick Bowen be and hereby is authorized to attend the 27th Annual Fall Bridge Conference being held November 13, 2015 at the Millennium Hotel in Buffalo, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-607

Travel Authorization Community Development

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the CDM User Conference is being held November 4, 2015 through November 5, 2015 in Boulder, Colorado; AND

WHEREAS, the following have been recommended to attend said conference:

Director of Community Development Carla Kosmerl
Assistant Code Enforcement Officer Dale Marie Parks
Assistant Code Enforcement Officer Richard Willis and
Account Clerk Typist Rachel Hupkowicz; AND

WHEREAS, Director of Community Development Carla Kosmerl has submitted a request for travel authorization along with the proper paperwork; AND

WHEREAS, the total cost to the Town shall not exceed \$5,145; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Director of Community Development Carla Kosmerl, Assistant Code Enforcement Officer Dale Marie Parks, Assistant Code Enforcement Officer Richard Willis, and Account Clerk Typist Rachel Hupkowicz be and hereby are authorized to attend the CDM User Conference being held November 4, 2015 through November 5, 2015 in Boulder, Colorado.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Communications

A. Departmental Communications

1. Supervisor's Statement of Funds - September 2015
2. Building Permit List - September 2015
3. Minutes: Cheektowaga Traffic Safety Commission - September 15, 2015

4. **Minutes: Cheektowaga Conservation Advisory Council - October 1, 2015**

B. General Communications

1. **Order to Show Cause and Petition: Modern Disposal, Inc. vs. Town of Cheektowaga and Waste Management of NY, LLC**
2. **Notice of Claim: Ryan A. Burkard vs. Town of Cheektowaga**
3. **Notice of Claim: Shavonne Space vs. Town of Cheektowaga**

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjournment

Motion by Supervisor Holtz, Seconded by Councilmember Rogowski to close the meeting in memory of Roger Newhouse, Cheektowaga Conservation Corps Coordinator for 38 Years with Youth & Recreation Department developing Losson Nature Trails.

Alice Magierski, Town Clerk



Town of Cheektowaga

Work Session

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, November 10, 2015

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on November 10, 2015 at Council Office, Conference Room, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Absent | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
David Zack, Chief of Police

II. Motion To: Enter Into Executive Session

COMMENTS - Current Meeting:

To Discuss litigation and personnel matters, including the qualifications for hiring of various employees in various departments, including the Police Department.

RESULT: ADOPTED [UNANIMOUS]
MOVER: James P. Rogowski, Councilmember
SECONDER: Timothy J. Meyers, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers
ABSENT: Christine Adamczyk

III. Motion To: Exit Executive Session

RESULT: ADOPTED [UNANIMOUS]
MOVER: Mary Holtz, Supervisor
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers
ABSENT: Christine Adamczyk

IV. Resolutions



1. RESOLUTION 2015-608

Settlement of Litigation

Sponsored By: Kaminski, Holtz, Rogowski, Benczkowski, Meyers

WHEREAS, an action was commenced against the Town of Cheektowaga in the United States District Court in the Western District of New York (Case No. 1:15-CV-004530-EAW-HBS); and

WHEREAS, the law firm of Hodgson Russ LLP (Ryan J. Lucinski, Esq., of counsel) was retained to represent the Town; vigorously defended the interests of the Town with regard to this claim; and has recommended a settlement with the claimants' attorney; and

WHEREAS, this settlement is in the best interest of the Town of Cheektowaga; NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves of the above settlement in accord with the Stipulation of Discontinuance and Settlement Agreement, Waiver and General Release signed by the plaintiff, and the Town Supervisor and/or Ryan J. Lucinski, Esq.. be and hereby are authorized to execute and procure all papers necessary to effectuate said settlement and compromise of the above mentioned claim in accordance with the terms of the Settlement Agreement, Waiver and General Release, and the Stipulation of Discontinuance.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |

V. Motion To: Adjourn at 8:27 pm

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers |
| ABSENT: | Christine Adamczyk |



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, November 16, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on November 16, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Ellen Fischer, Executive Director - Youth Board
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney

II. Public Comment Period

III. Resolutions



1. RESOLUTION 2015-609

Transfer of Funds

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;
SPECIAL DISTRICTS

| | | | |
|-------|---------------|------------------|------------|
| FROM: | 150.8160.4468 | Composting Costs | \$1,000.00 |
|-------|---------------|------------------|------------|

| | | | |
|-----|---------------|----------------------|------------|
| TO: | 150.8160.4071 | Uniform Replacements | \$1,000.00 |
|-----|---------------|----------------------|------------|

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Gerald Kaminski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



2. RESOLUTION 2015-610

Warrant

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to November 16, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$2,672,525.30 |
| RISK RETENTION FUND | 864,721.70 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 5,000.00 |
| SPECIAL DISTRICTS FUND | 613,022.14 |
| HIGHWAY FUND | 494,173.10 |
| CAPITAL FUND | 274,208.26 |
| TRUST & AGENCY FUND | 2,294.27 |
| HUD CDBG FUND | 28,442.53 |
| PART TOWN FUND | 98,322.14 |
| NYS AFFORDABLE HOUSING | 0.00 |
| | <hr/> |
| | \$5,502,709.44 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-611

Call for Public Hearing - Rezoning Request 3600 Harlem Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, 3600 Harlem Road, LLC has made application and requested the rezoning of 3600 Harlem Road from NS- Neighborhood Services to RSC- Residential Senior Citizen District for the conversion of an existing nursing home into (75) seventy five apartments for senior independent living, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on December 7, 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the December 7, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

3600 Harlem Road, Inc

For the rezoning of 3600 Harlem Road from NS- Neighborhood Services to RSC- Residential Senior Citizen District for the conversion of an existing nursing home into (75) seventy five apartments for senior independent living.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 36, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in the Erie County Clerk's Office under cover number 1726, is known as lot numbers 4 to 9 inclusive and part of Lot number 3, bounded and described as follows:

Beginning at the intersection of the west line of Harlem Road and the north line of Mafalda Drive; running thence westerly along the north line of Mafalda Drive 201.20 feet; thence northerly at right angles 328.74 feet; thence easterly parallel with Mafalda Drive 203.97 feet to

the west line of Harlem Road; and thence southerly along the west line of Harlem Road 328.75 feet to the point of beginning.

Excepting therefrom that part acquired by the State of New York by Notice of Appropriation recorded in Erie County Clerk's Office in Liber 11115 of deeds at page 4249.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-612

Call for Public Hearing - Rezoning Request 6500 Transit Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, 6500 Transit Road, LLC has made application and requested the rezoning of 3.22 +/- acres of vacant land at 6500 Transit Road from M1- Light Manufacturing to CM- General Commercial for the construction of 4,500 s.f. restaurant and an 18,000 s.f retail building , NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on December 7 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the December 7, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

6500 Transit Road

For the rezoning of 3.22 +/- acres of vacant land at 6500 Transit Road from M1- Light Manufacturing to CM- General Commercial for the construction of a 4,500 s.f. restaurant and an 18,000 s.f retail building .

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 79, Township 11, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at the point on the south line of Pfohl Road, said point being 275 feet westerly measured along south line of Pfohl Road, from the center line of Transit Road.

Thence southeasterly along a property previously acquired in the fee by the people of the State of New York as delineated on Parcel # 172, Map 190, Part 4, S.H. No. 1334A-1 a distance of 141 feet to a point; Thence Southerly along the property previously acquired in the fee by the people of the State of New York as delineated on Parcel # 1, Map 1, Part 4, S.H. No. 1334A-1 a distance of 193.88 feet to a point ; Thence southerly along the said firs mentioned boundary a distance of 93.93 feet to a point; Thence westerly along a line forming an interior angle of 99°49'05", a distance of 471.94 feet to a point; Thence northerly along a line forming an interior angle of 77°05'42", a distance of 275.79 feet to a point; Thence easterly along a line forming an interior angle of 119°37'23", a distance of 55.02 feet to a point; Thence easterly along a line forming an interior angle of 159°39'07", a distance of 169.11 feet to a point; Thence northerly along a line forming an exterior right angle with previously mentioned line, a distance of 142.49 feet to the point on the south Right of Way of Pfohl Road. Thence easterly along south Right of Way of Pfohl Road 83.23 feet to the Point of Beginning, 3.22 acres more or less.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-613

Call for Public Hearing - Local Law Intro No. 2015-10 - A Local Law to Amend the Town Sewers Law (Chapter 198 of the Town Code)

Sponsored By: Meyers, Holtz, Rogowski, Kaminski, Benczkowski, Adamczyk

WHEREAS, Chapter 198 of the Code of the Town of Cheektowaga, entitled "Sewers" provides for the maximum possible public use of the Town's publicly owned treatment works through regulation, and

WHEREAS, as part of the Consent Order with the NYS Department of Environmental Conservation, there is a need to amend Chapter 198 to require time of sale inspection of properties located in the Town's Consolidated Sanitary Sewer District to ensure that property owners are not discharging their storm waters or drainage into the Town Consolidated Sanitary Sewer District, and

WHEREAS, a draft of such amendment has been prepared by the Supervising Code Enforcement Officer, Town Engineer and Town Attorney, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 7th day of December, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-10, entitled "A Local Law to Amend the Town Sewers Law", and BE IT FURTHER

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



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 7th day of December, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2015-10 of the Year 2015, entitled "A Local Law to Amend the Town Sewers Law". Following is a synopsis of the proposed Local Law Intro No. 2015-10:

Local Law Intro No. 2015-10

A Local Law to Amend the Town Sewers Law

1. Section 198-1, entitled "Definitions" shall be amended to add a definition for "Town Inspector".

2. Section 198-9, entitled "Inspections" shall be amended to permit Town Inspectors to perform inspections under the Town Sewers Law.

3. A new Section 198-26.1, entitled "Prohibited discharges; transfer of title; time of sale inspections", shall be added, which section shall contain provisions:

A. Prohibiting the discharge of storm waters, groundwater, roof runoff, subsurface drainage and other drainage into the sanitary sewers in the Town's Consolidated Sanitary Sewer District.

B. Requiring that, prior to the sale of any property located in the Town Consolidated Sanitary Sewer District, the property owner must make application for and have a Town Inspector or a representative of the Town Engineering Department, conduct an inspection of the property to ensure that same is in compliance with Section 198-26.1.

C. Requiring an inspection as stated hereinabove and that either a Certificate of Compliance be issued by the Office of the Supervising Code Enforcement Officer, or, if the inspection fails, the property owner will be required to perform repair/remediation work.

D. Providing for a temporary waiver of the Certificate of Compliance in certain circumstances.

A copy of the entire text of proposed Local Law Intro No. 2015-10 is on file in the Town Clerk's Office where same may be viewed during regular business hours.

Dated: November 16, 2015

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

ALICE MAGIERSKI, Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-614

Call for Public Hearing - Local Law Intro No. 2015-9 - A Local Law to Amend the Building Construction Codes Administration Law (Chapter 70 of the Town Code)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Chapter 70 of the Code of the Town of Cheektowaga, entitled "Building Construction Codes Administration" provides for the administration and enforcement of the New York State Building Codes relating to construction, and maintenance of buildings and structures in the Town of Cheektowaga, and

WHEREAS, there is a need to amend Chapter 70 to provide for fire safety and property inspections of buildings used for public assembly and multiple dwellings in accordance with New York State Codes, and

WHEREAS, a draft of such amendment has been prepared by the Supervising Code Enforcement Officer, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 7th day of December, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-9, entitled "A Local Law to Amend the Building Construction Codes Administration Law", and BE IT FURTHER

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



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 7th day of December, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2015-9 of the Year 2015, entitled "A Local Law to Amend the Building Construction Codes Administration Law". Following is the text of the proposed Local Law Intro No. 2015-9:

Local Law Intro No. 2015-9

A Local Law to Amend the Building Construction Codes Administration Law

1. Section 70-29, entitled "Required fire code permits" shall be amended to add a new subsection AA., to read as follows:

§70-29. A fire code permit shall be required for the following:

AA. Fire safety and property maintenance inspections.

1) fire safety and property maintenance inspections of buildings which contain an area of public assembly at intervals not to exceed one year;

(2) fire safety and property maintenance inspections of all multiple dwellings and all nonresidential occupancies at intervals consistent with local conditions, but in no event shall such intervals exceed one year for dormitory buildings and three years for all other buildings."

Dated: November 16, 2015

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

ALICE MAGIERSKI, Town Clerk

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-615

Authorize Supervisor to Execute an Agreement with TEC Smith, Inc. for the Provision of Professional Services

Sponsored By: Councilmember Meyers, Councilmember Kaminski

WHEREAS, in order to continue the Town's efforts to eliminate sanitary sewer wet weather overflows as mandated under a NYSDEC Order on Consent it is necessary to conduct flow monitoring within the Consolidated Sanitary Sewer District, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of TEC Smith, Inc., P.O. Box 383, Elma, New York 14059-0383 dated November 12, 2015 as submitted to the Town Engineer for professional services associated with district wide flow monitoring is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to execute an agreement with TEC Smith, Inc. for the provision of said professional services, AND, BE IT FURTHER

RESOLVED, that the cost of said professional flow monitoring services for a six (6) week period in an amount not to exceed \$12,000 shall be chargeable to Account No. 255.8125.4581.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-616

Approval for Application of First Unum Life Insurance Company

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, Lincoln Life and Annuity Company presently provides group life insurance and accidental death and dismemberment insurance to the Town's employees; AND

WHEREAS, Lincoln Life and Annuity Company has notified the Town of a premium rate increase, effective November 1, 2015; AND

WHEREAS, First Unum Life Insurance Company has offered to provide the same group insurance to the Town at a lower rate than Lincoln Life and Annuity Company being presently paid to by the Town; AND

WHEREAS, First Unum Life Insurance Company has guaranteed the rate for the next three years; AND

WHEREAS, this Town Board has determined that accepting this offer from the First Unum Life Insurance Company is a more cost-effective method of continuing the same coverage for Town employees; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves said application to the First Unum Life Insurance Company; AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute any and all documents effecting this coverage; AND, BE IT FURTHER

RESOLVED, that the funds shall be appropriated from the following budget line items: 100-9010-8151; 800-9010-8151; 300-9010-8151; 255-8135-8151; 150-8160-8151; and 255-8125-8151.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-617

Support for Villa Maria Housing Project for Female Veterans

Sponsored By: Holtz, Kaminski, Rogowski, Benczkowski, Meyers, Adamczyk

WHEREAS, the Felician Sisters of Villa Maria own and occupy the Villa Maria Provincial House on the Villa Maria Campus at the corner of Pine Ridge Road and Doat Street; the Sisters inhabit the east side of the 200,000 SF building for their medical and residential convent, and the west side of the building is currently vacant; and

WHEREAS, in 2010, the Erie County American Legion ("ECAL") formed a wholly owned 501(c)(3) non-profit organization called Legion Family Project of Veterans helping Veterans, whose mission is to support veterans and their families in Western New York and to create a facility dedicated to the needs of homeless female veterans and their children with on-site supportive services; and

WHEREAS, ECAL has partnered with various groups to create a development and operation plan to convert the west side of the Provincial House at Villa Maria into a full service facility providing services and housing to single females and their children, with a mission to focus service delivery towards homeless female veterans and their children; and

WHEREAS, the 2013 Annual Report on the State of Homelessness in Erie County, prepared by the Homeless Alliance of WNY, reported that there were 257 homeless veterans identified, which is a 21% increase over 2012. Of which, 84% represented male veterans and 16% represented female Veterans. With no reliable data on homeless female veterans from the Department of Veterans Affairs available, ECAL has experienced first-hand that there is a greater need in our community for services benefitting homeless female veterans beyond the available statistics. Women veterans are up to four times more likely to be homeless compared to non-veteran women and male veterans, and approximately a quarter of female veterans in the VA's Homelessness Programs have minor children; finding shelters that permit children and offer a safe environment is a primary obstacle for homeless women veterans; and

WHEREAS, the proposed Villa Maria Female Veterans Housing Project ("Project") will provide a unique, safe, and secure communal housing setting with integrated on-site support services including child care, education, comprehensive case management, counseling, and health care for homeless female veterans and their children; and

WHEREAS, the Project's occupancy is predicted to be 58 women and 65 children, for a total capacity of over 120 people in the facility at one time, and the Project will include short-term housing, and on the permanent housing floors, 1-bedroom, 2-bedroom, and studio apartments; and

WHEREAS, the Town of Cheektowaga has reviewed the Project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of Cheektowaga strongly supports the Project, and BE IT FURTHER

RESOLVED, that the Town Board of Cheektowaga will cooperate accordingly to assist in obtaining the proper approvals for the Project to progress.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-618

Authorize Auction of Surplus Vehicles and Equipment

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town wishes to dispose of surplus vehicles and equipment no longer functional or needed for Town use; and

WHEREAS, sale of surplus property by the Town is authorized by Section 64 of the Town Law of the State of New York; and

WHEREAS, Auctions International, Inc. will sell such surplus vehicles and equipment at an online auction; NOW THEREFORE, BE IT

RESOLVED, that the Town hereby retains Auctions International, Inc., 11167 Big Tree Road (20A), East Aurora, New York, 14052, to conduct a sale of the surplus Town vehicles and equipment identified on the attached list entitled "2015 Fall Auction Vehicles" at an online auction to be held on its website; and BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute an agreement with Auctions International, Inc., subject to approval by the Town Attorney, and any and all documents that may be required to effectuate the sale and/or transfer of said surplus vehicles and equipment.

Attachments:

2015 Fall Auction Vehicles (DOCX)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-619

Establish 2016 Program Fees for Youth & Recreation

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the following program fees be and hereby are established in the Department of Youth & Recreational Services:

FEE IN (\$0.00) DENOTE 2015 FEES

RESIDENT DISCOUNT CARDS

| | | |
|----------|-----------------------------|--------------|
| CHILDREN | (7 - 15 YEARS OF AGE) | \$5.00 (\$5) |
| ADULT | (16 - 59 YEARS OF AGE) | \$7.00 (\$7) |
| SENIORS | (60 YEARS OF AGE AND OLDER) | FREE (FREE) |

CAMP DARTWOOD, CAMP FLAMINGO & TEEN CLUB

| SUMMER | RESIDENT | NON-RESIDENT |
|--------------------------|----------------|----------------|
| PER CHILD ALL 6 WEEKS | \$ 803 (\$683) | \$ 938 (\$818) |
| PER CHILD WEEKLY | \$ 143 (\$123) | \$ 166 (\$150) |
| SECOND CHILD ALL 6 WEEKS | \$ 783 (\$663) | \$ 918 (\$797) |
| SECOND CHILD WEEKLY | \$ 137 (\$117) | \$ 160 (\$144) |
| THREE (3) DAYS PER WEEK | \$ 133 (\$109) | \$156 (\$118) |

YOUTH IN TRAINING

| RESIDENT | NON-RESIDENT |
|---------------|---------------|
| \$285 (\$197) | \$318 (\$232) |

CAMP JI-IK-DO-WAH-GAH/CAMP CRABAPPLE

| SUMMER | RESIDENT | NON-RESIDENT |
|--------------------------|----------------|----------------|
| PER CHILD ALL 6 WEEKS | \$ 803 (\$663) | \$ 938 (\$818) |
| PER CHILD WEEKLY | \$ 143 (\$123) | \$ 166 (\$150) |
| SECOND CHILD ALL 6 WEEKS | \$ 783 (\$639) | \$ 918 (\$797) |
| SECOND CHILD WEEKLY | \$ 137 (\$117) | \$ 160 (\$144) |
| THREE (3) DAYS PER WEEK | \$ 133 (\$109) | \$156 (\$118) |

ADAPTED RECREATION PROGRAM – FALL 2016

| | RESIDENT | NON-RESIDENT |
|-----------------|----------------|----------------|
| OCTOBER - APRIL | \$ 258 (\$250) | \$ 289 (\$280) |

SPECIAL OLYMPICS ONLY

| RESIDENT | NON-RESIDENT |
|----------|--------------|
|----------|--------------|

| | | | | |
|---------------|------|--------|------|--------|
| October – May | \$60 | (\$40) | \$60 | (\$40) |
| January – May | \$34 | (\$32) | \$34 | (\$32) |

LET'S GET REVIN WITH 5,6,7

| | | |
|--------------|-------------|--------------|
| SUMMER | RESIDENT | NON-RESIDENT |
| PER CHILD | \$62 (\$60) | \$67 (\$65) |
| SECOND CHILD | \$57 (\$55) | \$62 (\$60) |

TWO, THREE AND FOUR, FUN TO EXPLORE**(Summer Fun for 2, 3's & 4's)**

| | | |
|--------------|-------------|--------------|
| SUMMER | RESIDENT | NON-RESIDENT |
| PER CHILD | \$57 (\$55) | \$63 (\$61) |
| SECOND CHILD | \$52 (\$50) | \$58 (\$56) |

BREAK CLUBS

| | | |
|--------------|---------------|---------------|
| | RESIDENT | NON-RESIDENT |
| 4 DAYS | \$116 (\$112) | \$128 (\$124) |
| SECOND CHILD | \$107 (\$104) | \$120 (\$116) |
| 5 DAYS | \$144 (\$140) | \$160 (\$155) |
| SECOND CHILD | \$134 (\$130) | \$150 (\$145) |
| SINGLE DAY | \$29 (\$28) | \$32 (\$31) |
| SECOND CHILD | \$27 (\$26) | \$30 (\$29) |

