

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
JULY 3, 1995**

Item No. 1 At an regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 3rd day of July, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Ronald Marten, Supervising Building & Plumbing Inspector; Bill Pugh, Assistant Town Engineer; Salvatore LaGreca, Chairman of Planning Board; Kenneth Kopacz, Director of Youth and Recreational Services; and Leonard Szymanski, Facilities Foreman.

I. FROM THE TABLE

Item No. 2 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, numerous times throughout each year, this Town Board calls for bids for various purchases and public works projects at a cost of hundreds of thousands of dollars, AND

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires the Town to competitively bid purchases in excess of \$10,000.00 and public works projects in excess of \$20,000.00, AND

WHEREAS, the only notice required by State law for competitive bidding is the publication of a notice in the official newspaper, AND

WHEREAS, this Town Board feels that, for purchases over \$10,000 and public works projects over \$20,000, at least three (3) prospective bidders should be notified in writing of the Notice to Bidders for same, in order to obtain the lowest possible price for the Town, NOW, THEREFORE, BE IT

RESOLVED, that, effective immediately, the head of each department which is requesting a Notice to Bidders for purchases over \$10,000 or public works projects over \$20,000 shall supply the names of at least three (3) prospective bidders for such item to the Town Clerk when it submits the resolution authorizing said Notice to Bidders, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to mail a copy of the Notice to Bidders for such items to the three (3) prospective bidders identified by such department head, and BE IT FURTHER

RESOLVED, that, in the event the department head cannot identify three (3) or more prospective bidders for a purchase or public works project, he/she shall submit a letter to such effect to the Town Clerk and this Town Board explaining the reason(s) why, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a copy of this resolution to each Town Department Head.

Item No. 2 cont'd.

Upon Roll Call

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AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 3 Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of One (1) New Automated One Arm Garbage Packer for the Sanitation Department, which bids were duly received and opened at a public bid opening for that purpose, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of One (1) New Automated One Arm Garbage Packer be awarded to CYNCON Equipment, Inc., 6800 West Henrietta Road, West Henrietta, New York 14586 for their bid in the amount of \$58,535.00 for One (1) New Automated One Arm Garbage Packer, said bid being the lowest bid meeting the requirements of the specifications, and, BE IT FURTHER

RESOLVED, that funding for said One (1) New Automated One Arm Garbage Packer shall be chargeable to Account No. 5304-8160-9364.



MOTION BY COUNCILMAN WIELINSKI, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM NO. 3, AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0



Item No. 4 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

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

GENERAL FUND

From:	0100-1910-4711	Contingency	\$20,000.00
To:	0100-1430-4502	Legal Fees-Personnel	\$20,000.00



MOTION BY COUNCILMAN WIELINSKI, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM NO. 3, AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0



AMENDED

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

Item No. 4 cont'd.

GENERAL FUND

From:	0100-1910-4711	Contingency	\$10,000.00
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To: 0100-1430-4502 Legal Fees-Personnel \$10,000.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

II. PUBLIC HEARINGS

Item No. 5 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to the Chapter 76 of the Code of the Town of Cheektowaga, (Vehicle and Traffic) hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

ARTICLE XVI

Penalties

76-160. Penalties for offenses shall be amended to read as follows:

A. Every person convicted of a traffic infraction for a Violation of any provision of this Part, except for sections 76-130.1 or 76-150, which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof be punished by a fine or not more than fifty dollars (\$50.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine or not more than one hundred (\$100.) or by imprisonment of not more than forty-five (45) days, or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than one hundred dollars (\$100.) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

B. Every person convicted of a traffic infraction for a violation of the provisions of Section 76-130.1 or 76-150 of this Part shall, for a first conviction thereof, be punished by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine or not more than five hundred dollars (\$500.) or by imprisonment of not more than forty-five (45) days, or by both such fine and imprisonment.

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

III. RESOLUTIONS

Item No. 6a Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town's Amusement Arcades Ordinance mandates that a license may not be granted for any premises to be used as an amusement arcade if such premises is located within 500 feet of a school, church or R-District boundary, AND

Item No. 6a cont'd.