**HOME WORK HELPERS – FALL 2016
PER HOUR**

| | |
|-------------|--------------|
| RESIDENT | NON-RESIDENT |
| \$11 (\$10) | \$11 (\$10) |

GIRL POWER

| | |
|-------------|--------------|
| RESIDENT | NON-RESIDENT |
| \$49 (\$47) | \$59 (\$57) |

GYMNASTICS (Beginners) Fall/Winter/Spring/Summer

| | | |
|--------------------|-------------|--------------|
| 2 DAY (12 classes) | RESIDENT | NON-RESIDENT |
| PER CHILD | \$69 (\$67) | \$79 (\$77) |
| SECOND CHILD | \$64 (\$62) | \$74 (\$72) |

SUMMER (1 DAY, 6 classes)

| | | |
|--------------|-------------|-------------|
| PER CHILD | \$37 (\$35) | \$47 (\$45) |
| SECOND CHILD | \$32 (\$30) | \$42 (\$40) |

TINY TUMBLERS

| | | |
|---------------------------|-------------|--------------|
| FALL/WINTER/SPRING/SUMMER | RESIDENT | NON-RESIDENT |
| SECOND CHILD | \$50 (\$48) | \$60 (\$58) |
| | \$45 (\$43) | \$55 (\$53) |

TINY TUMBLERS 16 CLASSES

| | | |
|--------------|-------------|--------------|
| PER CHILD | RESIDENT | NON-RESIDENT |
| SECOND CHILD | \$66 (\$64) | \$76 (\$74) |
| | \$61 (\$59) | \$71 (\$69) |

BEGINNER GYMNASTICS 16 CLASSES

| | | |
|--------------|-------------|--------------|
| PER CHILD | RESIDENT | NON-RESIDENT |
| SECOND CHILD | \$92 (\$89) | \$102 (\$99) |
| | \$87 (\$84) | \$97 (\$94) |

ADVANCED I & II GYMNASTICS**SUMMER/FALL/WINTER/SPRING – 12 CLASSES**

| | RESIDENT | NON-RESIDENT |
|--------------|-------------|--------------|
| PER CHILD | \$75 (\$72) | \$85 (\$82) |
| SECOND CHILD | \$69 (\$67) | \$80 (\$77) |

ADVANCED I & II GYMNASTICS 16 CLASSES

| | RESIDENT | NON-RESIDENT |
|--------------|-------------|---------------|
| PER CHILD | \$99 (\$96) | \$112 (\$108) |
| SECOND CHILD | \$94 (\$91) | \$106 (\$103) |

INTRO TO ADVANCED GYMNASTICS

| | | |
|--------------|-------------|-------------|
| PER CHILD | \$74 (\$72) | \$85 (\$82) |
| SECOND CHILD | \$69 (\$67) | \$80 (\$77) |

INTRO TO ADVANCED GYMNASTICS 16 CLASSES

| | | |
|--|-------------|---------------|
| PER CHILD | \$99 (\$96) | \$112 (\$108) |
| SECOND CHILD | \$94 (\$91) | \$106 (\$103) |
| OPEN WORKOUT | \$7 (\$6) | \$7 (\$6) |
| PRIVATE LESSON | \$13 (\$12) | \$13 (\$12) |
| PRIVATE LESSON (NOT REGISTERED IN GYMNASTICS CLASS) | \$16 (\$15) | \$16 (\$15) |

JUST A BACK HANDSPRING & FLOOR EXERCISE & TUMBLING

| | RESIDENT | NON-RESIDENT |
|-----------------------|-------------|--------------|
| PER CHILD | \$69 (\$67) | \$80 (\$77) |
| 2 ND CHILD | \$64 (\$62) | \$74 (\$72) |

JUST A BACK HANDSPRING & FLOOR EXERCISE & TUMBLING 16 CLASSES

| | RESIDENT | NON-RESIDENT |
|-----------------------|-------------|--------------|
| PER CHILD | \$92 (\$89) | \$102 (\$99) |
| 2 ND CHILD | \$87 (\$84) | \$97 (\$94) |

\$94

PILATES & FLEXIBILITY

| | RESIDENT | NON-RESIDENT |
|--|-------------|--------------|
| | \$46 (\$20) | \$51 (\$30) |

ADULT EXERCISE (CLEVELAND HILL)
FULL YEAR (2X A WEEK)
WALK IN - \$3 PER DAY

| | RESIDENT | NON – RESIDENT |
|--|---------------|----------------|
| | \$103 (\$100) | \$113 (\$100) |

SWIMMING – SUMMER-FALL-WINTER

| | RESIDENT | | NON-RESIDENT | | |
|-----------------------------------|----------|---------|--------------|---------|--------|
| YOUTH | \$41 | (\$39) | \$51 | (\$49) | SECOND |
| CHILD | \$38 | (\$36) | \$48 | (\$46) | |
| PARENT/INFANT | \$30 | (\$29) | \$40 | (\$39) | |
| SECOND CHILD | \$27 | (\$26) | \$37 | (\$36) | |
| PRE-SCHOOL | \$30 | (\$29) | \$40 | (\$39) | |
| SECOND CHILD | \$27 | (\$26) | \$37 | (\$36) | |
| WATER AEROBICS | \$41 | (\$39) | \$51 | (\$49) | |
| ADULT | \$41 | (\$39) | \$51 | (\$49) | |
| GUARD START | \$41 | (\$39) | \$51 | (\$49) | |
| WATER SLIDE | \$ 1 | (\$1) | \$ 1 | (\$1) | |
| DAILY USER FEE (Maryvale/Dingens) | \$ 7 | (\$7) | \$ 7 | (\$7) | |
| DAILY USER FEE (Town Pool) | \$ 7 | (\$7) | \$ 7 | (\$7) | |
| EVENING SWIM LESSONS | \$41 | (\$39) | \$51 | (\$49) | |
| | | | | | |
| YOUTH | \$41 | (\$39) | \$51 | (\$49) | |
| SECOND CHILD | \$38 | (\$36) | \$48 | (\$46) | |
| | | | | | |
| YOUTH SWIM LESSONS – 5 WEEKS | | | | | |
| | \$25 | (\$24) | \$31 | (\$30) | |
| | | | | | |
| SECOND CHILD | \$23 | (\$22) | \$29 | (\$28) | |
| LIFEGUARD TRAINING | \$141 | (\$137) | \$181 | (\$177) | |

Pool utilization for instructional groups will be charged \$30 per hour for 10 or less patrons. Five dollars more will be charged for every person above 10 in number. Rental availability subject to approval by the Pool Director.

INSTRUCTIONAL TENNIS

| | RESIDENT | | NON-RESIDENT | |
|--------------|----------|--------|--------------|--------|
| SUMMER | | | | |
| YOUTH | \$38 | (\$36) | \$48 | (\$46) |
| SECOND CHILD | \$33 | (\$31) | \$43 | (\$41) |

WEE THREE-TWICE THE FUN 2014-15 – SEPT. 2016**RUNS - 2ND WEEK OF SEPT TILL END OF MAY BEFORE MEMORIAL DAY**

| | RESIDENT | | NON-RESIDENT | |
|---------------------|----------|---------|--------------|---------|
| FALL/ WINTER/SPRING | | | | |
| PER CHILD | \$470 | (\$455) | \$510 | (\$495) |
| SECOND CHILD | \$420 | (\$425) | \$460 | (\$445) |

MOM & ME FOR 2's and 3's – FALL 2016

| | | | |
|---------------------------|-------------|-------------|--------------------|
| FALL/ WINTER PER CHILD | | RESIDENT | NON-RESIDENT |
| | | \$38 (\$36) | \$43 (\$41) SECOND |
| CHILD | \$33 (\$31) | \$34 (\$36) | |

| | | | |
|-----------------|--|-------------|--------------|
| ART CAMP | | RESIDENT | NON-RESIDENT |
| | | \$85 (\$82) | \$95 (\$92) |

| | | | |
|-------------------|--|-------------|--------------|
| CHEER CAMP | | RESIDENT | NON-RESIDENT |
| | | \$64 (\$62) | \$69 (\$67) |

PUBLIC SKATE

| | | |
|----------------------------------|----------------------------------|----------|
| FALL/WINTER GENERAL ADMISSION | \$5 (\$5) | |
| | W/ RESIDENT DISCOUNT CARD | |
| CHILDREN 3 AND UNDER | FREE | (FREE) |
| CHILDREN 4 TO 15 | \$3 | (\$3) |
| ADULTS 16 AND UP | \$4 | (\$4) |
| BIRTHDAY PARTIES | \$8.00 PER PERSON | (\$8.00) |
| SCHOOL TIME SKATES | \$4.00 PER PERSON | (\$4) |
| SENIOR CITIZENS | \$2 | (\$2) |

LEARN TO SKATE (PER INDIVIDUAL) 2016 FALL SECOND CHILD!

| | | |
|---------------|-------------|--------------|
| | RESIDENT | NON-RESIDENT |
| FALL | \$52 (\$50) | \$72 (\$70) |
| WINTER/SPRING | \$42 (\$40) | \$62 (\$60) |

ICE HOCKEY – 2016-2017

| FALL/ WINTER | RESIDENT | | NON-RESIDENT | |
|--------------|---------------|---------------|---------------|-----------------|
| | HOUSE | TRAVEL | HOUSE | TRAVEL |
| NOVICE | \$500 (\$450) | N/A | \$700(\$650) | N/A |
| MITE | \$500 (\$450) | N/A | \$700(\$650) | N/A |
| SQUIRT | \$600 (\$550) | \$750 (\$700) | \$800(\$750) | \$950(\$900) |
| PEE WEE | \$650 (\$600) | \$800 (\$750) | \$850(\$800) | \$1,000 (\$950) |
| BANTAM | \$700 (\$650) | \$850 (\$800) | \$900(\$850) | \$1050 (\$1000) |
| MIDGET | \$800 (\$750) | \$600 (\$545) | \$1000(\$950) | \$750 (\$700) |

- \$100 DISCOUNT FOR BALANCE(S) PAID IN FULL BY OCTOBER 15, 2016
- ALL COACHES WILL RECEIVE A \$150.00 REDUCTION FOR ONE CHILD
- SECOND CHILD ENROLLED FROM A FAMILY \$40.00 REDUCTION
- THIRD CHILD ENROLLED FROM A FAMILY \$90.00 REDUCTION
- FOURTH CHILD ENROLLED FROM A FAMILY \$150.00
- THERE WILL BE A \$100.00 LATE FEE FOR ANYONE NOT PAID IN FULL BY NOVEMBER 30TH OF EACH SEASON
- A \$200 NON-REFUNDABLE DEPOSIT IS REQUIRED TO REGISTER

ICE RENTALS

| | | | |
|--------------------------|------------|---------------|---|
| FALL/ WINTER PER HOUR | PRIME TIME | \$190 (\$185) | 5:00pm-11:00pm M-F All day Sat and Sun and Holidays |
| | NON-PRIME | \$160 (\$160) | 8:00am- 5:00pm M-F – Except holidays |

SPORT COURT RENTALS

| | | |
|-------------------|-------|---------|
| PER HOUR | \$85 | (\$80) |
| PER HOUR AND HALF | \$105 | (\$100) |
| PER 2 HOURS | \$140 | (\$135) |

INLINE HOCKEY

| | | |
|-------------------|---------------|---------------|
| SUMMER | RESIDENT | NON-RESIDENT |
| YOUTH PARTICIPANT | \$80 (\$80) | \$110 (\$110) |
| NOVICE | \$25 (\$25) | \$35 (\$35) |
| ADULT TEAM | \$885 (\$885) | \$945 (\$945) |
| JUNIOR A | \$30 (\$30) | \$60 (\$60) |
| INLINE GOALIE | \$40 (\$40) | \$55 (\$55) |

** ADULT INLINE TEAMS ARE RESPONSIBLE FOR PAYMENT OF REFEREES
PRIOR TO THE START OF EACH GAME** \$100 DISCOUNT IF PAID IN FULL BY THE
TEAMS 1ST GAME

**\$150 for Jerseys (Optional)

| | | |
|---------------------|---------------|---------------|
| HIGH SCHOOL IN LINE | \$625 (\$625) | \$700 (\$700) |
| MIDGET 18U & 16U | \$625 (\$625) | \$700 (\$700) |

INCLUDES REFEREE 80% OF TEAM MUST BE RESIDENTS FOR RESIDENT RATE

STREET HOCKEY FESTIVAL

| | |
|---------------|---------------|
| RESIDENT | NON-RESIDENT |
| \$120 (\$120) | \$135 (\$135) |

YOUTH SOCCER

| | | |
|--------|-------------|--------------|
| SUMMER | RESIDENT | NON-RESIDENT |
| CHILD | \$61 (\$58) | \$77 (\$74) |

ADULT INDOOR SOCCER 2016

| | | |
|------------------------|---------------|---------------|
| ADULT, JUNIORS, MIDGET | \$575 (\$560) | \$640 (\$625) |
|------------------------|---------------|---------------|

***\$50 DISCOUNT FOR TEAMS NOT IN NEED OF JERSEYS
(ADULT, JUNIORS AND MIDGET TEAMS PAY THE REFEE FEES PRIOR TO THE
START OF THE GAME)

*\$100 DISCOUNT IF PAID IN FULL BY THE TEAMS 1ST GAME**

| | | |
|----------------------------|-------------|-------------|
| ALL STAR-ALL SPORTS | \$80 (\$75) | \$90 (\$85) |
|----------------------------|-------------|-------------|

| | | | | |
|---|------|--------|------|--------|
| START SMART SOCCER | \$51 | (\$48) | \$66 | (\$63) |
| START SMART BASEBALL | \$63 | (\$60) | \$73 | (\$70) |
| START SMART BASKETBALL FALL 2016 | \$63 | (\$60) | \$73 | (\$70) |

YOUTH BASKETBALL 2016 - 2017

| | | |
|-----------------|-------------|--------------|
| FALL/ WINTER | RESIDENT | NON-RESIDENT |
| PER PARTICIPANT | \$53 (\$50) | \$63 (\$60) |

ADULT BASKETBALL FALL 2016

| | |
|----------|---------------|
| PER TEAM | \$160 (\$150) |
|----------|---------------|

****TEAMS ARE RESPONSIBLE FOR PAYING REFEREE FEES EACH WEEK**

YOUTH BOWLING LEAGUE (WITH INSTRUCTION)

| | |
|---------------|---------------|
| RESIDENT | NON-RESIDENT |
| \$115 (\$108) | \$115 (\$108) |

VOLLEYBALL (teams pay referee fees each week)

FALL 2016 INDOOR FALL/ WINTER SESSIONS I & II (Monday, Thursday & Friday)

\$258 (\$250) per team

SUMMER

OUTDOOR LEAGUE \$160 (\$150) per team

****TEAMS ARE RESPONSIBLE FOR PAYING REFEREE FEES EACH WEEK**

DIAMOND PERMITS

| | | |
|--------------------------------|-------------|---------------|
| SUMMER (per 2 hour time block) | RESIDENT | NON-RESIDENT |
| NO LIGHTS | \$65 (\$60) | \$85 (\$80) |
| LIGHTS | \$95 (\$90) | \$110 (\$105) |

13 WEEK SERIES

| | | |
|-----------|---------------|---------------|
| NO LIGHTS | \$490 (\$475) | \$720 (\$700) |
| LIGHTS | \$800 (\$775) | \$975 (\$950) |

Additional games added to 13-week series are charged at the regular 2-hour block rate

SOCCER / FOOTBALL FIELD RENTAL

| | | |
|-------------------------|-------------|--------------|
| | RESIDENT | NON-RESIDENT |
| PER TWO HOUR TIME BLOCK | \$75 (\$70) | \$90 (\$85) |

VOLLEYBALL COURT RENTAL

| | | |
|----------------------------|-------------|--------------|
| | RESIDENT | NON-RESIDENT |
| 1 COURT PER TWO HOUR BLOCK | \$55 (\$50) | \$75 (\$70) |

PICNIC PAKS

\$20 (\$20) REFUNDABLE DEPOSIT

\$20 (\$20) RENTAL FEE

TENNIS COURT RENTAL

1 HOUR BLOCK

RESIDENT
\$20 (\$15)NON-RESIDENT
\$35 (\$30)**ADULT SOFTBALL LEAGUES**

| SUMMER | LEAGUE RESIDENT | LEAGUE NON-RESIDENT | |
|--------------------------------|--------------------|------------------------|-------|
| CO-ED | \$370 (\$360) | \$450 (\$440) | |
| WOMEN'S | \$370 (\$360) | \$450 (\$440) | |
| MEN'S | \$370 (\$360) | \$450 (\$440) | MEN'S |
| OVER 40 | \$370 (\$360) | \$450 (\$440) | |
| WOODEN BAT LEAGUE | \$310 (\$300) | \$310 (\$300) | |
| FALL – ALL LEAGUES – RESIDENT- | \$200 (\$190) | \$200 (\$190) | |

**ALL TEAMS ARE RESPONSIBLE FOR PAYING THE UMPIRE FEES EACH WEEK

**THE \$25 ASA FEE WILL BE INCLUDED WITH THE REGISTRATION FEE

**ALL RESIDENT TEAMS MUST SUPPLY ID'S FOR EVERY PLAYER

KICKBALL LEAGUES

SUMMER

(CO-ED TUES/THURS)

LEAGUE
RESIDENT
\$265 (\$250)LEAGUE
NON-RESIDENT
\$265 (\$250)**CHEEKTOWAGA FILM ACADEMY**

MON-WED-FRI CLASS

RESIDENTS
\$80 (\$75)NON-RESIDENTS
\$80 (\$85)**BROADWAY YOUTH GOLF**

TUESDAYS

RESIDENTS
\$93 (\$90)NON-RESIDENTS
\$103 (\$100)**CULTURAL CENTER (BAND SHELL) LOCATED IN TOWN PARK**

THE RENTAL FEE IS FOR FOUR HOURS ANY TIME PRIOR TO OR AFTER THE SPECIFIED RENTAL TIME THE RENTER IS RESPONSIBLE FOR THE COSTS OF KEEPING STAFF ON.

RESIDENTS

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

NON-RESIDENTS

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-620

Youth & Recreation Termination

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and herby are terminated in the Department of Youth & Recreational Services effective as indicated:

Roger Newhouse

8/15/14

14227

Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to waive the reading of names for the following three (3) resolutions: 2015-620; 2015-621 and 2015-622. Motion Carried.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-621

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Attendant – 7140.1614 - Regular Part-time - \$9.50

Brittany Sanscrainte
Gillian Wittig

Recreation Attendant - 7310.1804 – Regular Part-time - \$9.50

Elizabeth Meyerhofer

Recreation Attendant - 7140.1614 - Regular Part-time - \$9.85

Daniel Golinski

Recreation Instructor – 7310.1803 - Regular Part-time - \$10.00

Shannon Kelly

Recreation Attendant - 7140.1614 - Regular Part-time - \$10.00

Brandon Koszuta

Recreation Attendant - 7310.1804 – Regular Part-time - \$10.30

Amy Bowen

Recreation Attendant – 7140.1613 – Regular Part-time - \$10.30

Debra Wright

Recreation Attendant – 7140.1614 - Regular Part-time - \$10.60

Samantha Gressieg

Recreation Attendant - 7140.1614 - Regular Part-time - \$10.65

Matthew Koszuta

Recreation Attendant - 7310.1804 – Regular Part-time - \$11.25

Christine Jedd

Recreation Attendant - 7310.1803 - Regular Part-Time - \$12.25

Sean McCowan

Recreation Instructor – 7310.1803 - Regular Part-time - \$13.00

Kristen Stadelmeyer

Recreation Instructor – 7140.1611 - Regular Part-time - \$13.25

Liza Fiorello

Recreation Specialist – 7310.1803 - Regular Part-Time - \$14.00

Melissa Nosal

Recreation Instructor –7310.1803 - Regular Part-Time - \$14.00
Maribeth Stadelmeyer

Recreation Instructor –7310.1801 - Regular Part-Time - \$14.50
Jessica Maleck

Recreation Specialist – 7310.1803 - Regular Part-Time - \$14.50
Deyonca Porter

Recreation Specialist – 7310.1801 - Regular Part-time - \$18.50
Amy McMahon

BE IT FURTHER RESOLVED, the following employee information be amended as follows (correcting line number):

Recreation Attendant – 7310.1801 - \$8.75 – Part-time
Morgan Miecznikowski

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-622

Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

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

SANITATION DEPARTMENT

Jeffrey T. Lewis effective 10/24/15
Nicolas E. Krawczyk effective 10/24/15
Travis R. Copece effective 10/9/15
Mark S. Urbanski effective 10/10/15
Nicholas A. Ruberto, Jr. effective 10/10/15
Sharrone M. Johnson effective 10/17/15
Brian K. O'Connor effective 10/17/15

SEWER MAINTENANCE

Nicholas B. Kotarski effective 10/31/15

FACILITIES DEPARTMENT

Ryan J. Kowal effective 8/14/15
Noah A. McGhee effective 10/5/15
Joshua E. Sikorski effective 8/15/15
Kyrsta M. Siwek effective 10/3/15
Zachary P. Styn effective 8/29/15
Randy J. Walker, Jr. effective 10/6/15
Michael W. Kowal effective 9/20/15

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-623

Creation of Technical Support Services Specialist Position

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that this Town Board hereby create a Technical Support Services Specialist position pursuant to Civil Service Laws and Rules effective November 17, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-624

Amend Appointment of Welder (Non-Competitive/Permanent) Central Garage/Ronald W. Stout

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, an appointment was made to the position of Welder by this Town Board on November 2, 2015; AND

WHEREAS, the appointment was made erroneously to the Highway Department; AND

WHEREAS, the appointment was to be made to the Central Garage; NOW, THEREFORE, BE IT

RESOLVED, that Ronald W. Stout of Sloan, New York, be and hereby is appointed to the position of Welder in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective November 4, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-625

Appointment of Sewer Maintenance Worker (Non-Competitive/Permanent) Sewer Maintenance Department/James R. Siejak

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, a vacancy exists in the title of Sewer Maintenance Worker in the Sewer Maintenance Department; AND

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

WHEREAS, James R. Siejak, currently employed as a Park Maintenance Worker I in the Facilities Department, bid on said vacancy and meets the qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that James R. Siejak of Cheektowaga, New York, be and hereby is appointed to the position of Sewer Maintenance Worker in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective November 17, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-626

Appointment of Sewer Maintenance Worker (Non-Competitive/Permanent) Sewer Maintenance Department/Justin P. Borowski

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Sewer Maintenance Worker in the Sewer Maintenance Department; AND

WHEREAS, notice of said 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, Justin P. Borowski, currently employed as a Park Maintenance Worker I in the Facilities Department, bid on said vacancy and meets the qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Justin P. Borowski of Depew, New York, be and hereby is appointed to the position of Sewer Maintenance Worker in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 15, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-627

Appointment of Motor Equipment Operator - A (Non-Competitive/Permanent) Sewer Maintenance Department/Thomas Marten

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Motor Equipment Operator - A in the Sewer Maintenance Department; AND

WHEREAS, the Department was canvassed internally in accordance with an agreement with the Town of Cheektowaga Employees Association; AND

WHEREAS, Thomas Marten, currently employed as a Senior Sewage Maintenance Worker in the Sewer Maintenance Department, meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Thomas Marten of Lancaster, New York, be and hereby is appointed to the position of Motor Equipment Operator - A in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective November 17, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-628

Appointment of Police Sergeant (Competitive/Permanent) Police Department/Emil F. DeVincentis

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

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

WHEREAS, candidates from the existing Erie County Civil Service list were interviewed and work performance reviews were studied; AND

WHEREAS, the Chief of Police recommends that Police Officer Emil F. DeVincentis be promoted to the position of Police Sergeant; NOW, THEREFORE, BE IT

RESOLVED, that Police Officer Emil F. DeVincentis of Cheektowaga, New York, be and hereby is appointed to the position of Police Sergeant in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Cheektowaga Police Club effective November 17, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

IV. Suspension of Rules

| |
|--|
| Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to Waive the Rules to Include the following three (3) Resolutions: 2015-629; 2015-630 and 2015-631. Motion Carried. |
|--|



1. RESOLUTION 2015-629

Retain Wendel to Provide Professional Services Web Mapping Application Framework Upgrade for the Town's GIS System

Sponsored By: Councilmember Meyers, Councilmember Kaminski

WHEREAS, the Town previously engaged the firm of Wendel to provide professional services to develop and support a web based GIS System, including asset management and mapping tools for the Town's storm and sanitary sewer infrastructure, for use by the Town Engineering, Sewer Maintenance and Highway Departments, AND

WHEREAS, the Town's current Web Based Mapping Application (WMA) was developed on the Arc Microsoft Silverlight API, and advances in modern browser technology combined with limited browser support for the Microsoft Silverlight Platform has created an environment which will require the use of Javascript Framework when building custom features, tools and applications as technology is continuously improving and evolving, the WMA framework must be updated in order for the application to remain accessible on multiple internet browser platforms and hardware devices, AND

WHEREAS, the framework update will allow Town users to access and utilize the GIS mapping from mobile tablet devices running Windows, Android and IOS operating systems, AND

WHEREAS, the Town Engineer has recommended that Wendel be retained in accordance with their proposal dated November 12, 2015 to provide for the Town's web based GIS System, NOW, THEREFORE, BE IT

RESOLVED, that Wendel be and hereby is retained to provide the above referenced professional services at a cost not to exceed \$10,200.00, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the professional services proposal with Wendel for the above services, AND, BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from:

| | |
|---|-------------|
| Town-wide Drainage District Account No. 400.8140.4581 | \$ 2,700.00 |
| Sewer Maintenance Account No. 255.8125.2505 | \$ 2,500.00 |
| Building and Plumbing Account No. 800.3620.4191 | \$ 2,500.00 |
| Highway Department Account No. 100.5132.4431 | \$ 1,000.00 |
| Highway Department Account No. 300.5110.4207 | \$ 1,500.00 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-630

Adopt Revised Building Permit and Plumbing Fees

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga Law for Administration and Enforcement of Codes of New York State requires that all building, plumbing, etc. fees be as specified in a schedule approved by the Town Board, and

WHEREAS, it has been recommended that the attached Building Permit and Plumbing Fee Schedules be adopted, and

WHEREAS, it is in the public interest to adopt the attached Building Permit and Plumbing Fee Schedules, NOW, THEREFORE, BE IT

RESOLVED, that the attached Building Permit Fee Schedule and Plumbing Fee Schedule be and hereby is adopted, effective January 1, 2016.

Attachments:

Permit Fees 11-19-15 (PDF)

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-631

Call for Public Hearing - Rezoning Request 1937 Harlem Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, Daniel Mayfield has made application and requested the rezoning of 1937 Harlem Road from M1- Light Manufacturing to CM- General Commercial for the conversion of an existing vacant retail /warehouse building into a mortuary, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on December 21st 2015 at 6:45 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.



Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the December 21st, 2015 at 6:45 o'clock P.M., of said day for the purpose of considering the application of:

Daniel Mayfield

For the rezoning of 1937 Harlem Road from M1- Light Manufacturing to CM- General Commercial for the conversion of an existing vacant retail /warehouse building into a mortuary.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD, Town of Cheektowaga, NY

Alice Magierski, TOWN CLERK



All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 23, Township 11, range 7 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point of the intersection of the easterly line of Harlem Road with the northerly line of Gruner Avenue as conveyed by Clarence P. Hart to the Town of Cheektowaga, by deed recorded in Liber 1504 of deeds at page 302; thence northerly along the easterly line of Harlem Road, 186 feet; thence easterly and parallel with the northerly line of Gruner Avenue, 117.23 feet; thence southerly and parallel with the easterly line of Harlem Road, 186 feet to the northerly line of Gruner Avenue; thence westerly along the northerly line of Gruner Avenue,

117.23 feet to the point or place of beginning.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Communications

A. Departmental Communications

1. Town of Cheektowaga 2016 Adopted Budget - November 2, 2015
2. Minutes: Town of Cheektowaga Environmental Advisory Committee - October 14, 2015
3. Minutes: Cheektowaga Public Library - Board of Trustees: October 21, 2015

B. General Communications

1. Notice of Claim: Kristen Carpentieri vs. Town of Cheektowaga
2. Notice of Claim: Kendra Smith vs. Town of Cheektowaga
3. Notice of Claim: Linda Williams vs. Town of Cheektowaga

VI. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. Adjournment

Motion by Supervisor Holtz; Seconded by Councilmember Kaminski to adjourn the meeting at 7:23 PM.

Alice Magierski, Town Clerk

2015 FALL AUCTION VEHICLES

| | # | YEAR | MAKE | MODEL | VIN | MILEAGE | DEPT. |
|----|------|------|-----------|-----------------|-------------------|---------|----------------|
| 1 | #433 | 2009 | CHEVROLET | EXPRESS 3500 | 1GAHG35K391166149 | 189,589 | SENIOR CITIZEN |
| 2 | #434 | 2009 | CHEVROLET | EXPRESS 3500 | 1GAHG35K591139938 | 201,121 | SENIOR CITIZEN |
| 3 | #125 | 2001 | FORD | F250 PICKUP | 1FINF21L01EC08800 | 57,177 | PARKS |
| 4 | #209 | 2003 | FORD | F250 PICKUP | 3FTSF31L93MB28515 | 36,729 | PARKS |
| 5 | #800 | 2004 | FORD | EXPLORER | 1FMZU72K44UC14549 | 62,835 | POOL |
| 6 | #93 | 2008 | FORD | EXPEDITION | 1FMFU16558LA86743 | 160,528 | POLICE |
| 7 | #81 | 2005 | FORD | TAURUS | 1FAFP53235A177536 | 98,103 | POOL |
| 8 | #80 | 2004 | FORD | TAURUS | 1FAFP53264A192420 | 90,099 | POOL |
| 9 | #42 | 2010 | FORD | CROWN/VIC | 2FABP7BV5AX132962 | 131,033 | POLICE |
| 10 | #45 | 2010 | FORD | CROWN /VIC | 2FABP7BV9AX132964 | 124,787 | POLICE |
| 11 | #51 | 2004 | CADILLAC | ESCALADE EXT | 3GYEK62N84G206030 | 178,943 | POLICE |
| 12 | #55 | 2001 | WORKHORSE | CHASSIS VAN | 5B4KP42R813335875 | 73,989 | SEWER |
| 13 | #77 | 2006 | FORD | TAURUS | 1FAFP53U66A102641 | 70,462 | POOL |

Attachment: 2015 Fall Auction Vehicles (RES-2015-618 : Authorize Auction of Surplus Vehicles and Equipment)

| TOWN OF CHEEKTOWAGA BUILDING & PLUMBING DEPARTMENT | | | |
|--|---|---|--|
| PERMIT AND FEE SCHEDULE | | | |
| Building/Structure Description | Fee Base | Applicable Fee | |
| Project Planning Fees | | | |
| Pre-Project Meeting | Assess viability of possible project through identification of land use and planning and zoning constraints | \$0 | |
| Project Pre-Development Meeting with Cheektowaga Business Assistance Team | Assess viability of identified project through identification of planning, zoning and code issues | \$0 | |
| | Requires submittal of completed "Development Review Application," Part One of an Environmental Assessment form, property survey | 0-4.99 acres \$300 5-10 acres \$600 < 10 acres \$800 | |
| | Early plan review option (non-refundable); applied to permit fee | Currently not available - pending | |
| | Engineering Storm Water Prevention Plan Permit (SWPPP) review and monitoring | TBD | |
| Request for Rezoning of Parcel | Requires submittal of completed "Application for Change of Zoning Classification" form | 0-4.99 acres \$1,000 5-10 acres \$1,100 < 10 acres \$1,200 | |
| SEQR Unlisted Action | Requires submittal of completed "Short Environmental Assessment Form" | 0-4.99 acres \$400 5-10 acres \$500 < 10 acres \$600 | |
| SEQR Type 1 Action | Requires submittal of completed "Long Environmental Assessment Form" | 0-4.99 acres \$1,100 5-10 acres \$1,200 < 10 acres \$1,600 | |
| SEQR DEIS/FEIS | Requires draft environmental impact statement | \$400 | |

TOWN OF CHEEKTOWAGA BUILDING & PLUMBING DEPARTMENT

PERMIT AND FEE SCHEDULE

| Building/Structure Description | Fee Base | Applicable Fee | |
|---|---|---|--|
| Special Use Permit | Requires submittal of completed "Application for Special Use Permit" form | 0-4.99 acres \$1,000 5-10 acres \$1,100 < 10 acres \$1,200 | |
| New Construction | | | |
| Electrical inspections must be conducted by one of the Town-approved Electrical Inspection Agency | | | |
| One- or two-family dwellings or multiple single family dwellings (townhouses) regulated by the Residential +/or Building Code of New York State , including accessory structures constructed simultaneously Installation of an approved factory manufactured home (modular) Includes all mechanicals | Base fee (includes 20 inspections) | \$1,250 | |
| | Each additional inspection, meeting or call-out after 20 inspections | \$50 | |
| | Sewer tap | \$300 | |
| | Street cut, if required | \$200 | |
| Pre-construction or on-site construction meetings count as an inspection Not ready or failure to meet for scheduled inspection counts as inspection | Street tree | \$150 | |
| | Tree removal /reforestation fee | \$50 | |
| | Siting of a manufactured home (includes up to 5 required inspections) | \$400 | |
| Garages, swimming pools or other miscellaneous structures not constructed simultaneously with the construction of a dwelling | Each additional inspection, meeting or call-out after 5 inspections | \$50 | |
| | In-ground pool | \$250 | |
| | Above-ground pool | \$50 | |
| | Accessory Structure (greater than 144 sq. ft. but less than 600 sq. ft.) | \$50 | |
| | Accessory Structure (greater than 600 sq. ft.) | \$200 | |
| | Shed (less than 144 sq. ft.) | No permit required | |
| Building shells, Parking Ramps regulated by the Building Code of New York State Pre-construction, monthly or on-site construction meetings count as an inspection Cell towers and other miscellaneous structure | Plumbing separate inspection fee | Add at permit | |
| | Amount per each \$1,000 value of construction per Engineer's Estimate of Cost or Contract for Construction Services | \$10 | |
| | | | |
| Buildings and structures regulated by the Building Code of New York State Pre-construction, monthly or on-site construction meetings count as an inspection | Amount per each \$1,000 value of construction per Engineer's Estimate of Cost or Contract for Construction Services | \$10 | |
| | Early plan review option (non-refundable); applied to permit fee | \$2,000 | |
| | Plan security deposit – refundable upon submission of final as-built drawings | < \$100k \$200 >\$100k \$500 | |

TOWN OF CHEEKTOWAGA BUILDING & PLUMBING DEPARTMENT

PERMIT AND FEE SCHEDULE

| Building/Structure Description | Fee Base | Applicable Fee | |
|---|--|-----------------------------|--|
| | Additional for each sleeping unit or classroom | Per room \$50 | |
| | Plumbing – up to 5 inspections, meetings or call-outs | \$250 | |
| | Plumbing – up to 10 inspections, meetings or call-outs | \$500 | |
| | Plumbing – up to 20 inspections, meetings or call-outs | \$1,000 | |
| | Tree removal /reforestation fee | \$500 | |
| | Exterior storm drainage systems Plus inspections as noted above | \$200 | |
| Water/sewer tap | Fee per tap | \$500 | |
| Separate sewer tap fee required for Erie County Sewer District 1 | | | |
| Alterations | | | |
| Electrical inspections must be conducted by one of the Town-approved Electrical Inspection Agency | | | |
| One- or two-family dwellings or multiple single family dwellings (townhouses) regulated by the Residential Code of New York State | Amount per each \$1,000 value of construction per Engineer's Estimate of Cost or Contract for Construction Services | \$7 | |
| Solar panels or electrical back-up generators - residential | Base fee | \$50 | |
| Buildings and structures regulated by the Building Code of New York State | Amount per each \$1,000 value of construction per Engineer's Estimate of Cost or Contract for Construction Services | \$10 | |
| Solar panels - commercial | Amount per value of construction per Engineer's Estimate of Cost or Contract for Construction Services Up to \$750,000 Between \$750,000 & \$1.5 million Greater than \$1.5 million | \$500 \$1,000 \$1,500 | |
| Smoke and Fire Sprinkler Systems | Base fee Each additional inspection, meeting or call-out after two (2) inspections | \$100 \$50 | |
| Plumbing – Commercial/Residential | | | |
| Additional fee of \$50 will be charged for failed or additional inspections, meeting or call-out. | | | |
| Boiler/hot water heating systems, furnace and/or duct work | For each installation | \$50 | |
| Bubbler systems | For each installation | \$50 | |
| Catch basins/manholes (new and replacement) | Per fixture | \$50 | |
| Drain tile (interior and exterior) | For each installation | \$50 | |
| Fixture replacement with rough plumbing | Up to 3 fixtures Each additional fixture | \$50 \$10 | |

TOWN OF CHEEKTOWAGA BUILDING & PLUMBING DEPARTMENT

PERMIT AND FEE SCHEDULE

| Building/Structure Description | Fee Base | Applicable Fee | |
|---|--|---|--|
| Hot water tanks, tankless water heaters, water services, re-pipe water lines, sewer caps, back-up generators (permanent installation) | For each installation | \$50 | |
| Inflow & Infiltration inspection (residential and residential vacant land) | For each building or vacant lot | \$50 | |
| Inflow & Infiltration inspection (commercial or commercial vacant land) | For each building or vacant lot | \$150 | |
| Lawn sprinklers | Base fee | \$50 | |
| RPZ/backflow | Per unit | \$50 | |
| Sewer repair – exterior | Base fee | \$50 | |
| Sewer repair – interior | Base fee | \$50 | |
| Storm water drainage | For first acre For each additional acre | \$300 \$200 | |
| Sump pump/water back-up pump | Base fee | \$50 | |
| Time of sale inspection | Base fee | \$100 (offsets against permits if required) | |
| Plumbing Licenses | | | |
| Master Plumber's Examination | Per applicant | \$150 | |
| Master Plumber's Annual License Renewal | Annual renewal | \$100 | |
| Journeyman Plumber's Examination | Per applicant | \$50 | |
| Journeyman Plumber's Annual License Renewal | Annual renewal | \$35 | |
| Sewer Contractor's Examination | Per applicant | \$150 | |
| Sewer Contractor's Annual License Renewal | Annual renewal | \$100 | |
| Waterproofing Contractor's Examination | Per applicant | \$100 | |
| Waterproofing Contractor's Annual License Renewal | Annual renewal | \$50 | |
| Plumbing Penalties | | | |
| All penalties must be paid prior to pulling any new permits | | | |
| Failure to call for required inspection – first event | Residential Commercial | \$100 \$200 | |
| Failure to call for required inspection – second event | All cases | Loss of Town Plumber's license | |
| Pulling permit for other/ failure to supervise plumbing staff on site – first event | All cases | \$500 | |
| Pulling permit for other/ failure to supervise plumbing staff on site – second event | All cases | Loss of Town Plumber's license | |

| TOWN OF CHEEKTOWAGA BUILDING & PLUMBING DEPARTMENT | | | |
|--|---|---|--|
| PERMIT AND FEE SCHEDULE | | | |
| Building/Structure Description | Fee Base | Applicable Fee | |
| Change of Tenant | | | |
| Base fee | Plumbing, Fire and Project Manager inspections – up to 5 inspections, meetings or call-outs | \$250 | |
| Not ready or failure to meet for scheduled inspection counts as inspection | Each additional inspection, meeting or call-out after 5 inspections | \$50 | |
| Fire Inspections/Operating Permits | | | |
| Electrical inspections must be conducted by one of the Town-approved Electrical Inspection Agency | | | |
| Bon Fire/Open Burns - must be approved by Town Board | Per event | \$25 | |
| Commercial sprinkler/alarm systems – installation or alteration of 25% or more of system or devices (excludes repairs for which permit is not required) | Base fee | \$100 | |
| Commercial fire suppression system – installation (excludes repairs for which permit is not required) | Base fee | \$100 | |
| Elevators | Annual reports must be forwarded to Fire Inspector for review | No permit required | |
| Fire Works - - must be approved by Town Board | Per event | Based on application with minimum \$200 | |
| Hazardous materials | Annual permit and inspection fee | \$100 | |
| Commercial (any non-residential building not otherwise named in this section) | Triannual permit and inspection fee | \$100 | |
| Public Assembly permit (commercial enterprises with occupancy loads of 50 or more) | Annual permit and inspection fee | \$100 | |
| Multiple dwellings (3 or more units) The common areas are those "within a building that are available for common use by all tenants, (or) groups of tenants and their invitees." | Triannual permit and inspection fee | \$200 for first 5 common areas; \$100 for every 5 additional common area | |
| New private hydrant(s) | Per first hydrant | \$100 | |
| | Each additional hydrant | \$50 | |
| Replace existing hydrant(s) | Each hydrant | \$50 | |
| Storage tank demolition | Per tank | \$50 | |
| Storage tank installation | First tank | \$150 | |
| | Each additional tank | \$50 | |
| Tent for public assembly or commercial use | Each tent per event | \$50 | |
| Special Permits & Fees | | | |
| Electrical inspections must be conducted by one of the Town-approved Electrical Inspection Agency | | | |
| Building relocation - Residential | Siting of a manufactured home (includes up to 5 required inspections) | \$400 | |
| | Each additional inspection, meeting or call-out after 5 inspections | \$50 | |

TOWN OF CHEEKTOWAGA BUILDING & PLUMBING DEPARTMENT

PERMIT AND FEE SCHEDULE

| Building/Structure Description | Fee Base | Applicable Fee | |
|---|--|----------------------------------|--|
| Building relocation - Commercial | Amount per each \$1,000 value of construction per Engineer's Estimate of Cost or Contract for Construction Services | \$10 | |
| Demolitions – Residential accessory structure | Less than 450 sq. ft. – no permit required | \$0 | |
| Demolitions - Residential | Base fee per structure | \$150 | |
| Demolitions - Commercial | Base fee per structure | \$150 | |
| Foundation repairs - residential | Base fee per structure Plumbing separate inspection fee | \$150 Add at permit | |
| Foundation repairs - commercial | Amount per each \$1,000 value of construction per Engineer's Estimate of Cost or Contract for Construction Services | \$10 | |
| Other – any item not noted above | Base fee Each additional inspection, meeting or call-out | \$50 \$50 | |
| Signs | | | |
| Wall, free-standing signs | Per face | \$100 | |
| Temporary sign | Base fee Refundable deposit (returned when sign is removed prior to expiration date of temporary sign posting period as stated in permit) | \$100 Possible refund of \$50 | |
| Notes | | | |
| Fees are waived for all governmental agencies, authorities or departments. No other fees may be waived or amended. | | | |



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, December 7, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on December 7, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Karen Marchese, Coordinator of Employee Relations
Kerry Peek, Senior Services Director
Kevin Schenk, Town Attorney

II. Public Hearings

1. Rezoning Request 3600 Harlem Road

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Rezoning Request 6500 Transit Road

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: **CLOSED [UNANIMOUS]**

MOVER: Timothy J. Meyers, Councilmember

SECONDER: James P. Rogowski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

3. Local Law Intro No. 2015-9 - A Local Law to Amend the Building Construction Codes Administration Law (Chapter 70 of the Town Code)