WHEREAS, Section 12 of such ordinance authorizes an applicant to appeal to this Town Board to vary or modify this requirement if an applicant can attest to and prove certain matters, AND

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WHEREAS, Barbara and Gary Boughton have appealed to this Town Board from a decision of the Town Clerk to not approve an Amusement Arcade License for property located at the Garden Village Plaza in the Town, AND

WHEREAS, a hearing on this appeal/variance was held before this Town Board on the 15th day of May, 1995 at 6:30 p.m., AND

WHEREAS, the applicant has shown to the satisfaction of this Town Board the following with respect to its application:

1. Strict application of the Amusement Arcade Ordinance would produce an excessive and unreasonable economic burden and would be physically or legally impracticable because arcade games are critical to the operation of the business.
2. There are unique circumstances or conditions peculiar with the property or type of amusement arcade because the arcade is in a plaza and the types of games/activities are activity-oriented.
3. The issuance of a variance would not affect the character of the nearby residential neighborhood because the property is sufficiently screened from the adjacent neighbors.
4. The issuance of a variance will not tend to depreciate the value of adjacent property because the arcade entrance and parking lot are a distance away from residential properties.
5. The issuance of a variance would not be contrary to protecting the morals and welfare of minors or other members of the community because the business has safety and security measures to protect children.

NOW, THEREFORE, BE IT

RESOLVED, that the application of Barbara Boughton for a variance to allow it to obtain an Amusement Arcade License for premises located at the Garden Village Plaza be and hereby is granted and the Town Clerk be and hereby is directed to issue the applicant an Amusement Arcades License subject to the following conditions:

1. No more than 20 amusement devices may be located on the premises.
2. Applicant shall comply with all other provisions of the Amusement Arcade Ordinance.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Wielinski

NAYES: Councilman Johnson

ABSENT: 0

Item No. 6b Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, this Town Board held a public hearing on July 3, 1995 at 7:30 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

Item No. 6b cont'd.

Section 1.

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

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ARTICLE XVI

Penalties

76-160. Penalties for offenses. shall be amended to read as follows:

A. Every person convicted of a traffic infraction for a violation of any provision of this Part, except for Sections 76-130.1 or 76-150, which is not a violation of any provision of the Vehicle and Traffic Law of the State of New York shall, for a first conviction thereof be punished by a fine of not more than fifty dollars (\$50.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second such conviction within eighteen (18) months thereafter, such person shall be punished by a fine of not more than one hundred (\$100.) or by imprisonment of not more than forty-five (45) days, or by both such fine and imprisonment; upon a third or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than one hundred dollars (\$100.) or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

B. Every person convicted of a traffic infraction for a violation of the provisions of Section 76-130.1 or 76-150 of this Part shall, for a first conviction thereof, be punished by a fine of not more than two hundred fifty dollars (\$250.) or by imprisonment for not more than fifteen (15) days, or by both such fine and imprisonment; for a second or subsequent conviction within eighteen (18) months after the first conviction, such person shall be punished by a fine of not more than five hundred dollars (\$500.) or by imprisonment of not more than forty-five (45) days, or by both such fine and imprisonment.

Section 2. Time to take effect.

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

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

Section 3. Territorial Application

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

Section 4. Publication.

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 6c Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Bernard L. Rusiniak has petitioned for the rezoning from MI-Light Manufacturing District to MS-Motor Service District of property owned by him and located at 2200 Old Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of June, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the application of Bernard L. Rusiniak for the rezoning from MI-Light Manufacturing District to MS-Motor Service District of the property specified in the attached legal description be and the same is hereby granted, and BE IT FURTHER

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

Upon Roll Call.....