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: **CLOSED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Christine Adamczyk, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

4. Local Law Intro No. 2015-10 - A Local Law to Amend the Town Sewers Law (Chapter 198 of the Town Code)

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

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| RESULT: | CLOSED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

III. Public Comment Period

IV. Resolutions



1. RESOLUTION 2015-632

Transfer of Funds

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|--------------------|---|--------------|
| FROM: | 100.9501.9311 | Bond Interest | \$140,000.00 |
| | 100.7140.1971.1611 | Pt. Reg. Rink Personnel | 2,500.00 |
| | 100.7140.1971.1636 | Pt. Reg. Soccer Salaries | 3,000.00 |
| | 100.7140.1971.1636 | Pt. Reg. Soccer Salaries | 1,312.00 |
| | 100.7140.1971.1640 | Pt. Reg. Inline Skating Salaries | 476.00 |
| | 100.7140.1971.1640 | Pt. Reg. Inline Skating Salaries | 2,200.00 |
| | 100.7140.1971.1640 | Pt. Reg. Inline Skating Salaries | 73.00 |
| | 100.7140.1971.1640 | Pt. Reg. Inline Skating Salaries | 1,300.00 |
| | 100.7140.1971.1642 | Pt. Reg. Tennis Salaries | 3,700.00 |
| | 100.7140.1971.1648 | Pt. Reg. Playground, Arts\Crafts Salaries | 2,020.00 |
| | 100.7310.1971.1814 | Pt. Reg. Teen Center Initiative Salaries | 3,300.00 |
| | 100.7310.1971.1814 | Pt. Reg. Teen Center Initiative Salaries | 695.00 |
| | 100.7180.1971.1902 | Pt. Reg. Supervisors Beach\Pool | 2,000.00 |
| | 100.7310.1971.1816 | Pt. Reg. Youth Conservation Corps | 11,000.00 |
| | 100.7310.1971.1816 | Pt. Reg. Youth Conservation Corps | 2,000.00 |
| TO: | 100.1430.4502 | Legal, Personnel | \$140,000.00 |
| | 100.7140.1971.1639 | Pt. Reg. Hockey Salaries | 2,500.00 |
| | 100.7140.1971.1654 | Pt. Reg. Basketball Salaries | 3,000.00 |
| | 100.7180.1971.1901 | Pt. Reg. Bathhouse Attendants | 1,312.00 |
| | 100.7140.1971.1624 | Pt. Reg. Polish Fest. Support | 476.00 |
| | 100.7140.1971.1627 | Pt. Reg. Volleyball Salaries | 2,200.00 |
| | 100.7140.1971.1632 | Pt. Reg. Dartwood Camp Salaries | 73.00 |
| | 100.7140.1971.1633 | Pt. Reg. Softball Salaries | 1,300.00 |
| | 100.7140.1971.1664 | Pt. Reg. Pre-K Salaries | 3,700.00 |
| | 100.7140.1971.1645 | Pt. Reg. Playground Sports Salaries | 2,020.00 |
| | 100.7310.1971.1804 | Pt. Reg. Admin. Intern Salaries | 3,300.00 |
| | 100.7310.1971.1810 | Pt. Reg. Camp Flamingo Salaries | 695.00 |
| | 100.7180.1971.1903 | Pt. Reg. Lifeguards | 2,000.00 |
| | 100.7180.1971.1903 | Pt. Reg. Lifeguards | 11,000.00 |
| | 100.7310.1971.1811 | Pt. Reg. Youth Cons. Corps Salaries | 2,000.00 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-633

Warrant

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to December 7, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|-----------------|
| GENERAL FUND | \$6,183,357.52 |
| RISK RETENTION FUND | 50,830.33 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 0.00 |
| HUD HOUSING REHABILITATION FUND | 50,344.00 |
| SPECIAL DISTRICTS FUND | 2,108,955.14 |
| HIGHWAY FUND | 1,272,663.42 |
| CAPITAL FUND | 460,268.51 |
| TRUST & AGENCY FUND | 11,651.22 |
| HUD CDBG FUND | 214,346.28 |
| PART TOWN FUND | 270,790.26 |
| NYS AFFORDABLE HOUSING | 26,172.00 |
| | <hr/> |
| | \$10,649,378.68 |

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-634

Adopt Local Law No. 9 of the Year 2015 - A Local Law to Amend the Building Construction Codes Administration Law

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Chapter 70 of the Code of the Town of Cheektowaga, entitled "Building Construction Codes Administration" provides for the administration and enforcement of the New York State Building Codes relating to construction, maintenance of buildings and structures in the Town of Cheektowaga, and

WHEREAS, there is a need to amend Chapter 70 to provide for the safety and property inspections of buildings used for public assembly and multiple dwellings in accordance with New York State Codes, and

WHEREAS, a draft of such amendment has been prepared by the Supervising Code Enforcement Officer, and


WHEREAS, a public hearing was held on the 7th day of December, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law No. 2015-9, entitled "A Local Law to Amend the Building Construction Codes Administration Law", and

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 9 of the Year 2015 entitled "A Local Law to Amend the Building Construction Codes Administration Law" which is set forth herein, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 9 of the Year 2015 shall be effective upon filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



Local Law No. 9 of the Year 2015

A Local Law to Amend the Building Construction Codes Administration Law

1. Section 70-29, entitled "Required fire code permits" shall be amended to add a new subsection AA., to read as follows:

§70-29. A fire code permit shall be required for the following:

AA. Fire safety and property maintenance inspections.

- 1) fire safety and property maintenance inspections of buildings which contain an area of public assembly at intervals not to exceed one year;
- (2) fire safety and property maintenance inspections of all multiple dwellings and all nonresidential occupancies at intervals consistent with local conditions, but in no event shall such intervals exceed one year for dormitory buildings and three years for all other buildings."

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-635

Adopt Local Law No. 10 of the Year 2015 - A Local Law to Amend the Town Sewers Law

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, Chapter 198 of the Code of the Town of Cheektowaga, entitled "Sewers" provides for the maximum possible public use of the Town's publicly owned treatment works through regulation, and

WHEREAS, as part of the Consent Order with the NYS Department of Environmental Conservation, there is a need to amend Chapter 198 to require time of sale inspection of properties located in the Town's Consolidated Sanitary Sewer District to ensure that property owners are not discharging their storm waters or drainage into the Town Consolidated Sanitary Sewer District, and

WHEREAS, a draft of such amendment has been prepared by the Supervising Code Enforcement Officer, Town Engineer and Town Attorney, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 7th day of December, 2015 at 6:45 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting Local Law Intro No. 2015-10, entitled "A Local Law to Amend the Town Sewers Law", and BE IT FURTHER

WHEREAS, it is in the public interest to adopt said local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 10 of the Year 2015 entitled "A Local Law to Amend the Town Sewers Law" which is set forth herein, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that Local Law No. 10 of the Year 2015 shall be effective on March 1, 2016 after filing same with the Secretary of State, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy in her office and one (1) certified copy with the Secretary of State.



Local Law No. 10 of the Year 2015

A Local Law to Amend the Town Sewers Law

- 1. Section 198-1, Definitions,** shall be amended to add a definition for "Town Inspector", to read as follows:

§198-1. Definitions**TOWN INSPECTOR**

A Town of Cheektowaga Code Enforcement Officer, Assistant Code Enforcement Officer, Plumbing Inspector, Assistant Plumbing Inspector, Zoning Inspector, Town Planner, Housing Inspector, Fire Inspector and Supervising Code Enforcement Officer.

- 2. Subsection A of §198-9, Inspections,** shall be amended to add the words “and/or Town Inspectors after the words “The Town Engineer.
- 3. Subsection B of §198-9, Inspections,** shall be amended to add “and/or Town Inspectors” after “The Town Engineer”.
- 4. Subsection C of §198-9, Inspections,** shall be renumbered Subsection D.
- 5. A new Subsection C of §198-9 shall be enacted to read as follows**

C. Time of Sale Inspections shall be conducted by the Town Engineer and/or Town Inspectors as further described in Section 198-26.1.

6. The renumbered **Subsection D of §198-9,** shall be amended to replace the words “Subsections A and B’ with “Subsections A, B and C”. Also, the words “and/or Town Inspectors” shall be added after the words “the Town Engineer”.

- 7. A new Section 198-26.1, entitled "Prohibited Discharges; Transfer of Title"** under Chapter 198, shall be enacted to read as follows:.

§ 198-26.1 Prohibited discharges; transfer of title; time of sale inspections.**A. Prohibited discharges.**

No person shall discharge or cause to be discharged any storm water, groundwater, roof runoff, subsurface drainage or drainage from downspouts, yard drains, sump pumps, yard foundations, catch basins, parking lot drains and ponds or lawn sprays into any sanitary sewer within the Town of Cheektowaga Consolidated Sanitary Sewer District, except as provided by the Town of Cheektowaga Code. Water from unpolluted industrial water, such as water drains, blowoff pipes or cooling water from equipment, shall not be discharged into sanitary sewers within the Town of Cheektowaga Consolidated Sanitary Sewer District if a closed/piped storm sewer is available. If a closed/piped storm sewer is not available, such water may be discharged into the sanitary sewer by indirect connection whereby such

discharge is cooled, if required, and flows into the sanitary sewer at a rate not in excess of five (5) gallons per minute, provided that the waste does not contain materials for substances in suspension or solution in violation of the limits provided by this law or the local law for administration and enforcement of the Building Code of New York State, Residential Code of New York State, Energy Code of New York State, Mechanical Code of New York State, Fire Code of New York State, Fuel Gas Code of New York State, Plumbing Code of New York State and Property Maintenance Code of New York State.

B. Transfer of title.

No person shall transfer title to another person, nor accept from any other person, the transfer of title to any structure or parcel of land upon which a structure is located within the Town of Cheektowaga Consolidated Sanitary Sewer District unless and until a duly authorized Town Inspector, or representative of the Town Engineering Department, shall have inspected the sump pump system, interior floor drains, footing drains, yard drains, roof drains and downspouts, catch basins and parking lot drains on said structure or parcel of land and certified to the Town Inspector that the same is found to be in compliance with the provisions of this law, specifically Section 198-26, restricting the discharge of unpolluted waters into the sanitary sewer system in the Town of Cheektowaga Consolidated Sanitary Sewer District; and the Office of the Supervising Code Enforcement Officer has issued a Certificate of Compliance stating likewise. This section shall not apply to transfers of property by gift, intestacy or testamentary disposition; transfers pursuant to the federal bankruptcy act; transfers under Erie County In-Rem Property Tax Foreclosures; transfers for which consideration is \$100 or less; and transfers in connection with a partition.

C. Time of sale inspections.

The property owner shall request a time of sale inspection by filing an application at the Town's Office of Building and Plumbing when said structure or parcel of land is placed for sale and prior to the sale of said property. The fee required for this inspection shall be based upon resolution by the Town Board. Upon successful inspection, the Office of the Supervising Code Enforcement Officer will issue a Certificate of Compliance, which will expire after a period of 120 days. If the inspection fails, the Town Inspector will issue a Notice of Violation to the property owner(s) describing prohibited discharges and recommendations to cure such discharges. When required, all permits necessary to cure violations must be obtained from the Town's Office of Building and Plumbing. The fee required for such permits shall be based upon resolution by the Town Board.

D. Waiver of Certificate of Compliance for time of sale inspection.

The Town's Supervising Code Enforcement Officer may temporarily waive the requirement of a Certificate of Compliance as a prerequisite to transfer of title, as specified in the preceding section,

provided that no later than 10 working days prior to the expected closing for said transfer:

- (1) the seller makes a written request to the Supervising Code Enforcement Officer and such request include a written, itemized quote from a plumber licensed in the Town of Cheektowaga which provides for correction of all identified discharges and addresses all recommendations specified in the Notice of Violation; and
- (2) the seller and purchaser shall have filed with the Supervising Code Enforcement Officer a written guaranty to correct any deficiencies to the sump pump system, interior floor drains, footing drains, yard drains, roof drains and downspouts, catch basins and parking lot drains on said structure or parcel of land within 90 days after closing of sale or a period of time specified by the Supervising Code Enforcement Officer; and
- (3) the purchaser shall have provided a sum equal to 150% of the estimated costs contained in the itemized quote provided in item (1) above. Such sum shall be payable by certified check or bank draft payable to the Town of Cheektowaga at closing and held in escrow by the Town of Cheektowaga; such sum will be returned to the purchaser if the corrections are completed within the time specified in the guaranty, but which sum will be forfeited to the Town of Cheektowaga if needed corrections are not completed within the time frame specified in the written guaranty.

In the event that the needed corrections are not completed within the time specified in the written guaranty, the temporary waiver issued by the Supervising Code Enforcement Officer shall immediately expire and the purchaser shall be subject to the penalties described in §198-7B and 198-7C.

8. This local law amendment shall become effective on March 1, 2016.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-636

Award of Bid - 1 (One) 2016 Ford Escape SE, SUV with Trade-Ins (BID 2015-33 CD)

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, a Notice to Bidders for the purchase of One (1) New and Unused 2016 or Newer Ford Escape SE, SUV, or Equal (BID 2015-33 CD) was approved by the Town Board on November 2, 2015, AND

WHEREAS, the Notice to Bidders was advertised beginning November 5, 2015, AND

WHEREAS, bids were received and publicly opened on November 18, 2015, AND

WHEREAS, said bids were referred to the Director of Community Development for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the purchase and delivery of one (1) 2016 Ford Escape SE, SUV be awarded to:

Basil Ford, Inc.
1540 Walden Avenue
Cheektowaga, New York 14225

for their submission of the lowest bid meeting the requirements of the specifications in the amount of \$4,183.00, AND, BE IT FURTHER

RESOLVED, that the aforesaid purchase shall be chargeable to Community Development Block Grant Funds, Account No. 700.1014.0703.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-637

Call for Public Hearing to Amend Traffic Ordinance

Sponsored By: Councilmember Rogowski, Councilmember Benczkowski

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on **December 21, 2015, at 6:45 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 BEE, said amendments being set forth in said Notice of Hearing.

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, 3301 Broadway in said Town of Cheektowaga on **December 21, 2015 at 6:45 P.M.** to consider the advisability of adopting amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE V. Schedules, Section 235-46, Schedule VII: Stop Intersections, shall be amended by adding thereto the following:

In accordance with the provisions of §235-18, the following described intersections and locations are designated stop intersections:

| Stop Sign on | Direction Traffic Stops | At Intersection of |
|---------------------|--------------------------------|---------------------------|
| Zurbrick Road | East | Freemont Avenue |

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

Dated: December 7, 2015

ALICE MAGIERSKI
Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-638

Notice To Bidders 2016 Portable Chemical Toilets (Bid 2015-34)

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, The Town of Cheektowaga, Facilities Department, Parks Division, utilizes Portable Chemical Toilets at various locations to service their recreational activities and Special Events (Bid 2015-34), NOW BE IT

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

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

RESOLVED, that sealed bids will be received on the 16Th day of December, 2015 at 11:00 AM Eastern Standard Time at a Public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



Notice to Bidders

Sealed proposals will be received by the Town Clerk on December 16, 2015 at 11:00 AM Eastern Standard Time at the Town Hall, 3301 Broadway, for Leasing and Servicing of Portable Chemical Toilets for the year 2016 (Bid 2015-34).

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

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

By Order of the Town Board of the Town of Cheektowaga, Erie County, New York.

Alice Magierski, Town Clerk

Date: December 7, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-639

Notice to Bidders - Demolition with Asbestos Abatement of 15 Hedwig Avenue (BID 2015-35 LAW)

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, it is in order that bids be advertised for the demolition and asbestos abatement of structures located at 15 Hedwig Avenue, Cheektowaga, New York; and

WHEREAS, specifications for same have been prepared by the Town Attorney's Office with the assistance of Nussbaumer & Clarke, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders (BID 2015-35 LAW) for the demolition and asbestos abatement of structures located at 15 Hedwig Avenue, said notice to be published in the CHEEKTOWAGA BEE, and BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on Wednesday, December 30, 2015, at 11:00 A.M.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk of the Town of Cheektowaga on **WEDNESDAY, DECEMBER 30, 2015, at 11:00 A.M.** at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, for the demolition and asbestos abatement of **15 Hedwig Avenue** situate in the Town of Cheektowaga, New York.

Information for bidders and specifications may be obtained from the Town Clerk at her 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 specification and contract documents, and may waive any informalities, make an award to other than the low bidder, or reject any or all bids should it be in the best interest of the Town.

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

Alice Magierski, Town Clerk

Dated: 7 December 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-640

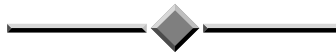
Notice to Bidders - Two Ford F-550 4X4 Low Boy Dump Trucks (Bid #2015-36)

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Facilities Department is in need of two (2) new and unused 4X4 Low Boy Dump Trucks (Bid 2015-36), NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of said vehicles for the Facilities Department, said notice to be published in the CHEEKTOWAGA BEE, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received by the Town of Cheektowaga on December 16, 2015 at 11:00 am at the Town Hall, at which time they will be publicly opened and read aloud.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on December 16, 2015 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, for the purchase of two (2) new and unused 2015 or 2016 Ford F-550 4X4 Low Boy Dump Trucks with Coal Chutes and one (1) Plow, or equal, for use by the Facilities Department. (Bid #2015-36)

Information for bidders and specifications may be obtained from the Town Clerk at her 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.

Alice Magierski
Town Clerk

DATED: December 7, 2015

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-641

Accept Site Plan- 4960 Transit Road Wegmans Food Markets, Inc.

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Wegmans Food Markets, Inc. Submitted a development review application for the an amendment to a previously approved site plan for a new 15,700 s.f. retail building at 4960 Transit Road, AND

WHEREAS, this Town Board approved a site plan on July 6, 2015 for a new 15,700 s.f. retail building along the northerly property line of 4960 Transit Road, AND

WHEREAS, the applicant has amended its site plan to locate the proposed building along an open area near its easterly property line, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the amended site plan at their meeting of November 12, 2015 and have recommended approval thereof, AND

WHEREAS, this Town Board on July 6, 2015 issued a negative declaration pursuant to the New York State Environmental Quality Review Act (SEQRA), AND

WHEREAS, this Town Board re-affirms such SEQR determination, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to:

1. The Town Engineer reviewing and approving the grading/drainage plan.

Attachments:

Wegmans 087-Losson Road-Retail Store_Site Plan(PDF)
Elevation Renderings Sheet Layout 11x17 (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-642

Authorize Supervisor to Execute Change Order Documents

Sponsored By: Councilmember Benczkowski, Councilmember Kaminski

WHEREAS, the contract to construct the Firing Range Shelter located on Scott Place was awarded by Town Board Resolution dated September 15, 2014 to Building Innovation Group, Inc., AND

WHEREAS, the Town Engineer has recommended the approval of Change Order #2 and Change Order #3 (final) which provide for various additions and deductions to the original contract as further outlined on the Change Order Documents, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #2 in the amount of \$1,742.00 and Change Order #3 (final) in the amount of \$2,800.00 as additions to the contract of Building Innovation Group, Inc., 107 Lincoln Parkway, East Rochester, New York 14445 be and hereby are approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order Documents with Building Innovation Group, Inc. on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that funds for said Change Order #2 and Change Order #3 (final) shall be chargeable to Account #500-1440-2063-5227.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-643

Authorize Supervisor to Execute Agreement with Erie County for Transportation Services for the Elderly

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga, in concert with the County of Erie, has been for years operating a transportation program for the elderly utilizing vans, and

WHEREAS, the County of Erie has prepared and submitted to the Town an agreement between the Town of Cheektowaga and the County of Erie relative to the operation of said transportation program for the Year 2016, and

WHEREAS, the Town of Cheektowaga wishes to continue to offer this service to our Town residents, 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.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-644

Authorize Supervisor to Execute Agreement with Erie County for Senior Nutrition Program

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town of Cheektowaga operates nutrition programs for the elderly at the following facilities in the Town of Cheektowaga:

Infant of Prague Parish, 921 Cleveland Drive
Cayuga Village Senior Housing LP, 100 Hutchens Drive
Maryvale East Management Corp., 100 Moorman Drive
Violet Senior Apartments, 11 Haley Lane
Cheektowaga Senior Center, 3349 Broadway

and,

WHEREAS, agreements between the Town of Cheektowaga and the owners of the above facilities have been drafted relative to the continuation of the operation of said nutrition programs for the year 2016, and

WHEREAS, the County of Erie provides financing for such nutrition programs; and an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of such nutrition programs for the year 2016, 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.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



14. RESOLUTION 2015-645

Authorize Supervisor to Execute Agreement for Preparation of Newsletter for Senior Services Department

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town Senior Services Department operates numerous programs for senior citizens who live in this Town, and

WHEREAS, in order to keep the senior citizens apprised of the various programs scheduled for each month, the Senior Services Department issues a monthly newsletter, and

WHEREAS, for the past 10± years Liturgical Publications, Inc. has produced said newsletter at no cost to the Town; it obtains its revenues from ads placed in said newsletter, and the Town is eligible to receive some revenues from Liturgical Publications Inc., and

WHEREAS, the Senior Services Department has been extremely pleased with the services provided by Liturgical Publications, Inc., and

WHEREAS, the existing agreement with Liturgical Publications, Inc. expired, and Liturgical Publications, Inc. has submitted a renewal agreement to the Town to continue to prepare the monthly newsletter for five (5) more years, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with Liturgical Publications for continuing publication of a monthly newsletter for the Cheektowaga Senior Services Department.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-646

Authorize Supervisor to Execute Agreement for Email Filter Software

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga relies on email as a primary form of communication and business; AND

WHEREAS, the current provider of antivirus and spam service "Solinus Mail Foundry" has announced it will no longer be supporting its mail filter product as of December 31, 2015; AND

WHEREAS, the Town Email Services cannot function without a proper spam resolution and is in an immediate emergency situation to protect the Town against virus's that could place the town's technical infrastructure at risk; AND

WHEREAS, the IT Department determined that the best solution to resolve this immediate need is a Secure Email Gateway hosted software; AND

WHEREAS, there is not adequate time for the Town to prepare a formal Request for Proposals and obtain quotes for this specialized anti-virus and spam service before our existing service expires, and

WHEREAS, ProofPoint of 892 Ross Drive, Sunnyvale CA 94089 is an exclusive provider of this software which combines real-time threat intelligence with automated threat responses; AND

WHEREAS, ProofPoint has submitted a proposal to the Town at a state/local government price of \$16,106.00 for the hosted service and the purchase of the license will be made through CDW-G of 200 N. Milwaukee, Vernon Hills IL; AND

WHEREAS, funding for said software services is available from Information Services budget line item number 100.1680.4434; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the proposal of Proofpoint through its partner CDW-Government, and authorizes the purchase of said license; AN BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents necessary to effectuate the purchase of the aforementioned equipment.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-647

Authorize Supervisor to Execute - Application for Grant Through NYS Water Grant Program

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, the New York State Water Infrastructure Improvement Act of 2015 provides the New York State Environmental Facilities Corporation authority to provide grants to assist municipalities with funds to improve water quality infrastructure projects, and

WHEREAS, the Town of Cheektowaga seeks grant funding through the New York State Water Grant program and no interest loan funds through the State Revolving Loan Fund for necessary improvements to its water infrastructure, NOW, THEREFORE. BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Environmental Facilities Corporation for the purpose of securing these funds, and BE IT FURTHER

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-648

Approve Extension of Agreement with Mages Risk Management, LLC

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, the Town's Loss Control Services Agreement with Mages Risk Management, LLC expired on October 31, 2015, and

WHEREAS, Mages Risk Management, LLC has indicated that it is willing to extend the contract for two (2) months at the same pro-rated price as the Town currently pays; and

WHEREAS, Holfoth Risk Management, the Town's Insurance Consultant, has recommended that we renew the agreement with Mages Risk Management, LLC for two (2) months, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to extend the Loss Control Services Agreement with Mages Risk Management, LLC for a two (2) month period, effective November 1, 2015 to December 31, 2015, for the sum of \$1,800 per month; and BE IT FURTHER

RESOLVED, that, subject to the approval of the Town Attorney, the Supervisor be and hereby is authorized and directed to execute an agreement with Mages Risk Management, LLC for these services.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-649

Approve Purchase of (2) 2015 Toro Zero Turns

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Facilities Department, Parks Division, has requested authorization to purchase two (2) 2015 Toro Z Master Zero Turns with 60" deck as specified in New York State OGS Contract PC 65423SB AND

WHEREAS, funds for said purchase have been budgeted and are available from account number 100-7110-2304, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby authorizes the purchase of two (2) 2015 Toro Z Master Zero Turns with 60" deck in the amount of \$\$18,718.56 From:

Grassland Equipment
892-898 Troy-Schenectady Road
Latham, New York 12110

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-650

Approve Purchase of Rotary Mower for the Facilities Department

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Director of the Facilities Department is in need of a rotary mower for use in maintaining Town Parks, and

WHEREAS, the purchase of such equipment is available through S.V. Moffett Turf Equipment as per New York State Contract #PC67073, and

WHEREAS, moneys have been appropriated in the Facilities Department budget for the purchase said line 100-7110-2304, and

WHEREAS, Section 103-b of the General Municipal Law authorizes the Town to enter into a purchase agreement for machinery, equipment or apparatus, and

WHEREAS, the proposed Purchase Agreement with S.V. Moffett Turf Equipment contains the language required by Section 103-b of the General Municipal Law and otherwise complies with New York State law, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the purchase of one (1) Jacobsen Mower HR-9016 Turbo Wide-Area Rotary Mower for use by the Facilities Department as per the terms of it Municipal Agreement at the cost of \$82,640.98, and BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of the Town, be and hereby is authorized an directed to execute the purchase agreement and all other documents necessary for the purchase of the above referenced equipment, subject, however, to approval by the Town Attorney, and BE IT FURTHER

RESOLVED, that funds for payments shall be appropriated from the Facilities Department budget line 100-7110-2304.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-651

Authorization to Purchase 16 Two-Way Radios

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Police Department is in need of sixteen (16) Motorola APX 4000 UHFR1 MHZ Model 2 Portable Radios to replace current police radios that are reaching end of life and are cost-prohibitive to be repaired; AND

WHEREAS, Motorola Solutions Incorporated, 13108 Collections Center Drive, Chicago, Illinois 60693 has submitted a quotation for radio equipment which is covered under New York State Contract #PT62495; AND

WHEREAS, the total cost for the radio equipment will be \$29,502.40; AND

WHEREAS, the Cheektowaga Police Department will pay for the sixteen (16) Motorola APX 4000 UHFR1 MHZ Model 2 Portable Radios out of Communications budget line #100-3020-2513; NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Cheektowaga Police Department to purchase sixteen (16) portable radios.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-652

Internet Service Provider

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga currently uses Time Warner for its internet connections, and

WHEREAS, the Town of Cheektowaga wishes to provide a second internet connection through a separate provider in an effort to create enhanced reliability and back up connection to the internet, and

WHEREAS, iEvolve Technology Services provides internet access, and

WHEREAS, this upgrade will give the Town a more reliable system for increasing hosted applications and services, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the Supervisor to execute the necessary contracts with iEvolve Technology Services to provide additional Internet Services to the Town of Cheektowaga at a cost not to exceed \$700.00 monthly for thirty -six months, and BE IT FURTHER

RESOLVED, that funds for iEvolve Technology Services shall be appropriated through budget line item number 0100-1680-4206.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-653

New York State Department of Transportation Annual Certification of Local Highway Mileage

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, Zurbrick Road is a Town owned street that runs between Borden Road and Transit Road in the Town of Cheektowaga, AND

WHEREAS, Zurbrick Road is listed on the New York State Department of Transportation Annual Certification of Local Highway Mileage 2015 as .30 miles in length, AND

WHEREAS, Town of Cheektowaga has just completed a full depth reconstruction of Zurbrick Road, AND

WHEREAS the actual length of Zurbrick Road from Borden Road to Transit Road is .58 miles in length as verified as the aforementioned of Zurbrick Road, NOW THEREFORE, BE IT

RESOLVED, that Zurbrick Road shall be updated on the New York State Department of Transportation Annual Certification of Local Highway Mileage 2015, AND, BE IT FURTHER

RESOLVED, that The Town of Cheektowaga is requesting that the New York State Department of Transportation update Zurbrick Road in the New York State Department of Transportation Local Highway Inventory.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-654

Cheektowaga Town Ice Rink - Warming Area & Locker Room Renovations

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, by Town Board Resolution 2015-443 adopted August 3, 2015, DiDonato Associates, P.E., P.C., was retained by the Town Board to prepare construction documents (including schematic design, contract drawings and specifications), project bidding and permafrost testing pertaining to the ice, refrigeration system, bleachers and related components for upgrades at the Cheektowaga Ice Rink, AND

WHEREAS, it was discovered in preliminary on-site meetings that the existing facility lacked handicapped accessibility to public restrooms and several NYS code violations existed. In addition, the existing locker rooms were not accessible to female athletes in coed leagues, AND

WHEREAS, three (3) architectural firms submitted proposals for professional services for schematic design and related project cost estimating in an effort to determine if the additional aforesaid renovations prove feasible within the proposed budget, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Bammel Architects, PC, 6459 West Quaker Street, Orchard Park, New York 14127, dated November 19, 2015 as submitted to the Town Engineer for professional services associated with the additional renovations to the Cheektowaga Recreation Center is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign said agreement with Bammel Architects, PC for the provisions of said professional services in an amount not to exceed \$10,825.00 (Schematic \$7,625.00 + optional cost estimating \$3,200.00) which shall be chargeable to Facilities Department Account No: 100.7110.4451.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-655

Demolish/Remove Above Ground Pool & Grade & Seed-14 Yvette Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 14 Yvette Drive, Cheektowaga, New York SBL# 125.09-18-4 that is a danger to the safety of others, and records kept by the Assessors Office identify Martin & Anne Barrett, 14 Yvette Drive, Cheektowaga, New York 14227, as the owner AND

WHEREAS, an inspection of such premises was conducted at 14 Yvette Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-656

Removal of Collapsed Fence-85 Southgate Road

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 85 Southgate Road, Cheektowaga, New York SBL# 90.08-4-31 that is a danger to the safety of others, and records kept by the Assessors Office identify Wayne & Kathleen Krzyzkowski, 86 Southgate Road, Cheektowaga, New York 14215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 86 Southgate Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



26. RESOLUTION 2015-657

Authorization of Student Interns/Police Department

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, Jason Baum, a student at Hilbert College, Joseph Sorbini, a student at Hilbert College, and Connor Hoch, a student at Hilbert College, have requested to participate in the student internship program at the Police Department; AND

WHEREAS, these individuals have been interviewed by the Police Department and the department is willing to afford them the opportunity to intern in the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Jason Baum of Olean, New York, Joseph Sorbini of West Seneca, New York, and Connor Hoch of West Seneca, New York, be and hereby are authorized to participate as an unpaid interns in the Police Department, subject to their execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that these internships be and hereby are effective January 1, 2016 through June 15, 2016; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement of Confidentiality, and all other documents necessary to effectuate this student internship in the Police Department.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



27. RESOLUTION 2015-658

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Attendant – 7140.1611 - \$10.25 – Regular Part-time

Eric Fiorello

Recreation Instructor – 7140.1633 - \$10.25 – Regular Part-time

Michael Wojcicki

Recreation Attendant – 7140.1627 - \$10.25 – Regular Part-time

Daniel Kruszynski

Recreation Attendant – 7310.1814 - \$11.50 – Regular Part-time

Kathleen Carnall

Recreation Instructor – 7310.1803 - \$11.25 – Regular Part-time

Shannon Kelly

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



28. RESOLUTION 2015-659

Youth & Recreation Hiring

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Recreation Aide – 7140.1611 - \$9.00 – Part-time

Derek Missel 14215

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



29. RESOLUTION 2015-660

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

BE IT RESOLVED, that the following individual be and hereby is hired as a **PART-TIME EMPLOYEE** in the department listed, not to exceed nineteen (19) hours on a weekly basis, in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SENIOR SERVICES Van Driver \$9.50/hour effective 12/8/15
Suzanne L. Wozniak, Cheektowaga, New York

BE IT RESOLVED, that the following individual be and hereby is hired as a **SEASONAL EMPLOYEE**, not to exceed five (5) months in a calendar year, in the department listed and in compliance with Civil Service Laws and Regulations as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

FACILITIES DEPARTMENT (Buildings and Grounds Division) Laborer \$9.00/hour effective 12/8/15
Sean M. Mueller, Cheektowaga, New York

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

SANITATION DEPARTMENT
Andrew J. Miller effective 11/14/15
Michael A. Aikin effective 11/28/15

FACILITIES DEPARTMENT
Brandon A. Day effective 10/26/15
Tyler M. Elis effective 10/20/15
Ben E. Nikel effective 11/4/15
Michael P. Tomczak effective 10/24/15

POLICE DEPARTMENT
Pauline Ramsey effective 10/27/15

SENIOR SERVICES
Colette G. Romano effective 10/31/15
Douglas H. Keating effective 10/30/15
Ronald F. Moore effective 11/6/15

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



30. RESOLUTION 2015-661

Amend Appointment Date of Welder/Central Garage/Ronald W. Stout

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, this Town Board appointed Ronald W. Stout to the position of Welder in the Central Garage at the Town Board Meeting of November 16, 2015; AND

WHEREAS, Mr. Stout was appointed to this position effective November 4, 2015; AND

WHEREAS, Mr. Stout's effective date of appointment must be changed to November 30, 2015; NOW, THEREFORE, BE IT

RESOLVED, that Ronald W. Stout of Sloan, New York, be and hereby is appointed to the position of Welder in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective November 30, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



31. RESOLUTION 2015-662

Amend Appointment Date of Automotive Mechanic (Joseph M. McCarville)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, this Town Board appointed Joseph M. McCarville to the position of Automotive Mechanic at the Town Board Meeting of November 2, 2015; AND

WHEREAS, Mr. McCarville was appointed to this position effective November 4, 2015; AND

WHEREAS, Mr. McCarville's effective date of appointment must be changed to November 30, 2015; NOW, THEREFORE, BE IT

RESOLVED, that Joseph M. McCarville of Depew, New York, be and hereby is appointed to the position of Automotive Mechanic in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective November 30, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



32. RESOLUTION 2015-663

Amend Appointment Date of Sewer Maintenance Worker (Justin P. Borowski)

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, this Town Board appointed Justin P. Borowski to the position of Sewer Maintenance Worker at the Town Board Meeting of November 16, 2015; AND

WHEREAS, Mr. Borowski was appointed to this position effective December 15, 2015; AND

WHEREAS, Mr. Borowski's effective date of appointment must be changed to November 17, 2015; NOW, THEREFORE, BE IT

RESOLVED, that Justin P. Borowski of Depew, New York, be and hereby is appointed to the position of Sewer Maintenance Worker in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective November 17, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



33. RESOLUTION 2015-664

Appointment of Technical Support Services Specialist (Competitive/Permanent) Lawrence Godzich

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Technical Support Services Specialist in the Department of Information Technology and Records Management; AND

WHEREAS, the bargaining unit has agreed to waive the posting of said vacancy; AND

WHEREAS, said title falls under the competitive class of Erie County Civil Service; AND

WHEREAS, a current Erie County Civil Service list is in existence for said title; AND

WHEREAS, Lawrence Godzich, currently employed as a Computer Support Assistant in the Department of Information Technology and Records Management, appears on the current civil service list as eligible for appointment; NOW, THEREFORE BE IT

RESOLVED, Lawrence Godzich of Cheektowaga, New York, be and hereby is appointed to the position of Technical Support Services Specialist in the Department of Information Technology and Records Management, in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 8, 2015.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



34. RESOLUTION 2015-665

Appointment of Computer Support Technician (Provisional)/Joseph S. Fedyna

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Computer Support Technician in the Department of Information Technology and Records Management; AND

WHEREAS, notice of said 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 civil service list for said title currently exists; AND

WHEREAS, no bargaining unit employee bid on said vacancy; AND

WHEREAS, Joseph S. Fedyna, currently employed as a Clerk (Part Time) in the Department of Information Technology and Records Management, applied for said vacancy and meets the qualifications for provisional appointment; NOW, THEREFORE, BE IT

RESOLVED, that Joseph S. Fedyna of Cheektowaga, New York, be and hereby is appointed to the provisional position of Computer Support Technician in the Department of Information Technology and Records Management in compliance with the terms and conditions of the collective bargaining agreement between the Town and the Town of Cheektowaga Employees Association effective December 8, 2015.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



35. RESOLUTION 2015-666

Appointment of Park Maintenance Worker I (Labor/Permanent) Facilities Department (Parks Division)/Paul M. Gerace, Jr.

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Park Maintenance Worker I in the Facilities Department (Parks Division); AND

WHEREAS, notice of said 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 bargaining unit bid on said vacancy; AND

WHEREAS, Paul M. Gerace, Jr., of Cheektowaga, New York, currently employed as a seasonal Laborer in the Sewer Maintenance Department, applied for said position and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Paul M. Gerace, Jr. of Cheektowaga, New York, be and hereby is appointed to the position of Park Maintenance Worker I in the Facilities Department (Parks Division) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 8, 2015.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



36. RESOLUTION 2015-667

Appointment of Park Maintenance Worker I (L/P) Facilities Department (Parks Division)/Joseph G. Rohloff

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Park Maintenance Worker I in the Facilities Department (Parks Division); AND

WHEREAS, notice of said 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, Joseph G. Rohloff of Cheektowaga, New York, currently employed as a Laborer in the Sewer Maintenance Department, bid on said position and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Joseph G. Rohloff of Cheektowaga, New York, be and hereby is appointed to the position of Park Maintenance Worker I in the Facilities Department (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 30, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



37. RESOLUTION 2015-668

Travel Authorization Building and Plumbing Department

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, The Niagara Frontier Building Officials Education Conference is being held January 25 through January 27, 2016 in Cheektowaga, New York; AND

WHEREAS, Director of Community Development Carla Kosmerl, Assistant Code Enforcement Officers Richard Coburn, Mark Bielefeld, Donald Wartinger, Peter Maurer, Mark Radecki, Daniel Lelito, Assistant Plumbing Inspector Gregory Magnuszewski, Housing Inspectors Gerald Gill and Lawrence Rokitka, and Zoning Inspector Joseph Kopera have been recommended to attend said conference; AND

WHEREAS, Director of Community Development Carla Kosmerl has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$3,465; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Director of Community Development Carla Kosmerl, Assistant Code Enforcement Officers Richard Coburn, Mark Bielefeld, Donald Wartinger, Peter Maurer, Mark Radecki, Daniel Lelito, Assistant Plumbing Inspector Gregory Magnuszewski, Housing Inspectors Gerald Gill and Lawrence Rokitka, Zoning Inspector Joseph Kopera be and hereby are authorized to attend The Niagara Frontier Building Officials Education Conference being held January 25 through January 27, 2016 in Cheektowaga, New York.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



38. RESOLUTION 2015-669

Travel Authorization Police Department

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, a Child Homicide Investigations Course is being held January 23 through January 24, 2016 in San Diego, California; AND

WHEREAS, Detective Timothy Szymanski has been recommended to attend course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,490; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Detective Timothy Szymanski be and hereby is authorized to attend a Child Homicide Investigations Course being held January 23 through January 24, 2016 in San Diego, California.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



39. RESOLUTION 2015-670

Travel Authorization Police Department

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Vistelar Verbal Defense and Influence Four Day Instructor Course is being held February 8 through February 11, 2016 in Fayetteville, North Carolina; AND

WHEREAS, Sergeant Lawrence Bauer, Police Officers Jacob Gawronski, Caleb Harte, Shawn McAdams, Justin Haag and Darryl Leszkowicz have been recommended to attend said course; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$10,855; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Sergeant Lawrence Bauer, Police Officers Jacob Gawronski, Caleb Harte, Shawn McAdams, Justin Haag and Darryl Leszkowicz be and hereby are authorized to attend the Vistelar Verbal Defense and Influence Four Day Instructor Course being held February 8 through February 11, 2016 in Fayetteville, North Carolina.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Suspension of Rules

| |
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| Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to waive the rules to Include the following two (2) resolutions: 2015-671 and 2015-672. Motion Carried. |
|--|



1. RESOLUTION 2015-671

Authorize Purchase of 2016 Ford F350 Truck for Central Garage

Sponsored By: Supervisor Holtz, Councilmember Benczkowski

WHEREAS, Central Garage has requested authorization to purchase one 2016 Ford F350 truck; and

WHEREAS, the New York State Thruway Authority solicited bids for the purchase of commercial vehicles and trucks for use by them; and

WHEREAS, New York State General Municipal Law, Section 103, authorizes the purchase by the Town of vehicles under contracts let by any other agency of the State, provided said contract was let in a manner that constituted competitive bidding consistent with State Law, and further, that provision was made in the bid documents enabling municipalities to utilize said bid award thereby eliminating the need for competitive bidding by the Town and allowing "piggybacking" off the New York State Thruway Authority bid; and

WHEREAS, the Thruway Authority's bid documents and award contained such provisions; and

WHEREAS, a local vendor, Delacy Ford, Inc., was a successful bidder and was awarded the bid by the New York State Thruway Authority under Contract Number PC-66774, and is an authorized dealer for Ford Vehicles; and

WHEREAS, the Town of Cheektowaga solicited a quotation from Delacy Ford, Inc., for said vehicle; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the purchase of one 2016 Ford F350 truck from

Delacy Ford, Inc.,
3061 Transit Road
Elma, New York, 14059,

through the contract awarded by the New York State Thruway Authority State Contract Number PC-66774, for a price not to exceed the sum of \$41,656.22; and BE IT FURTHER

RESOLVED, that moneys for said purchase shall be appropriated from account number 100-1640-2502; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents to effectuate the purchase.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-672

Town Hall Campus Fiber Network

Sponsored By: Supervisor Holtz, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga is interested in upgrading and solidifying our current Local Area Network infrastructure through the Town Hall Campus; and

WHEREAS, Metro Communications supplies comprehensive Fiber Communication Network services; and

WHEREAS, the Town has completed a request for proposals for fiber installation; and

WHEREAS, it is advantageous to the Town to enter into an agreement with Metro Communications for the above services; NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor shall have power to execute the necessary documents, and hereby is authorized to make any changes, insertions and omissions as agreed upon by Metro Communications and the Town; and BE IT FURTHER

RESOLVED, that this Town Board hereby authorizes the Supervisor to execute the necessary contracts and all other necessary documents with Metro Communications for the aforementioned Town Campus Fiber Optic Communication Network services and fiber, at a cost not to exceed \$19,380 and BE IT FURTHER

RESOLVED, that funds for Town Campus Fiber Communication Networks shall be appropriated through budget line item number 0100-1680-4321.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

VI. Communications

A. Departmental Communications

1. Supervisor's Statement of Funds - October 2015

2. Minutes: Cheektowaga Traffic Safety Commission - October 20, 2015
3. Minutes: Cheektowaga Conservation Advisory Council - November 5, 2015
4. Minutes: Cheektowaga Planning Board - November 12, 2015
5. Minutes: Cheektowaga Traffic Safety Commission - November 17, 2015
6. Minutes: Cheektowaga Public Library - Board of Trustees - November 18, 2015