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 6d Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Transit Lanes, Inc. has petitioned for the rezoning from CM-General Commercial District to MS-Motor Service District of property owned by it and located at 6480 Transit Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of June, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the application of Transit Lanes, Inc. for the rezoning from CM-General Commercial District to MS-Motor Service District of the property specified in the attached legal description be and the same is hereby granted, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 6e Motion by Councilman Blachowski, Seconded by Councilman Johnson

WHEREAS, Atlantic Refining and Marketing Corp. has petitioned for the rezoning from CM-General Commercial District to MS-Motor Service District or property owned by it and located at 3450 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of June, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

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1. Approval of upgraded landscape plan by Planning Board

AND,

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has also duly considered the application for the aforementioned rezoning, and has recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment.

NOW, THEREFORE, BE IT RESOLVED, that the application of Atlantic Refining and Marketing Corp. for the rezoning from CM-General Commercial District to MS-Motor Service District of the property specified in the attached legal description be and the same is hereby granted subject to the approval of an upgraded landscape plan by the Planning Board, and, BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 7 Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the furnishing of bus transportation for the Cheektowaga Department of Youth and Recreational Services, AND

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

RESOLVED, that the bid be awarded to the following bidder meeting specifications:

National School Bus Service, Inc.
2306 Walden Avenue
Buffalo, New York 14225

AND, BE IT FURTHER RESOLVED, that the costs resulting from the awarding of this bid be funded through line items:

7310.4611

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7310.4693
7310.4698
7140.4601

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

AYES: 0

ABSENT: 0

Item No. 8 Motion by Councilman Johnson, Seconded by Councilman Wielinski

WHEREAS, it is in order that bids be advertised to purchase One (1) New and Unused 1995-96 Model, Articulated Steering Tractor, Slope Mower for use by the Highway Department for the Town of Cheektowaga, AND

WHEREAS, funds have been budgeted for this purpose, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of One (1) New and Unused, 1995-96 Model Articulated Steering Tractor Type Slope Mower, said notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

RESOLVED, that sealed bids will be received on July 19th, 1995 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



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, 1995-96 Model, Articulated Steering Tractor Type, Slope Mower for use by the Highway Department of the Town of Cheektowaga at a public opening to be held in the Council Chambers at the Cheektowaga Town Hall on July 19th, 1995 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk of the Town of Cheektowaga at the Cheektowaga Town Hall, Cheektowaga, New York 14227. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR ONE 1995-96 ARTICULATED STEERING TRACTOR SLOPE MOWER."

Item No. 8 cont'd.

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

Richard M. Moleski
Town Clerk

Date: 7/3/95

Published: 7/6/95

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

AYES: 0

ABSENT: 0

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Item No. 9a Motion by Councilman Johnson, Seconded by Councilman Blachowski

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

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

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

WHEREAS, an application was submitted by Robert Young to erect a 32,534 square foot addition at [REDACTED], AND

WHEREAS, the Advisory Committee at its meeting held on June 21, 1995 rendered the determination shown on the attached memo dated June 22, 1995, AND

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

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RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment and therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

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

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

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

WHEREAS, an application was submitted by NB.DS Associates to construct 124,000 square feet of retail/restaurant building at 1746 Walden Avenue, to be known as the Walden Galleria Plaza, AND

WHEREAS, the applicant has met numerous times with various advisory groups and committees to review the project, AND

WHEREAS, as a result of the meetings the applicant has reduced the project from 124,000 square feet to 117,000 square feet located within one (1) building at the north end of the site, AND

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WHEREAS, the applicant, as a result of the meetings with the Town of Cheektowaga Planning Board, has increased the amount of landscaping on the site, AND

WHEREAS, the applicant will construct sidewalks along Walden Avenue, and the applicant has agreed to construct sidewalks along Galleria Drive at a future date when so requested by the Town of Cheektowaga, AND

WHEREAS, the applicant has agreed to provide the Town with an agreement to maintain property and landscaping in good condition, and to ensure snow removal from sidewalks and at intersections with public roadways, AND

WHEREAS, as a result of meetings with the Traffic Safety Commission, the applicant has agreed to road construction along Galleria Drive to create a turning lane into the plaza, AND

WHEREAS, as a result of the road work the street lights must be moved, the applicant further agreed to perform such work at his expense and to grant the Town a five (5) foot lights/utility easement along that stretch of Galleria Drive, AND

WHEREAS, the applicant has submitted the attached letter of commitments addressing a variety of Town and environmental concerns, AND

WHEREAS, the applicant has been in contact with the New York State Department of Environmental Conservation ("NYSDEC") and have agreed to a Consent Order for the cleanup of the site thereby removing this site from the list of Inactive Hazardous Waste Sites, AND

WHEREAS, the Advisory Committee at its meeting held on June 21, 1995 rendered the determination shown on the attached memo dated June 22, 1995, 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 therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Item No. 9b cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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Item No. 10 Motion by Supervisor Gabryszak, Seconded by Councilman Solecki

WHEREAS, by resolution dated April 17, 1995, this Town Board directed the Town's grant consultants to complete the necessary application forms, etc. for the purpose of securing a grant from the Erie County Department of Senior Services for the purchase of physical fitness equipment to enhance the wellness programming for senior citizens, AND

WHEREAS, pursuant to such resolution, the Town was to supply matching funds out of its Trust and Agency account in an amount not to exceed \$1,350 towards the purchase of such equipment, AND

WHEREAS, the Erie County Department of Senior Services has approved the Town's grant application, but such approval requires the Town to supply matching funds in the amount of \$3,307, AND

WHEREAS, adequate funds are available in the Town's Trust and Agency account, which is funded by private donations, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned April 17, 1995 resolution be and hereby is amended to authorize the Town to supply matching funds for this grant in an amount to \$3,307 from Trust and Agency account number 0600-0892-000.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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Item No. 11a Motion by Councilman Johnson, Seconded by Councilman Solecki

WHEREAS, BERN-STAN-ZYG Corporation applied to the Town of Cheektowaga for environmental review of its proposal to construct an addition to 2912 William Street, AND

WHEREAS, the Town Engineer requested and BERN-STAN-ZYG Corporation agreed to grant the Town a storm sewer easement over its property to ensure that the Town has access to an existing storm sewer pipe, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned easement from BERN-STAN-ZYG Corporation, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 11b Motion by Councilman Johnson, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga has initiated a requirement that sidewalks be installed along Union Road between George Urban Boulevard and South Creek Drive, AND

WHEREAS, the Town proposes to install said sidewalks using bond moneys, and have the cost for such sidewalk installation charged to the property owners on their tax bills over a five year period, AND

WHEREAS, due to the configuration of Union Road, it is necessary for the Town to obtain sidewalk easements from some property owners, AND

WHEREAS, Servotronics, Inc. the owner of 3901 Union Road, has offered a sidewalk easement to the Town for such property, NOW, THEREFORE, BE IT

Item No. 11b cont'd.

RESOLVED, that this Town Board hereby accepts the aforementioned sidewalk easement from Servotronics, Inc., and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 11c Motion by Councilman Johnson, Seconded by Councilman Wielinski

WHEREAS, the Town of Cheektowaga has initiated a requirement that sidewalks be installed along Union Road between George Urban Boulevard and South Creek Drive, AND

WHEREAS, the Town proposes to install said sidewalks using bond moneys, and have the cost for such sidewalk installation charged to the property owners on their tax bills over a five year period, AND

WHEREAS, due to the configuration of Union Road, it is necessary for the Town to obtain sidewalk easements from some property owners, AND

WHEREAS, Thomas M. Montana, the owner of 3959 Union Road, has offered a sidewalk easement to the Town for such property, NOW, THEREFORE, BE IT

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RESOLVED, that this Town Board hereby accepts the aforementioned sidewalk easement from Thomas M. Montana, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 12a Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, abandoned structure (single family dwelling) at 1689 Kensington Avenue, Cheektowaga, New York SBL #79.20-8-4 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessor's Office is owned by Shamrock Enterprises Incorporated, 1689 Kensington Avenue, Buffalo, New York 14215-1412, AND