B. General Communications

1. Summons & Complaint: Murray Roofing, Co., Inc vs. Town of Cheektowaga
2. Notice of Claim: Paul Lepczyk vs. Town of Cheektowaga
3. Notice of Claim: Elaine E. Williams vs. Town of Cheektowaga
4. Notice of Claim: Augusto Zavatti vs. Town of Cheektowaga

VII. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. Adjournment

Motion by Councilmember Rogowski; Seconded by Councilmember Adamczak to adjourn the meeting at 8:20 PM

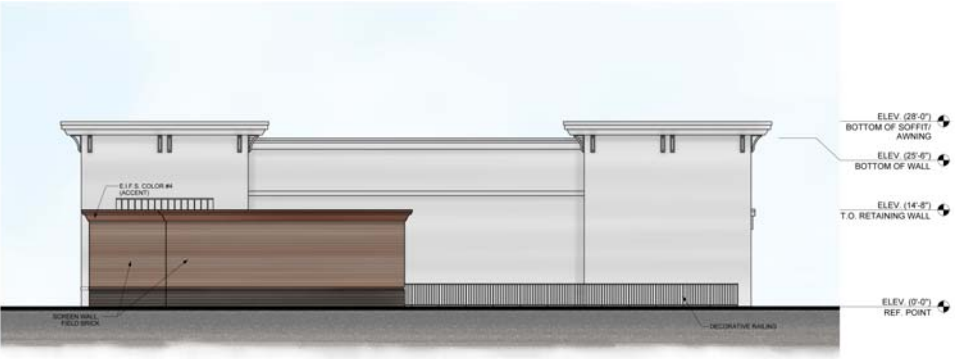
Alicie Magierski, Town Clerk



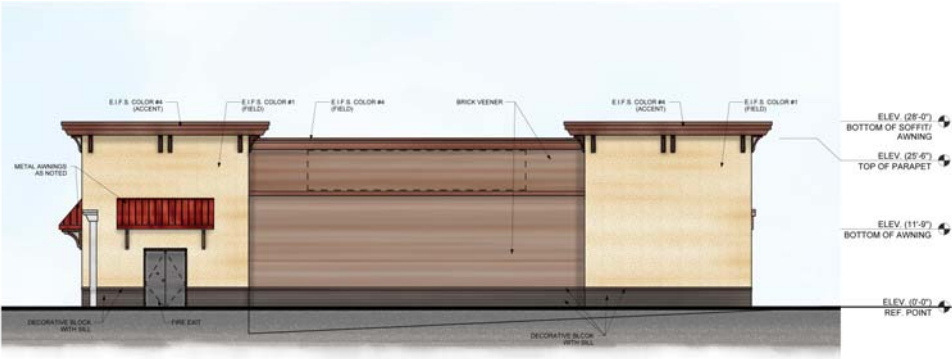
RIGHT (EAST) ELEVATION



FRONT (NORTH) ELEVATION



BACK (SOUTH) ELEVATION



EXTERIOR ELEVATION AT LOADING DOCK



LEFT (WEST) ELEVATION

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LOSSON RD. RETAIL SPACE #187
EXTERIOR ELEVATIONS

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PRINTS ARE FOR:
☐ DESIGN
☐ REVIEW
☐ PERMIT
☐ BIDDING
☐ CONSTRUCTION

DEVELOPMENT GROUP
100 HESPERUS MARKET STREET
ROCHESTER, NY 14624
JENNIFER L. HARRIS
JLHARRIS@WEGMANS.COM

DESIGNED BY
JENNIFER L. HARRIS
JLHARRIS@WEGMANS.COM

DRAWN BY
JENNIFER L. HARRIS
JLHARRIS@WEGMANS.COM

CHECKED BY
JENNIFER L. HARRIS
JLHARRIS@WEGMANS.COM

DATE
11/10/2015

187

A500

Nov 10 2015-13:26



Town of Cheektowaga

Regular Meeting

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Monday, December 21, 2015

6:45 PM

Council Chambers

I. Call to Order

6:45 PM Meeting called to order on December 21, 2015 at Council Chambers, 3301 Broadway, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Present | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

2. Additional Attendees

Patrick Bowen, Town Engineer
Robert Brandon, Zoning Board Chairman
Ellen Fischer, Executive Director - Youth Board
Carla A. Kosmerl, Director of Community Development
Brian Krause, Director of Finance and Administration
Earl Loder, Disaster Coordinator
Jeneen Lomando-McSkimming, Assessor
Karen Marchese, Coordinator of Employee Relations
Kevin Schenk, Town Attorney
Kerry Peek, Senior Services Director

II. Public Comment Period

III. Public Hearings

1. Rezoning Request 1937 Harlem Road

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

2. Amend Traffic Ordinance - Zurbrick/Freemont

COMMENTS - Current Meeting:

This being the time and place advertised for a Public Hearing, the Supervisor directed the Town Clerk to present that such notice has been duly published and posted; 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.

RESULT: CLOSED [UNANIMOUS]
MOVER: Timothy J. Meyers, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk

IV. Resolutions



1. RESOLUTION 2015-673

Transfer of Funds

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following transfer is hereby approved and made part hereof;

GENERAL

| | | | |
|-------|---------------|---------------------|------------|
| FROM: | 100.1355.4561 | Contracted Legal | \$2,500.00 |
| | 100.1110.4592 | Contracted Clerical | 8,400.00 |
| | 100.1110.4592 | Contracted Clerical | 2,810.00 |
| TO: | 100.1355.4001 | Office Supplies | \$2,500.00 |
| | 100.1110.4001 | Office Supplies | 1,700.00 |
| | 100.1110.2105 | Equipment | 6,700.00 |
| | 100.1110.4001 | Office Supplies | 2,810.00 |

HIGHWAY

| | | | |
|-------|---------------|-------------------------|------------|
| FROM: | 300.5110.4162 | Gas & Oil | \$8,000.00 |
| | 300.5110.4185 | Barricades | 2,000.00 |
| | 300.5130.4087 | Conference | 1,400.00 |
| | 300.5140.4291 | Shade Trees | 4,610.00 |
| | 300.5150.4162 | Gas & Oil | 42,000.00 |
| | 300.5110.4162 | Gas & Oil | 35,349.50 |
| TO: | 300.5110.4207 | GPS Services | \$8,000.00 |
| | 300.5141.1902 | Overtime Payroll | 8,010.00 |
| | 300.5130.2407 | Misc. Highway Equipment | 77,349.50 |

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Mary Holtz, Supervisor

SECONDER: Gerald Kaminski, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



2. RESOLUTION 2015-674

Warrant

Sponsored By: Supervisor Holtz, Councilmember Kaminski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to December 21, 2015 are hereby approved and made part hereof;

| | |
|---------------------------------|----------------|
| GENERAL FUND | \$2,626,590.93 |
| RISK RETENTION FUND | 929,868.77 |
| NYS HOME PROGRAM | 0.00 |
| DEBT | 5,512.50 |
| HUD HOUSING REHABILITATION FUND | 12,550.00 |
| SPECIAL DISTRICTS FUND | 1,213,199.28 |
| HIGHWAY FUND | 748,323.92 |
| CAPITAL FUND | 374,984.74 |
| TRUST & AGENCY FUND | 3,716.36 |
| HUD CDBG FUND | 366,640.67 |
| PART TOWN FUND | 102,627.31 |
| NYS AFFORDABLE HOUSING | 5,565.00 |
| | <hr/> |
| | \$6,389,579.48 |

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-675

Negative SEQR Declaration -3600 Harlem Road

Sponsored By: Supervisor Holtz, Councilmember Meyers

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

WHEREAS, an application was submitted by Kate Waterman-Kulpa of E&I Team, Inc. for the rezoning of 3600 Harlem Road from NS- Neighborhood Services to RSC- Residential Senior Citizen District for the conversion of an existing 35,600 s.f. two story nursing home into (76) seventy six apartments for senior independent living, AND

WHEREAS, the proposed building conversion includes the construction of a third floor addition and two three story additions, adding 42,400 sf in new building area, 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, the Town of Cheektowaga Planning Board recommended approval of the rezoning request and site plan at their meetings of October 8, 2015 and December 10, 2015, respectively, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on December 2, 2015 recommended a determination of non-significance, AND

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

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-676

Negative SEQR Declaration - 2980 William Street

Sponsored By: Councilmember Meyers, Supervisor Holtz

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

WHEREAS, an application was submitted by Christopher Wood, P.E. on behalf of Hearing and Speech of WNY for the conversion of an existing single family dwelling at 2980 William Street into an administrative office, 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, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of December 10, 2015, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and finds the project acceptable, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on December 2, 2015 recommended a determination of non-significance , AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, the Planning Board and the Traffic Safety Commission, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a Negative Declaration for purposes of the State Environmental Quality Review Act (SEQRA).

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-677

Accept Site Plan- 3600 Harlem Road

Sponsored By: Meyers, Rogowski, Holtz

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Kate Waterman-Kulpa of E&I Team, Inc. submitted a development review application and site plan for the conversion of an existing 35,600 s.f. two story nursing home into (76) seventy six apartments for senior independent living, AND

WHEREAS, the proposed building conversion includes the construction of a third floor addition and two three story additions, adding 42,400 sf in new building area, AND

WHEREAS, the Town of Cheektowaga Zoning Board of Appeals accepted an area variance application for relief from building /parking setbacks and the quantity of off street parking spaces provided, to accommodate the proposed building conversion AND

WHEREAS, said area variance application was heard by the Cheektowaga Zoning Board of Appeals on December 16th, 2015, wherein, the Zoning Board of Appeals reserved decision on the subject area variance requests, AND

WHEREAS, the applicant has modified her site plan to incorporate requested changes of the various town reviewers, including modifications to the architectural character of the building, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the site plan application at their meeting of December 10, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan subject to :

1. The Cheektowaga Zoning Board of Appeals granting the necessary area variances.
2. The Town Engineer reviewing/approving the civil plans for drainage, grading, adequacy of potable water supply and sufficiency of sanitary sewer capacity.
3. The Town Planner reviewing approving the final landscaping plan and photometric plan for exterior lighting.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



6. RESOLUTION 2015-678

Accept Site Plan-2980 William Street

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, Christopher Wood, P.E. on behalf of Hearing and Speech of WNY submitted a development review application for the for the conversion of an existing single family dwelling at 2980 William Street into an administrative office, AND

WHEREAS, the conversion of the dwelling will also require the construction of site improvements to accommodate accessory offstreet parking, AND

WHEREAS, the proposed access driveway's require an area variance from the miniu required setbacks along the easterly and westerly property lines, AND

WHEREAS, The Cheektowaga Zoning Board of Appeals held a hearing on the area variance request on December 16, 2015 and approved the necessary setback variance, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of December 10, 2015 and have recommended approval thereof, NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed site plan, subject to:

1. The Town Engineer reviewing and approving the drainage /grading plan.
2. The Town Planner reviewing the final landscaping plan and any photometric plan for any proposed exterior lighting.

Attachments:
site plan (PDF)

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



7. RESOLUTION 2015-679

Accept Site Plan-4970 Transit Road

Sponsored By: Councilmember Meyers, Councilmember Rogowski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, the Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to section 260-47.1C of the Zoning Law of the Town of Cheektowaga is vested with the authority to approve site plans and modify or reject any recommendation submitted to it by its advisory committees, AND

WHEREAS, H. Christopher Streng of 4968 Transit Road, LLC submitted a development review application for an amendment to a previously approved site plan at 4970 Transit Road, AND

WHEREAS, on May 18, 2015 this Town Board approved a site plan for the construction of a 15,700 s.f. retail building, AND

WHEREAS, the applicant now seeks to modify the approved site plan by adding 1,600 s.f. of additional building area to serve the needs of a proposed retailer, AND

WHEREAS, the Town of Cheektowaga Planning Board, reviewed and commented on the Application at their meeting of December 10, 2015 and have recommended approval thereof, AND

WHEREAS, on May 18, 2015 this Town Board issued a negative declaration pursuant to the provisions of the State Environmental Quality Review Act (SEQRA), NOW THEREFORE BE IT,

RESOLVED, that pursuant to Section 260-47-1 of the Code of the Town of Cheektowaga and Section 274-a of New York State Town Law that this Town Board approves the proposed amendment to the site plan and reaffirms the negative SEQR declaration issued on May 18, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



8. RESOLUTION 2015-680

Approve Rezoning of 3600 Harlem Road

Sponsored By: Meyers, Rogowski, Holtz

WHEREAS, EI Team, Inc. petitioned for a rezoning from NS-Neighborhood Services District to RSC-Senior Citizen Housing District for property owned by 3600 Harlem Road, LLC and located at 3600 Harlem Road, Cheektowaga, New York, which property is described in the attached legal description, for the conversion of an existing nursing home building into seventy-six (76) apartments for independent senior living, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of December, 2015 at 6:45 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 EI Team, Inc. for the rezoning from NS-Neighborhood Services District to RSC-Senior Citizen Housing District of the property described in the attached legal description be and the same is hereby approved, subject to the following condition:

1. Any future additions to the development or site plan must be resubmitted to the Town Board to determine that the addition is substantially in agreement with the intent of this rezoning.
2. Approval of variances from the Town Zoning Board of Appeals

, and BE IT FURTHER

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



LEGAL DESCRIPTION

All that tract or parcel of land situate in Town of Cheektowaga, County of Erie, and State of New York, being part of Lot 36, Township 11, Range 7 of the Holland Land Company's Survey and according to map filed in the Erie County Clerk's Office under cover number 1726, is known as lot numbers 4 to 9 inclusive and part of Lot number 3, bounded and described as follows:

Beginning at the intersection of the west line of Harlem Road and the north line of Mafalda Drive; running thence westerly along the north line of Mafalda Drive 201.20 feet; thence

northerly at right angles 328.74 feet; thence easterly parallel with Mafalda Drive 203.97 feet to the west line of Harlem Road; and thence southerly along the west line of Harlem Road 328.75 feet to the point of beginning.

Excepting therefrom that part acquired by the State of New York by Notice of Appropriation recorded in Erie County Clerk's Office in Liber 11115 of deeds at page 4249.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



9. RESOLUTION 2015-681

Adopt Amendments to Vehicle and Traffic Law - Zurbrick Road and Freemont Avenue

Sponsored By: Meyers, Rogowski, Benczkowski

WHEREAS, this Town Board held a public hearing on December 21, 2015 to consider the advisability of adopting proposed amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic), said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1.

That this Town Board determines it is in the public interest to adopt the following amendments to Chapter 235 of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE V. Schedules, Section 235-46, Schedule VII: Stop Intersections, shall be amended by adding thereto the following:

In accordance with the provisions of §235-18, the following described intersections and locations are designated stop intersections:

| Stop Sign on | Direction Traffic Stops | At Intersection of |
|---------------------|--------------------------------|---------------------------|
| Zurbrick Road | East | Freemont Avenue |

Section 2. Time to Take Effect

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

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

Section 3. Territorial Application

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

Section 4. Publication

That these amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



10. RESOLUTION 2015-682

Award of Bid for Controlled Demolition of 18 Randolph Avenue

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga acquired 18 Randolph Avenue with Community Development Block Grant funds for purpose of a redevelopment residential project on that site; and

WHEREAS, a Request for Proposal was issued to local Demolition Contractors for the Controlled Demolition of the structure at 18 Randolph Avenue; and

WHEREAS, proposals were received and opened on December 16, 2015 for said demolition; and

WHEREAS, the proposals were reviewed by the Director of Community Development and, based on proposals submitted, the Director of Community Development has recommended that this Town Board award the bid for the demolition and asbestos abatement of the structure at 18 Randolph Avenue to Geiter Done of WNY, Inc.; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby award the contract for the demolition and asbestos abatement of structures located at 18 Randolph Avenue to:

Geiter Done of WNY, Inc.
300 Greene Street
Buffalo, New York 14206

for the bid price of \$13,400.00, being the lowest responsible bid meeting specifications; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute an agreement with Geiter Done of WNY, Inc., for the aforesaid services, and BE IT FURTHER

RESOLVED, that moneys for said services shall be appropriated from Community Development Block Grant funds.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



11. RESOLUTION 2015-683

Call for Public Hearing to Amend Traffic Ordinance - Southcrest Avenue

Sponsored By: Councilmember Meyers, Councilmember Rogowski

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on January 4, 2016 at 6:45 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 BEE, said amendments being set forth in said Notice of Hearing.



NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, 3301 Broadway in said Town of Cheektowaga on January 4, 2016 at 6:45 P.M. to consider the advisability of adopting amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE V. Schedules, Section 235-49, Schedule X: Parking Prohibited in Designated Locations, shall be amended by deleting therefrom the following:

In accordance with the provisions of §235-34, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

SOUTHCREST AVENUE - South side: from east curblin of Union Road to west curblin of Orchard Place

ARTICLE V. Schedules, Section 235-49, Schedule X: Parking Prohibited in Designated Locations, shall be amended by adding thereto the following:

In accordance with the provisions of § 235-34, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

SOUTHCREST AVENUE - North side: from east curb line of Union Road to west curb line of Orchard Place

Dated: December 21, 2015

ALICE MAGIERSKI, Town Clerk

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



12. RESOLUTION 2015-684

Establish First Board Meeting Date of 2016

Sponsored By: Councilmember Benczkowski, Councilmember Meyers

BE IT RESOLVED, that the first regular Town Board meeting for 2016 shall be held on Monday, January 4, 2016 at 6:45 P.M. in the Council Chambers of the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED, that said meeting shall begin with the public comment period at 6:45 P.M., and the meeting proper will begin immediately thereafter, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to the Cheektowaga Bee, Buffalo News and Metro Source/Courier and BE IT FURTHER

RESOLVED, that the above meeting date shall be posted on the Town's website.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



13. RESOLUTION 2015-685

Establish Holidays for 2016

Sponsored By: Councilmember Benczkowski, Councilmember Meyers

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 2016:

| | | |
|-----------------------------|-------------------|----------|
| New Year's Day | January 1, 2016 | Friday |
| Martin Luther King, Jr. Day | January 18, 2016 | Monday |
| President's Day | February 15, 2016 | Monday |
| Good Friday | March 25, 2016 | Friday |
| Memorial Day | May 30, 2016 | Monday |
| Independence Day | July 4, 2016 | Monday |
| Labor Day | September 5, 2016 | Monday |
| Columbus Day | October 10, 2016 | Monday |
| Election Day | November 8, 2016 | Tuesday |
| Veterans Day | November 11, 2016 | Friday |
| Thanksgiving Day | November 24, 2016 | Thursday |
| Day After Thanksgiving | November 25, 2016 | Friday |
| Christmas Eve | December 23, 2016 | Friday |
| Christmas Day | December 26, 2016 | Monday |

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Diane Benczkowski, Councilmember

SECONDER: Timothy J. Meyers, Councilmember

AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



14. RESOLUTION 2015-686

Establish Salary for Assistant to the Supervisor

Sponsored By: Councilmember Benczkowski, Councilmember Meyers

BE IT RESOLVED, that the annual salary for the position of Assistant to the Supervisor (Confidential Secretary) be and hereby is established at \$45,000.00 as of January 1, 2016.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



15. RESOLUTION 2015-687

Authorize the Supervisor to Enter into a Memorandum of Agreement with the Western New York Stormwater Coalition

Sponsored By: Councilmember Meyers, Councilmember Kaminski

WHEREAS, by resolution dated December 28, 2005 this Town Board authorized the execution of a Memorandum of Agreement between the Town and the Western New York Stormwater Coalition made up of approximately forty (40) member communities in Erie and Niagara Counties whose members have worked collectively to meet the goals and regulatory requirements of the USEPA Phase II Stormwater Regulations and the NYSDEC SPDES General Permit for Stormwater Discharges, including the development of stormwater management programs, ordinance development, outfall mapping, storm sewer mapping and public outreach and education, AND

WHEREAS, the Town's participation in the Western New York Stormwater Coalition has enabled the Town to benefit from the Coalition's grant funded programs resulting in significant savings in time and resources necessary to achieve Phase II regulatory compliance requirements, AND

WHEREAS, the term of the current Memorandum of Agreement expires on December 31, 2015 and the Town Engineer has recommended that the Town continue to be an active participant in the coalition and has recommended the renewal of the Memorandum of Agreement having a five (5) year term, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board supports the recommendation of the Town Engineer and elects to continue to be a member of the Western New York Stormwater Coalition and supports the Coalition Work Plan, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to enter into the renewal Memorandum of Agreement for the term beginning on December 31, 2015 and ending on December 31, 2020, following review and approval of said agreement by the Town Attorney, AND, BE IT FURTHER

RESOLVED, that the Town's annual membership fee of \$1,250.00 shall be appropriated from budget line item number 4000-8140-4581.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



16. RESOLUTION 2015-688

Authorize Supervisor to Execute a Contract with Millard, McKay & Delles Land Surveyors, LLP for Randolph Surveys

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, the Town of Cheektowaga acquired 16 Randolph Avenue, 18 Randolph Avenue and 20 Randolph Avenue with Neighborhood Stabilization Program and Community Development Block Grant funds for purpose of residential redevelopment projects on those sites; AND

WHEREAS, a Request for Proposal was issued to local professional land surveyors for the preparation of the boundary survey of 20 Randolph Avenue and separate compilation boundary survey of 16, 18 and 20 Randolph Avenue, combining the three parcels and subdividing the combined properties into two separate lots; AND

WHEREAS, proposals were received and opened on December 2, 2015 for said surveying services; AND