WHEREAS, these conditions require that the Town of Cheektowaga Building Inspections Department take immediate steps to board over and secure all openings in this structure to protect the health and safety of others, NOW, THEREFORE, BE IT

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 12b Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located on [REDACTED], South of [REDACTED] [REDACTED], Cheektowaga, New York, SBL #112.67-5-14 and SBL #112.67-5-15 and according to the Assessor's Office is owned by Joseph A. Biscara, [REDACTED], Buffalo, New York 14211-2751, AND

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 12c Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at [REDACTED] (unoccupied), Cheektowaga, New York, SBL #102.53-1-21 and according to the Assessor's Office is owned by Eugenia S. Wnuk, [REDACTED], Buffalo, New York [REDACTED], AND

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 12d Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property with frontage on [REDACTED], east of [REDACTED], Cheektowaga, New York, SBL #123.28-3-2 and according to the Assessor's Office is owned by Robert Trembowicz and Wife, [REDACTED], Buffalo, New York 1 [REDACTED], AND

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

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

Item No. 12d cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 13a Motion by Councilman Blachowski, Seconded by Councilman Solecki

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

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

WHEREAS, activities utilizing Community Development funds have been programmed for the Villages of Depew and Sloan for the 1995 program year, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute Subrecipient Agreements for Community Development Block Grant funding with the Villages of Depew and Sloan for the 1995 Program Year.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 13b Motion by Councilman Blachowski, Seconded by Supervisor Gabryszak

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WHEREAS, the Town has submitted its Annual Community Development Block Grant Program Statement to the Department of Housing and Urban Development for the 1995 Program Year, AND

WHEREAS, one of the purposes of said program is to improve the quality of community services which are essential for sound community development and for the development of viable urban communities, AND

WHEREAS, the Housing Assistance Center of Niagara Frontier, Inc., located at 1233 Main Street, Buffalo, New York 14209, provides such services, including but not limited to comprehensive housing counseling, mortgage default counseling, pre-purchase counseling, rental assistance and provision of housing-related information to low and moderate income Town residents, AND

WHEREAS, funding for such services has been included in the Town's 1995 Community Development Block Grant Annual Statement, NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and hereby is authorized to execute an Agreement for an amount not to exceed \$9,000 with the Housing Assistance Center of Niagara Frontier, Inc., for the provision of said services for the 1995 Program Year, AND BE IT

FURTHER RESOLVED, that funding of said Agreement be contingent upon approval of 1995 Community Development Block Grant funding by the Department of Housing and Urban Development.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 13c Motion by Councilman Wielinski, Seconded by Councilman Rogowski

BE IT RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, and Wielinski

NAYES: Councilman Johnson

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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Item No. 13d Motion by Councilman Rogowski. Seconded by Councilman Blachowski

WHEREAS, the Cheektowaga Youth and Recreation Department is sponsoring the Cedargrove Heights Variety Pak Camp, a day camp for children in the Cedargrove and surrounding areas, AND

WHEREAS, the Camp is being held in the Cheektowaga Masonic Center, 97 Lucid Drive, Cheektowaga, New York 14225, AND, BE IT

RESOLVED, that the Supervisor be authorized to sign an agreement between the Town of Cheektowaga and the Cheektowaga Masonic Center for the period of July 10, 1995 - August 25, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 14a Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be terminated from the Youth and Recreational Services Department:

Julie Astyk
Kelly Goldsmith
Richard Hopkins
Heather Kenjockety
Lynn Reiger
Debbie Tatko
Amanda Varney

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

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ABSENT: 0

Item No. 14b Motion by Councilman Wielinski, Seconded by Councilman Rogowski

BE IT RESOLVED, that the following SEASONAL and PART-TIME employees be and hereby are terminated as listed:

	<u>EFFECTIVE</u>
<u>RECYCLING DEPARTMENT</u> Jeffrey Cwiklinski	Immediately
<u>FACILITIES DEPARTMENT</u> Douglas Guy	6/20/95
<u>MAIN PUMP STATION</u> Patrick Fix	5/31/95

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15a Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

WHEREAS, a vacancy exists in the position of MEO-A in the Sanitation Department,
AND
Item No. 15a cont'd.