WHEREAS, the proposals were reviewed by the Director of Community Development and, based on proposals submitted, the Director of Community Development has recommended that the Town engage a professional land surveying firm to provide a detailed boundary survey of 20 Randolph Avenue and separate compilation boundary survey of 16, 18 and 20 Randolph Avenue, combining the three parcels and subdividing the combined properties into two separate lots; AND

WHEREAS, the firm of Millard, McKay & Delles Land Surveyors, LLP submitted the lowest proposal meeting the detailed requirements for said survey work, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a contract with Millard, McKay & Delles Land Surveyors, LLP, 150 Aero Drive, Buffalo, New York 14225 for the preparation of the boundary survey of 20 Randolph Avenue and separate compilation boundary survey of 16, 18 and 20 Randolph Avenue, combining the three parcels and subdividing the combined properties into two separate lots for a fee not to exceed \$975, AND, BE IT FURTHER

RESOLVED, that said professional services shall be charged to the Community Development Block Grant Program.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



17. RESOLUTION 2015-689

Extend Agreement for Pre-Hospital (Ambulance) Emergency Services

Sponsored By: Supervisor Holtz, Councilmember Kaminski

WHEREAS, the Town's Agreement for Pre-Hospital Emergency Services with Rural/Metro Corporation d/b/a/ Rural Metro Medical Services will expire on December 31, 2015; and

WHEREAS, there is a need to continue said Agreement until an updated Agreement is negotiated; NOW, THEREFORE, BE IT

RESOLVED, that the Town's Agreement with Rural/Metro /Corporation d/b/a Rural Metro Medical Services for Pre-Hospital Emergency Services be and hereby is extended on its same terms for a term of six (6) months, expiring on June 30, 2016; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an amendment to the existing Agreement with Rural/Metro Corporation d/b/a/ Rural Metro Medical Services, subject to approval by the Town Attorney.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



18. RESOLUTION 2015-690

Authorization to Purchase Ten Tactical Vests

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Cheektowaga Police Department has requested authorization to purchase ten (10) new Point Blank Tactical Armor System-Alpha One complete set, Model DXIIIA, Threat Level IIIA Tactical Vests, AND

WHEREAS, the purchase is being made under New York State Contract #PC67147, AND

WHEREAS, funds for said purchase have been budgeted and are available from Police Asset Forfeiture Line #600-0600-0881, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the purchase of ten (10) new Point Blank Tactical Armor System-Alpha One complete set, Model #DXIIIA, Threat Level IIIA Tactical Vests in the amount of \$23,940.00 from:

Sewing Technology Uniform
691 Seneca Street
Buffalo, New York 14210

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



19. RESOLUTION 2015-691

Authorize Purchase of 2016 Ford Explorer Vehicles for Police Department

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the Police Department has requested authorization to purchase eight (8) Ford Explorer vehicles for use by them; and

WHEREAS, the Village of East Aurora solicited bids for the purchase of vehicles for use by their Police Department; and

WHEREAS, New York State General Municipal Law, Section 103, authorizes the purchase by the Town of vehicles under contracts let by any other agency of the State, provided said contract was let in a manner that constituted competitive bidding consistent with State Law, and further, that provision was made in the bid documents enabling municipalities to utilize said bid award thereby eliminating the need for competitive bidding by the Town and allowing "piggybacking" off the Village of East Aurora bid; and

WHEREAS, the Village of East Aurora's bid documents and award contained such provisions; and

WHEREAS, a local vendor, Delacy Ford, Inc., was a successful bidder and was awarded the bid by the Village of East Aurora under Contract Number PC-66774, and is an authorized dealer for Ford Vehicles; and

WHEREAS, the Town of Cheektowaga Police Department solicited a quotation from Delacy Ford, Inc., for said Ford Explorer vehicles; and

WHEREAS, funds are available for said purchase; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the purchase of eight (8) 2016 Ford Explorer vehicles for use by the Police Department from:

Delacy Ford, Inc.,
3061 Transit Road
Elma, New York, 14059,

through the contract awarded by the Village of East Aurora, State Contract Number PC-66774, for a price not to exceed the total sum of \$253,654.00; and BE IT FURTHER

RESOLVED, that moneys for said purchase shall be appropriated from account number 100-3120-2303, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents to effectuate the purchase.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



20. RESOLUTION 2015-692

Authorize Purchase of Two (2) Ford F350 Truck for Highway Department

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, the Highway Department has requested authorization to purchase two (2) 2016 Ford F350 Crew Cab; AND

WHEREAS, the New York State Thruway Authority solicited bids for the purchase of commercial vehicles for use by them; AND

WHEREAS, New York State General Municipal Law, Section 103, authorizes the purchase by the Town of vehicles under contracts let by any other agency of the State, provided said contract was let in a manner that constituted competitive bidding consistent with State Law, and further, that provision was made in the bid documents enabling municipalities to utilize said bid award thereby eliminating the need for competitive bidding by the Town and allowing "piggybacking" off the New York State Thruway Authority bid; AND

Whereas, the Thruway Authority's bid documents and award contained such provisions; AND

WHEREAS, a local vendor, Delacy Ford, Inc. was a successful bidder and was awarded the bid by the New York Thruway Authority under Contract Number PC-66774, and is an authorized dealer for Ford Vehicles; AND

WHEREAS, the Town of Cheektowaga solicited a quotation from Delacy Ford, Inc. for said vehicle; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the purchase of two (2) 2016 Ford F350 Crew Cab truck from:

Delacy Ford, Inc.
3061 Transit Road
Elma, NY 14059

through the contract awarded by the New York State Thruway Authority State Contract Number PC-66774, for the price not to exceed the sum of \$62,660.44; AND BE IT FURTHER

RESOLVED, that moneys for said purchase shall be appropriated from account number 300.5130.2407; AND BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents to effectuate the purchase.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



21. RESOLUTION 2015-693

Authorize Purchase of 2016 Ford F350 Crew Cab Chassis for Highway Department

Sponsored By: Councilmember Kaminski, Councilmember Meyers

WHEREAS, the Highway Department has requested authorization to purchase one 2016 Ford F350 Crew Cab Chassis; AND

WHEREAS, the New York State Thruway Authority solicited bids for the purchase of commercial vehicles for use by them; AND

WHEREAS, New York State General Municipal Law, Section 103, authorizes the purchase by the Town of vehicles under contracts let by any other agency of the State, provided said contract was let in a manner that constituted competitive bidding consistent with State Law, and further, that provision was made in the bid documents enabling municipalities to utilize said bid award thereby eliminating the need for competitive bidding by the Town and allowing "piggybacking" off the New York State Thruway Authority bid; AND

WHEREAS, the Thruway Authority's bid documents and award contained such provisions; AND

WHEREAS, a local vendor, Delacy Ford, Inc. was a successful bidder and was awarded the bid by the New York Thruway Authority under Contract Number PC-66774, and is an authorized dealer for Ford Vehicles; AND

WHEREAS, the Town of Cheektowaga solicited a quotation from Delacy Ford, Inc. for said vehicle; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the purchase of one 2016 Ford F350 Crew Cab Chassis truck from:

Delacy Ford, Inc.
3061 Transit Road
Elma, NY 14059

through the contract awarded by the New York State Thruway Authority State Contract Number PC-66774, for the price not to exceed the sum of \$39,007.96; AND BE IT FURTHER

RESOLVED, that moneys for said purchase shall be appropriated from account number 300.5130.2407; AND BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents to effectuate the purchase.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



22. RESOLUTION 2015-694

Agreement with Catholic Charities (YES)

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Cheektowaga Department of Youth and Recreational Services is desirous of continuing the operation of the Youth Engaged in Service (Y.E.S.) program with Catholic Charities of Buffalo Metropolitan Services Department, 525 Washington Street, Buffalo, New York, AND

WHEREAS, said program, which prepares and provides teenagers with opportunities to assist their community in various projects that have a need for volunteers and 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 of Buffalo Metropolitan Services Department to continue said program for a twelve month period, January 1, 2016 through December 31, 2016 with a total payment to Catholic Charities not to exceed the sum of \$54,301.00 and the New York State Office of Children and Family services will reimburse the Town \$36,000.00 leaving the actual cost to the Town at \$18,301.00.

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

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



23. RESOLUTION 2015-695

Agreement with Catholic Charities (SIS)

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the Cheektowaga Department of Youth and Recreational Services is desirous of continuing the operation of a joint program with Catholic Charities of Buffalo Metropolitan Services Department, 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, 2016 through December 31, 2016 with a total cost not to exceed the sum of \$176,845.00 and BE IT FURTHER

RESOLVED that Catholic Charities Metropolitan Services will reimburse the Town \$35,900.00 of the total budget for said program leaving the actual cost to the Town at \$140,945.00

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

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



24. RESOLUTION 2015-696

Agreement with Public Library

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

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

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

RESOLVED that the Supervisor be and hereby is authorized to execute an agreement between the Town of Cheektowaga and the Cheektowaga Public Library System to continue said program for a twelve (12) month period, January 1, 2016 through December 31, 2016 with a total cost not to exceed \$2,200.00.

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

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



25. RESOLUTION 2015-697

Erie County Youth Agreement 2016

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that subject to the approval of the Town Attorney the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute the 2016 Youth Development Program Award Contract #LYB-887 in the amount of \$36,000.00 on behalf of the Department of Youth & Recreational Services and the Erie County Youth Bureau.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



26. RESOLUTION 2015-698

Asbestos Air & Project Monitoring Contract for Controlled Demolition of 18 Randolph Avenue

Sponsored By: Councilmember Adamczyk, Supervisor Holtz

WHEREAS, the Town of Cheektowaga acquired 18 Randolph Avenue with Community Development Block Grant funds for purpose of a redevelopment residential project on that site; and

WHEREAS, in accordance with NEW YORK state law said property must be air and project monitored for asbestos materials during demolition, AND

WHEREAS, proposals for said air quality testing and monitoring services at said location were also solicited by the Office of Community Development pursuant to procurement guidelines adopted by the Town Board and regulations governing the Neighborhood Preservation and Community Development Block Grant Programs, AND

WHEREAS, the Director of Community Development has reviewed and recommended that a contract for professional air quality monitoring and project monitoring services at 18 Randolph Avenue be awarded to Aurora Environment, LLC, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a contract with Aurora Environmental, LLC, 1850 Davis Road, West Falls, New York 14170 to perform necessary asbestos air quality monitoring and project monitoring services at 18 Randolph Avenue, Cheektowaga, New York, for a fee not to exceed \$1,572.50, said cost to be charged to the Community Development Block Grant Program.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Christine Adamczyk, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



27. RESOLUTION 2015-699

Removal of Collapsed Fence-85 Southgate Road

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 85 Southgate Road, Cheektowaga, New York SBL# 90.08-7-17 that is a danger to the safety of others, and records kept by the Assessors Office identify Judi Ali, 308 Pine Ridge Road, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 85 Southgate Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



28. RESOLUTION 2015-700

Removal of Collapsed Fence/11 W Toulon Drive

Sponsored By: Supervisor Holtz, Councilmember Adamczyk

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 11 W Toulon Drive, Cheektowaga, New York SBL# 125.06-16-25 that is a danger to the safety of others, and records kept by the Assessors Office identify Gary Grudzinski Sr, 11 W Toulon Drive, Cheektowaga, New York 14227, as the owner AND

WHEREAS, an inspection of such premises was conducted at 11 W Toulon Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Mary Holtz, Supervisor |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



29. RESOLUTION 2015-701

Youth & Recreation Terminations

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Youth & Recreational Services effective as indicated:

| | | |
|-----------------|--------------|-------|
| Joseph Bodkin | 8/19/15 | 14225 |
| Trevor Krzemien | Never worked | 14227 |
| Dean Lach | 10/24/15 | 14212 |
| Leah Polvinale | Never worked | 14227 |

Motion by Councilmember Meyers; Seconded by Councilmember Rogowski to waive the Reading of Names for the Following two (2) Resolutions. 2015-701 and 2015-702. Motion Carried.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Diane Benczkowski, Councilmember
SECONDER: James P. Rogowski, Councilmember
AYES: Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk



30. RESOLUTION 2015-702

Youth & Recreation Transfers

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Youth & Recreational Services, effective immediately:

Lifeguard "Level II" – 7140.1611 - \$10.85 – Part-time

Erica Orlowski

Recreation Attendant – 7140.1611 - \$10.90 – Regular Part-time

Robert Swiatkowski

Recreation Attendant – 7140.1636 - \$11.00 – Regular Part-time

Melissa Petre

Recreation Attendant – 7140.1639 - \$11.50 – Regular Part-time

Thomas Goff

Recreation Instructor – 7140.1611 - \$12.75 – Regular Part-time

Glenn Au

Recreation Instructor – 7140.1639 - \$13.00 – Regular Part-time

Matthew Bean

Recreation Attendant – 7140.1639 - \$12.95 – Regular Part-time

Eric Godzich

Recreation Instructor – 7140.1640 - \$14.15 – Regular Part-time

Anthony Pierino

BE IT FURTHER RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Youth & Recreational Services, effective January 1, 2016:

Recreation Aide – 7140.1611 – \$9.00 - Part-time

Joseph Leonarczyk, III 14227

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | James P. Rogowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



31. RESOLUTION 2015-703

2016 Minimum Wage Increase

Sponsored By: Councilmember Benczkowski, Councilmember Rogowski

WHEREAS, the New York State Legislature has approved minimum wage increase in 2014, 2015, and 2016 and

WHEREAS, the third of three increases becomes effective January 1, 2016, NOW THEREFORE

RESOLVED that the following individuals be and hereby are elevated as follows so as to comply with the new minimum wage law as it affects the existing workforce pay structure of those earning less than \$9.00 per hour (regular part-time/part time):

| | | |
|----------------------|---|--------|
| Tammy Bell | - | \$9.00 |
| Matthew Carney | - | \$9.00 |
| Nicholas Gamble | - | \$9.00 |
| Gregory Gyalog | - | \$9.00 |
| Eric Green | - | \$9.00 |
| David Kovatchev | - | \$9.00 |
| Alexis Krueger | - | \$9.00 |
| Keri Murphy | - | \$9.00 |
| Nathan Obstarczyk | - | \$9.00 |
| Julie Pijacki | - | \$9.00 |
| Catherine Rogers | - | \$9.00 |
| Melissa Rossi | - | \$9.00 |
| Jenna Brewer | - | \$9.15 |
| Grace Dalton | - | \$9.15 |
| Leah Hoffman | - | \$9.15 |
| Verliddia Jones | - | \$9.15 |
| Kellie Kaminski | - | \$9.15 |
| Alexandria Makowski | - | \$9.15 |
| Anthone Proctor | - | \$9.15 |
| Molly Wittig | - | \$9.15 |
| Jessica Woods | - | \$9.15 |
| Cassidy Bobeck | - | \$9.30 |
| Jessica Gaffney | - | \$9.30 |
| Danielle Keller | - | \$9.30 |
| Kourtney Killian | - | \$9.30 |
| Morgan Miecznikowski | - | \$9.30 |
| Janelle Thompson | - | \$9.30 |
| Ryan Trapper | - | \$9.30 |
| Brian Wroblewski | - | \$9.30 |
| Kelly Zaky | - | \$9.30 |
| Jared Bulinski | - | \$9.35 |

| | | |
|--------------------------|---|---------|
| Karisa Poczciwinski | - | \$9.40 |
| Ashley Carney | - | \$9.50 |
| Jessica Elston | - | \$9.50 |
| Eric Farinacci | - | \$9.50 |
| Joel Greenauer | - | \$9.50 |
| Dakota Herkey | - | \$9.50 |
| Tyler Nosal | - | \$9.50 |
| Gabrielle Padovani | - | \$9.50 |
| Joseph Swierczynski | - | \$9.50 |
| Jessica Arana | - | \$9.75 |
| Timothy Isch | - | \$9.75 |
| Hilary Peacock | - | \$9.75 |
| Jayson Selbert | - | \$9.75 |
| Rebecca Szyjka | - | \$9.75 |
| Theresa Tripi | - | \$9.75 |
| Ryan Weber | - | \$9.75 |
| Eugene Pytlewski | - | \$9.80 |
| Alex Godzich | - | \$10.00 |
| Elaine Hawrysiak | - | \$10.00 |
| Amanda Maconaghy | - | \$10.00 |
| Slade Miller | - | \$10.00 |
| Derek Schenk | - | \$10.00 |
| Jennifer Denis (Lafrado) | - | \$10.75 |

| | |
|----------------|------------------|
| RESULT: | WITHDRAWN |
|----------------|------------------|



32. RESOLUTION 2015-704

Hiring/Termination of Part-Time Employees

Sponsored By: Councilmember Kaminski, Supervisor Holtz

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

SENIOR SERVICES Laborer \$9.10/hour effective 12/7/15
Patricia A. Eisenhower, Cheektowaga, New York

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

SEWER MAINTENANCE
Paul Gerace, Jr. effective 12/5/15

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



33. RESOLUTION 2015-705

Authorization of Student Intern (Police Department)

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, Taylor Willette, a student at Hilbert College, has requested to participate in the student internship program at the Police Department; AND

WHEREAS, this individual has been interviewed by the Police Department and the Police Department is willing to afford him/her the opportunity to intern in the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Taylor Willette of Rochester, New York, be and hereby is authorized to participate as an unpaid intern in the Police Department, subject to her execution of a Waiver of Liability and Agreement of Confidentiality; AND, BE IT FURTHER

RESOLVED, that Taylor Willette's internship be and hereby is effective January 1, 2016 through June 15, 2016; AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement of Confidentiality, and all other documents necessary to effectuate this student internship in the Police Department.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



34. RESOLUTION 2015-706

Appointment of Laborer (Labor/Permanent) Sewer Maintenance/Paul M. Herr

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, a vacancy exists in the title of Laborer in the Sewer Maintenance 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, Paul M. Herr, currently employed as a Maintenance Worker in the Facilities Department, bid on said vacancy and meets the necessary qualifications for appointment; NOW, THEREFORE, BE IT

RESOLVED, that Paul M. Herr of Depew, New York, be and hereby is appointed to the position of Laborer in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 22, 2015.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



35. RESOLUTION 2015-707

Travel Authorization Community Development

Sponsored By: Councilmember Kaminski, Supervisor Holtz

WHEREAS, The Niagara Frontier Building Officials Education Conference is being held January 25, 2016 through January 27, 2016 in Cheektowaga, New York; AND

WHEREAS, Assistant Code Enforcement Officers Richard J. Willis and Dale Marie Parks have been recommended to attend said conference; AND

WHEREAS, Director of Community Development Carla Kosmerl has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$550; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Assistant Code Enforcement Officers Richard J. Willis and Dale Marie Parks be and hereby are authorized to attend The Niagara Frontier Building Officials Education Conference is being held January 25, 2016 through January 27, 2016.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



36. RESOLUTION 2015-708

Travel Authorization Police Department

Sponsored By: Councilmember Rogowski, Councilmember Kaminski

WHEREAS, the 2016 CIT Conference is being held April 24, 2016 through April 28, 2016 in Chicago, Illinois; AND

WHEREAS, Lieutenant Brian Gould has been recommended to attend said conference; AND

WHEREAS, Police Chief David Zack has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,073.98; AND

WHEREAS, these expenses have been budgeted by the Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant Brian Gould be and hereby are authorized to attend the 2016 CIT Conference being held April 24, 2016 through April 28, 2016 in Chicago, Illinois.