WHEREAS, notice of said vacancy has been posted in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, Jeffrey Bolis, currently employed as an MEO-B in the Sanitation Department bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Jeffrey Bolis be and hereby is appointed to the position of MEO-A in the Sanitation Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective July 4, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15b Motion by Councilman Jaworowicz, Seconded by Councilman Rogowski

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

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

WHEREAS, Paul Stallone, currently employed as a Laborer, bid on said vacancy and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Paul Stallone be and hereby is appointed to the position of Motor Equipment Operator in the Sanitation Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective July 4, 1995.

Upon Roll Call

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AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15c Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, a vacancy exists in the position of Light Motor Equipment Operator in the Recycling Department, AND

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

WHEREAS, James Schork, currently employed as a Seasonal Laborer, bid on said vacancy and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that James Schork of [REDACTED], Depew, New York 1[REDACTED] be and hereby is appointed to the position of Light Motor Equipment Operator in the Recycling Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective July 11, 1995.

Item 15c cont'd.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15d Moved by Councilmember Jaworowicz, seconded by Councilmember Rogowski

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

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

WHEREAS, Jerome Brzozowski, currently employed as a Part-Time Laborer, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Jerome Brzozowski be and hereby is appointed to the position of Light Motor Equipment Operator in the Recycling Department in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and Town of Cheektowaga Employees Association, effective July 4, 1995.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15e Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, a temporary vacancy exists in the position of General Mechanic in the Facilities Department, AND

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

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

RESOLVED, that John Zyla be and hereby is appointed to the position of temporary General Mechanic in the Facilities Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective July 5, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15f Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, a vacancy exists in the position of Cleaner in the Facilities Department,
AND

Item No. 15f cont'd.

WHEREAS, Steven Dunkowski, currently employed as a Laborer's Aide in the Recycling Department, bid on said vacancy and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Steven Dunkowski be and hereby is appointed to the position of Cleaner in the Facilities Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective July 5, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 16a Motion by Councilman Rogowski., Seconded by Councilman Blachowski

BE IT RESOLVED, that the following individuals be hired in the Cheektowaga Youth and Recreational Services Department as indicated (Seasonal):

POOLS

Lifeguard I - 7180.1903 - \$4.75

Beth Ann Kawczynski	[REDACTED]	14225
Brian Zimmer	[REDACTED]	14225
Penny Armitage (alternate)	[REDACTED]	[REDACTED]

Bathhouse Attendants - 7180.1901 - \$4.25

Timothy J. Jankowiak (retroactive to June 26th)	[REDACTED]	[REDACTED]
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ARTS AND CRAFTS ROTATION

7140.1648

Recreation Attendant I - \$4.25

Christopher N. Kies	[REDACTED]	14225
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LACROSSE

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7140.1625

Recreation Leader II - \$5.50

Bradley Engel [REDACTED] [REDACTED]

BE IT RESOLVED, that the below listed individual be transferred as indicated:

From Recreation Attendant IV (Counselor IV) to Recreation Attendant V (Senior Counselor I - \$5.25) - 7310.1801

Maggie Wnuk

From Bathhouse Attendants (7180.1901) to Sports Rotation (7140.1645)

Andrea Rolfe

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 16b Motion by Councilman Wielinski, Seconded by Councilman Rogowski

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

SEWER MAINTENANCE DEPARTMENT - \$5.00 per hour EFFECTIVE

Steven Russ [REDACTED] 7-05-95

RECYCLING DEPARTMENT - \$5.00 per hour

Lorin Gould [REDACTED] Immediately
Lawrence Alessi [REDACTED] "
Ara Rustowicz [REDACTED] "

Upon roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 16c Motion by Councilman Wielinski, Seconded by Councilman Rogowski