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|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | James P. Rogowski, Councilmember |
| SECONDER: | Gerald Kaminski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

V. Suspension of Rules

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| Motion by Councilmember Rogowski; Seconded by Councilmember Meyers to Waive the Rules to Include the Following (5) Five Resolutions: 2015-709; 2015-710; 2015-711; 2015-712 and 2015-713. Motion Carried. |
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1. RESOLUTION 2015-709

Revise Payment Schedule for Salaries of Planning Board and Zoning Board Members

Sponsored By: Meyers, Benczkowski, Rogowski, Holtz, Kaminski, Adamczyk

WHEREAS, the Town of Cheektowaga previously created a Planning Board to review development proposals, landscape plans, and applications for rezonings and special permits; and

WHEREAS, the Town of Cheektowaga previously created a Zoning Board of Appeals to grant variances and temporary permits under the Town Zoning Law, and

WHEREAS, annual salaries have been previously established for the persons appointed to serve on said Boards, and

WHEREAS, said Boards each meet once a month and are paid once a month by the Town, and

WHEREAS, this Board wishes to revise the salary schedules for said members so that they are being paid monthly only when they attend the monthly meeting, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby establishes the following monthly salaries for the following members of the Planning Board and Zoning Board of Appeals, effective January 1, 2016:

| | |
|------------------------------|----------------|
| Planning Board Chairman (1) | \$429.83/month |
| Planning Board Secretary (1) | \$368.25/month |
| Planning Board Members (3) | \$290.92/month |
| Zoning Board Chairman (1) | \$464.50/month |
| Zoning Board Secretary (1) | \$420.25/month |
| Zoning Board Members (3) | \$342.92/month |

, and, BE IT FURTHER

RESOLVED, that the paycheck for attending a monthly meeting shall be issued by the Town of Cheektowaga Payroll Department in the month following the monthly meeting of the Planning Board and Zoning Board of Appeals, and BE IT FURTHER

RESOLVED, that, if a Planning Board or Zoning Board member fails to attend a monthly meeting of said Board, they shall not be paid a salary for said month, and BE IT FURTHER

RESOLVED, that it is the responsibility of the Secretaries of the Planning Board and Zoning Board of Appeals to notify the Payroll Department each month of those who fail to attend a monthly meeting, and BE IT FURTHER

RESOLVED, that this resolution shall take effect as of January 1, 2016.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Diane Benczkowski, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



2. RESOLUTION 2015-710

Authorize Supervisor to Execute Domestic Service Contract with the ECWA

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, plans are underway to provide a new water service for the Main Pump Station which will enhance fire protection for the existing building, AND

WHEREAS, a new eight inch (8") connection is required for said service at an existing water main located in the southerly right-of-way of Central Blvd. operated by the Erie County Water Authority (ECWA), AND

WHEREAS, a Private Fire Protection/Domestic Service Contract and a permit fee is required by the ECWA to install said service, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute the necessary Domestic Service Contract with the ECWA, AND, BE IT FURTHER

RESOLVED, that the permit fee in the amount of \$17,400.00 shall be chargeable to Account No: 500-1440-4341-5428.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



3. RESOLUTION 2015-711

Reject Bids - Furnishing of 2 Ford F-550, 4x4, Low Boy Dump Trucks

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, by resolution dated December 7, 2015 (Resolution 2015-640), the Town Board issued a Notice to Bidders for the furnishing to two (2) new and unused Ford F-550, 4x4 Low Boy Dump Trucks for use by the Facilities Department, AND

WHEREAS, suppliers informed the Town that the Ford F-550 chassis with a 6.8L V10 gas engine is currently unavailable, AND

WHEREAS, said bid specifications were amended by Addendums No. 1 and No. 2 to Ford F-350 chassis with 6.2L V8 gas engine, AND

WHEREAS, bids were duly opened on the 16th day of December, 2015, AND

WHEREAS, the Town has determined that it is in the Town's best interest to reject any and all bids received, NOW, THEREFORE, BE IT

RESOLVED, that the bids received for the furnishing of two (2) new and unused Ford F-350, 4x4 Low Boy Dump Trucks (Bid No. 2015-36) be and hereby are rejected,

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



4. RESOLUTION 2015-712

Purchase One 2016 Ford F350 4X4 Low Boy Dump

Sponsored By: Councilmember Kaminski, Councilmember Adamczyk

WHEREAS, the Director of the Facilities Department is in need of a 2016 Ford F350 4X4 Low Boy Dump for use in maintaining Building & Grounds, and

WHEREAS, the purchase of such equipment is available through Delacy Ford as per New York State Contract #PC66774SB, and

WHEREAS, moneys have been appropriated in the Facilities Department budget for the purchase said line 100-1625-2303, and

WHEREAS, Section 103-b of the General Municipal Law authorizes the Town to enter into a purchase agreement for machinery, equipment or apparatus, and

WHEREAS, the proposed Purchase Agreement with Delacy Ford contains the language required by Section 103-b of the General Municipal Law and otherwise complies with New York State law, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the purchase of Purchase One 2016 Ford F350 4X4 Low Boy Dump for use by the Facilities Department as per the terms of it Municipal Agreement at the cost of \$37,806.92, and BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of the Town, be and hereby is authorized and directed to execute the purchase agreement and all other documents necessary for the purchase of the above referenced equipment, subject, however, to approval by the Town Attorney, and BE IT FURTHER

RESOLVED, that funds for payments shall be appropriated from the Facilities Department budget line 100-1625-2303.

| | |
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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Gerald Kaminski, Councilmember |
| SECONDER: | Christine Adamczyk, Councilmember |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |



5. RESOLUTION 2015-713

Retain Engineering Consultant to Assist Town with Sanitary Sewer Overflow

Sponsored By: Councilmember Meyers, Supervisor Holtz

WHEREAS, in order to formulate a long term plan for the elimination of sanitary sewer wet weather overflows, the Town of Cheektowaga previously retained the firm of Nussbaumer & Clarke, Inc. to assist the Town, and

WHEREAS, there is a need to continue the retention of Nussbaumer & Clarke, Inc. to assist the Town through April 30, 2016 with submitting an Inflow/Infiltration analysis report and a work plan and schedule to the New York State Department of Environmental Conservation ("DEC") for conducting a Sanitary Sewer System Evaluation Study and Corrective Action Plan in accordance with the revised Schedule A, Items 2.a. and 2.b. of the DEC Order on Consent No. R9-20050317-12, and

WHEREAS, Nussbaumer & Clarke, Inc. has submitted a proposal to the Town of Cheektowaga to perform said services through April 30, 2016, and

WHEREAS, since Nussbaumer & Clarke, Inc. is fully familiar with the Town's sanitary sewer system, the Town Engineer has recommended that this Town Board retain Nussbaumer & Clarke, Inc. to perform said work, NOW, THEREFORE, BE IT

RESOLVED, subject to review and approval of the Proposal for Professional Services prepared by Nussbaumer & Clarke, Inc., this Town Board hereby retains Nussbaumer & Clarke, Inc. to perform said services through April 30, 2016 at an initial cost not to exceed \$75,000.00 without further Town Board authorization, and BE IT FURTHER

RESOLVED, that, upon approval of the aforesaid proposal by the Town Attorney and Town Engineer, the Supervisor be and hereby is authorized and directed to execute said proposal on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that funding for said services shall be appropriated from budget line item number 255-8125-4581.

| | |
|------------------|--|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Timothy J. Meyers, Councilmember |
| SECONDER: | Mary Holtz, Supervisor |
| AYES: | Holtz, Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |

VI. Communications

A. Departmental Communications

1. Supervisor's Statement of Funds - November 2015
2. Building Permit List - October 2015
3. Building Permit List - November 2015

B. General Communications

1. Notice of Claim: Robert & Kimberlee Hyland vs. Town of Cheektowaga
2. Notice of Claim: Craig Osika vs. Town of Cheektowaga
3. Notice of Claim: Michael Schueler vs. Town of Cheektowaga

VII. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

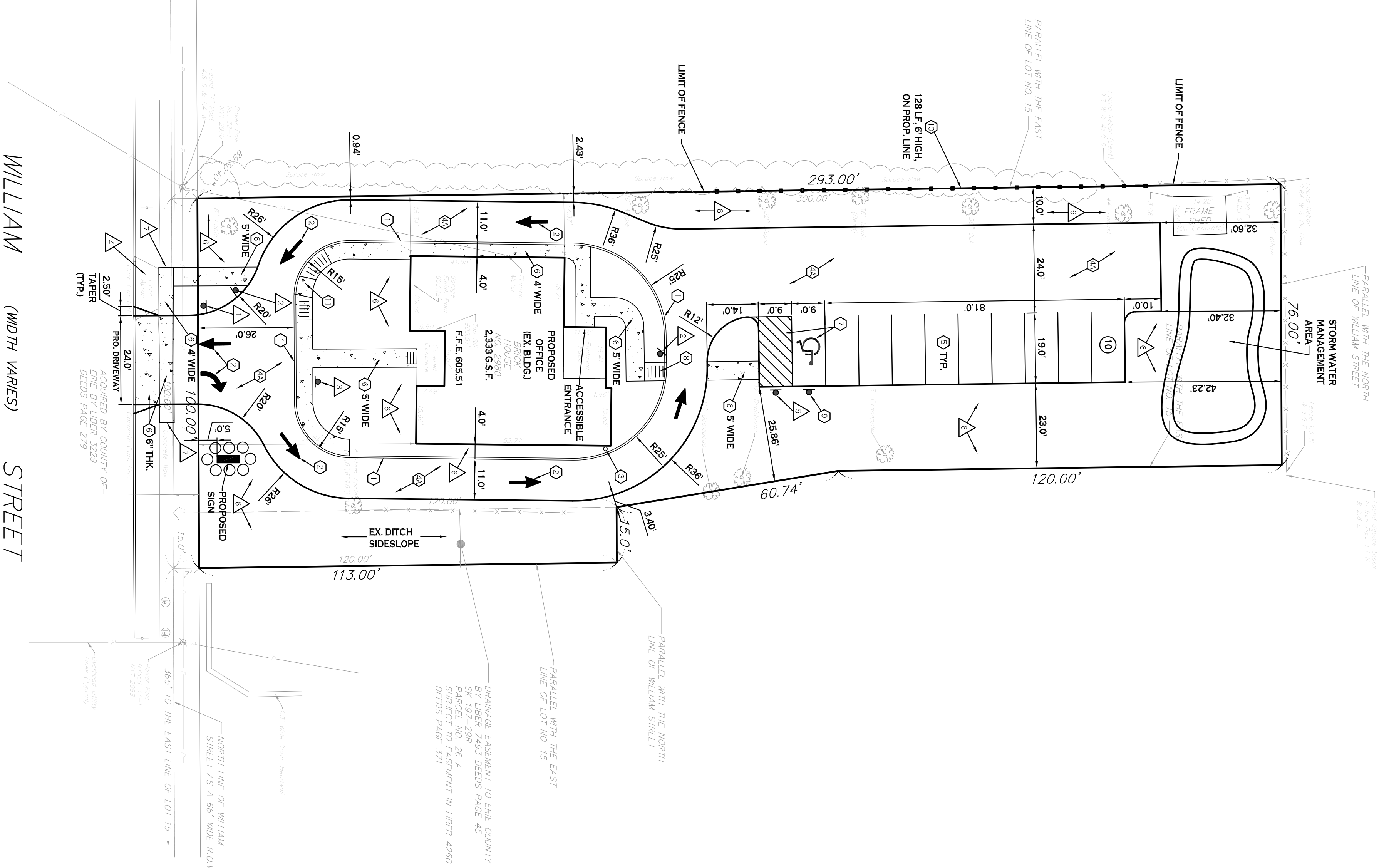
VIII. Adjournment

Motion by Councilmember Rogowski; Seconded by Supervisor Holtz to adjourn the meeting at 8:13 PM

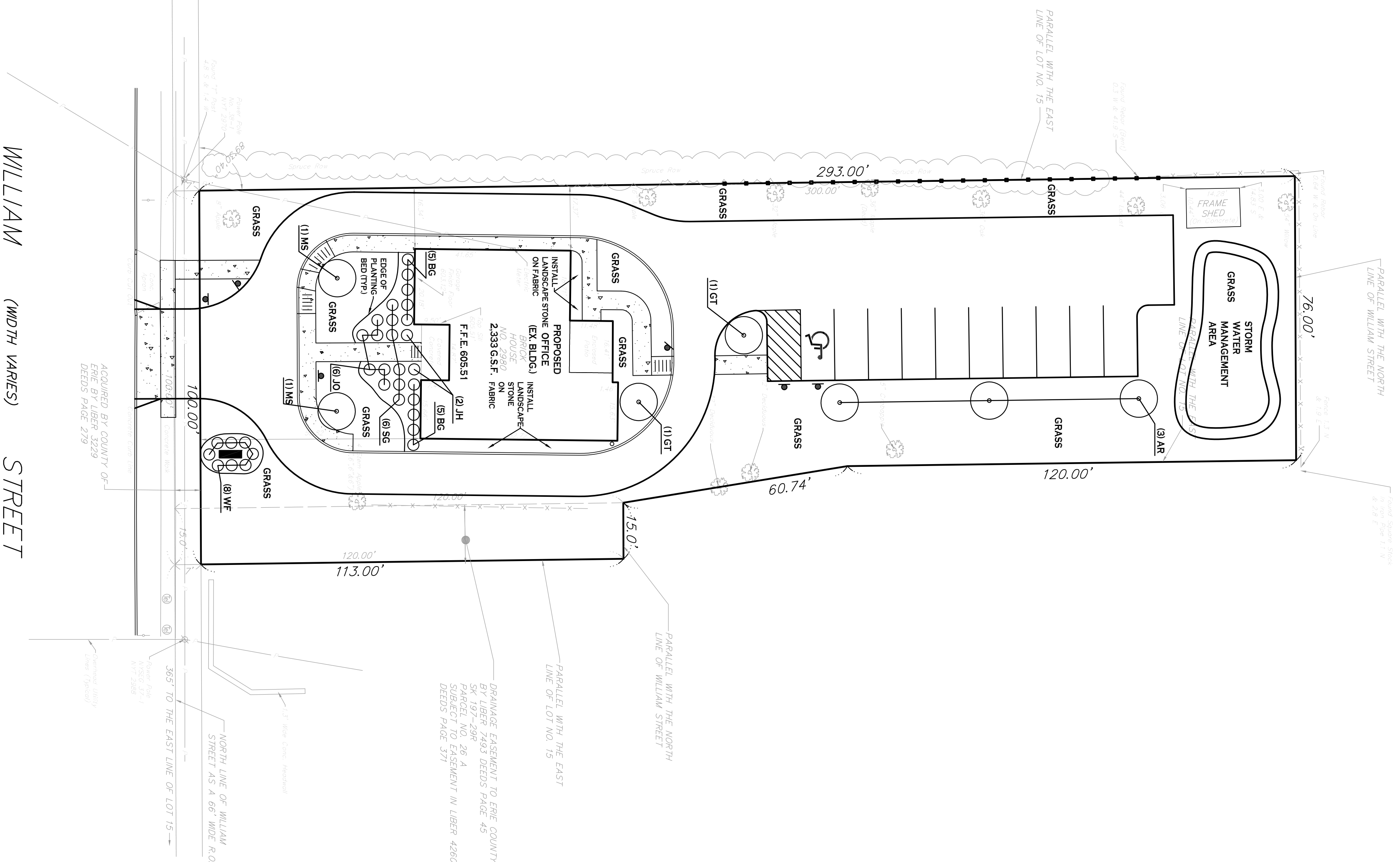
Alice Magierski, Town Clerk

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SITE PLAN
SCALE: 1"=20'



LANDSCAPE PLAN
SCALE: 1"=20'

Attachment: site plan (RES-2015-678 : Accept Site Plan- 2980 William Street)

| SITE DATA | | |
|--|-------|-------------|
| SITE AREA = 0.58 ACRES | | |
| ZONED: NS NEIGHBORHOOD SERVICES DISTRICT | | |
| BUILDINGS: EX. 2,333 G.S.F. 1 STORY BUILDING TO BE CONVERTED TO OFFICE USE | | |
| SETBACKS: BUILDING | | REQUIRED |
| FRONT: | 50 FT | N/A (EXIST) |
| SIDE (ABUTTING NONRESIDENTIAL): | 5 FT | N/A (EXIST) |
| SIDE (ABUTTING RESIDENTIAL): | 10 FT | N/A (EXIST) |
| REAR (ABUTTING NONRESIDENTIAL): | 5 FT | N/A (EXIST) |
| REAR (ABUTTING RESIDENTIAL): | 10 FT | N/A (EXIST) |
| SETBACKS: PARKING | | REQUIRED |
| PARKING FRONT SIDE REAR | 10 FT | 10 FT MIN. |
| DRIVEWAYS | 5 FT | 0.94 FT* |
| DRIVEWAY WIDTH (ONEWAY) | 12 FT | 11 FT* |
| # OF SPACES: SEE CALCULATIONS: | | 10 |
| PARKING SPACE SIZE: | | 9' x 19' |
| MAXIMUM BUILDING HEIGHT: | | <35 FT |
| LANDSCAPING | | NONE |
| 10% OF INTERIOR PARKING AREA | | N/A |
| 15% OF OVERALL SITE | | N/A |

* VARIANCE REQUIRED
PARKING CALCULATION:
RECD: 1 SPACE PER 200 N.S.F.
N.S.F. = 90% OF G.S.F. = 2,333 G.S.F. X 0.90 = 2,099 N.S.F.
RECD = 2,099 N.S.F. / 200 = 10 SPACES

| KEY | QTY | BOTANICAL NAME | COMMON NAME | SIZE | REMARKS |
|-----|-----|--------------------------------|----------------------|-----------------|---------------|
| AR | 3 | ACER BARRYAN 'RED SUNSET' | RED SUNSET MAPLE | 2 - 2 1/2" CAL. | B+B |
| BC | 10 | BALIS GREEN VALLEY | GREEN VALLEY DOGWOOD | 2 - 2 1/2" CAL. | B+B |
| GT | 2 | QUERCUS BRUNNENENSIS 'SUNLINE' | SUNLINE HORNDOCK | 18 - 24" | FILE TO BRND. |
| LD | 6 | JUNIPERUS CHINENSIS 'OLD GOLD' | OLD GOLD JUNPER | 18 - 24" | |
| WE | 8 | WINTERBERRY 'WINTERBERRY' | WINTERBERRY | 18 - 24" | |
| MS | 2 | MAHONIA HOPEI 'HAWAIIAN' | HAWAIIAN CHERRY | 1 1/2" CAL. | |

NOTE: CONTRACTOR SHALL VERIFY PLANT QUANTITIES

DETAIL LEGEND: SEE SEPARATE SHEET

- TYPE 'X' CONCRETE CURB
- PAINTED TRAFFIC ARROWS
- PRE SOL L&D
- STANDARD LOT ASPHALT
- 90° PARKING STRIP
- CONCRETE SIDEWALK
- HANDICAPPED PARKMENT MARKINGS
- SIDEWALK CURB RAMP
- HANDICAPPED PARKING SIGN
- 8" HIGH BOARD ON BOARD FENCE
- HANDICAPPED PARKMENT RAMP

NOTE LEGEND

- INSTALL STOP SIGN MULTICO SIGN NO. RS-1C
- INSTALL "DO NOT ENTER" SIGN MULTICO SIGN NO. RS-7C
- INSTALL "ONE WAY" SIGN MULTICO SIGN NO. RB-2C IN DIRECTION OF TRAVEL
- EX. CURBOUT/PAVEMENT TO BE REMOVED, RESTORE FILL, LEFT CURB TO MATCH EXISTING
- INSTALL NO PARKING SIGN MULTICO SIGN NO. R7-1C
- LANDSCAPED AREA: SEE LANDSCAPE PLAN, IF NO PLANTINGS, INSTALL TOPSOIL & SEED
- MATCH EX. SIDEWALK, PROVIDE UNIFORM TRANSITION NOT TO EXCEED 1/2" SLOPE

SITE LEGEND

- PROPERTY LINE
- PROPOSED CURB
- PROPOSED SIDEWALK / CONCRETE PAV.
- NUMBER OF PARKING SPACES
- PROPOSED SIGN

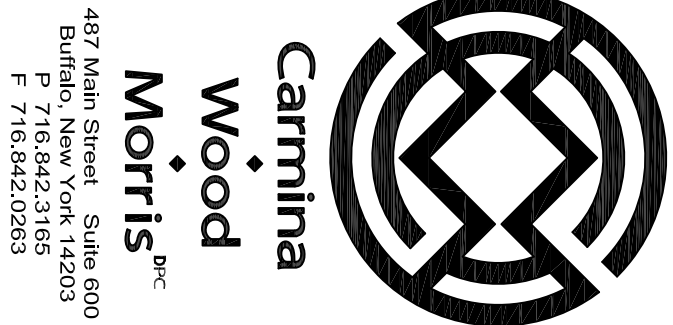
NOTE: BOUNDARY AND TOPOGRAPHIC INFORMATION PROVIDED BY OTHERS. CARMINA WOOD MORRIS, P.C. ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.

PROJECT NAME:

New Construction
Proposed Site Improvements
2980 William Street
Town of Cheektowaga, New York

REVISIONS:

| No. | Description | Date |
|-----|-------------|------|
|-----|-------------|------|



DRAWING NAME:
Site & Landscape Plan

DRAWING NO.:
C-100

Project no.: 15.119



Town of Cheektowaga

Work Session

~ Minutes ~

Cheektowaga, NY 14227
<http://www.town.cheektowaga.ny.us>

Alice Magierski
716-686-3400

Tuesday, December 29, 2015

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on December 29, 2015 at Council Office, Conference Room, Cheektowaga, NY.

| Attendee Name | Organization | Title | Status | Arrived |
|--------------------|---------------------|---------------|---------|---------|
| Mary Holtz | Town of Cheektowaga | Supervisor | Absent | |
| James P. Rogowski | Town of Cheektowaga | Councilmember | Present | |
| Gerald Kaminski | Town of Cheektowaga | Councilmember | Present | |
| Diane Benczkowski | Town of Cheektowaga | Councilmember | Present | |
| Timothy J. Meyers | Town of Cheektowaga | Councilmember | Present | |
| Christine Adamczyk | Town of Cheektowaga | Councilmember | Present | |

II. Enter Into Executive Session

Motion by Councilmember Rogowski; Seconded by Councilmember Benczkowski to discuss personnel matters relating to specific employees in various departments and their reappointments/appointments. Motion Carried.

III. Exit Executive Session

Motion by Councilmember Adamczyk; Seconded by Councilmember Kaminski. Motion Carried.

IV. Resolution



1. RESOLUTION 2015-714

Purchase of Excess Workers Compensation Insurance

Sponsored By: Councilmember Benczkowski, Councilmember Meyers

WHEREAS, the Town's excess workers compensation insurance expires on December 31, 2015, and

WHEREAS, the Town's insurance consultant solicited quotations for said excess workers compensation insurance, and

WHEREAS, Safety National Casualty Corporation, through First Niagara Risk Management, Inc., has submitted a quote for coverage with a \$650,000 retention for Police and a \$600,000 retention for other departments at a cost of \$105,212, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to purchase excess workers compensation insurance with a \$650,000 retention for Police and a \$600,000 retention for other departments from Safety National Casualty Corporation through First Niagara Risk Management at a cost of \$105,212, and BE IT FURTHER

RESOLVED, that funds for said insurance shall be appropriated from budget line item 101.1722.4519.

| | |
|------------------|---|
| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Diane Benczkowski, Councilmember |
| SECONDER: | Timothy J. Meyers, Councilmember |
| AYES: | Rogowski, Kaminski, Benczkowski, Meyers, Adamczyk |
| ABSENT: | Mary Holtz |

V. Adjourn

Motion by Councilmember Meyers; Seconded by Councilmember Kaminski at 7:42 PM.