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

SANITATION DEPARTMENT - \$5.00 per hour EFFECTIVE

Paul Stottele [REDACTED] Immediately

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 17 Motion by Councilman Wielinski, Seconded by Councilman Rogowski

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WHEREAS, Joseph Korabek, a Laborer in the Sanitation Department, has exhausted all of his sick time, AND

WHEREAS, Joseph Korabek is currently under doctor's care and, as per Section 8.02(e) of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, has requested an extension of sick leave payments for a period of fifteen (15) days, NOW, THEREFORE, BE IT

RESOLVED, that Joseph Korabek be and hereby is granted an additional fifteen (15) days of sick leave payments, effective July 3, 1995, and, BE IT FURTHER

RESOLVED, that said payments must be returned to the Town by Mr. Korabek upon his return to service.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 18a Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, a one day Trenchless Technology Seminar, sponsored by Superior Pipecleaning, Inc. and Buffalo Pipe Contractors, is being conducted in Blasdell, New York on August 21, 1995, AND

WHEREAS, this seminar is dedicated to educating municipalities in areas of Manhole Rehabilitation, Hobas Pipelining and I/I Control, AND

WHEREAS, Allan Blachowski, Principal Engineer Assistant; Jim Burst, Sewer Maintenance Crew Chief; and Mark Bessing, Sewer Maintenance Man, have requested permission to attend this seminar, AND

WHEREAS, this Town Board feels that this seminar will prove valuable as it relates to the efficient and cost effective maintenance of sanitary sewer systems, NOW, THEREFORE, BE IT

RESOLVED, that Allan Blachowski, Jim Burst, and Mark Bessing be and hereby are authorized to attend the Trenchless Technology Seminar and to utilize a Town vehicle to travel to and from such conference, and, BE IT FURTHER

RESOLVED, that the total registration fee of \$120.00 for these three employees shall be charged to Budget Line Item No. 2500-8125-4087.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 18b Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the North Carolina State University in affiliation with the National Recreation and Park Association, is conducting a Supervisor's Management School in Oglebay Park, West Virginia, November 5th-10th, 1995, AND

WHEREAS, the program is designed to provide public service supervisors with the essential principles and most up-to-date techniques and information pertaining to staffing, organizing, directing and managing employees in order to achieve organizational goals, BE IT

RESOLVED, that Kerry Switalski, be reimbursed for her necessary transportation expenses not to exceed \$180.00 (estimate) (Line Item 01-1910-4083), food and lodging expenses at a cost not to exceed \$480.00 (Line Item 01-7140-4191) and training fees not to exceed \$320.00 (7310.4681).

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,

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Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 19 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, Computer Task Group ("CTG") performed a review of the recordkeeping and, computer systems of the Cheektowaga Police Department and its interaction with the Town Justice Court and found that there is potential in such areas for significant improvement for enhanced efficiency, AND

WHEREAS, based on such review, CTG recommended conducting a joint application design session in each area needing improvement in the Police Department, as per the attached proposal, at a cost not to exceed \$5,000.00, AND

WHEREAS, this Town Board is anxious to have these areas of the Police Department become more streamlined and to reduce court overtime, NOW, THEREFORE, BE IT
Item No. 19 cont'd.

RESOLVED, that CTG be and hereby is retained to perform the work outlined in the attached proposal and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached proposal and, BE IT FURTHER

RESOLVED, that moneys for such work, in an amount not to exceed \$5,000.00 shall be appropriated from budget line item number 5502-1220-9505.



MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN JAWOROWICZ TO TABLE THE ABOVE RESOLUTION, ITEM 19, AND THE VOTING WAS AS FOLLOWS:



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, AIG Environmental Management, Inc. (AIGC) was retained by and through environmental legal counsel to the Town for the purpose of performing technical consulting services, that is, analyzing and evaluating certain technical data generated by the Pfohl Brothers Landfill Site Steering Committee (PRP Group) on the removal and remediation of the Pfohl Brothers Landfill Site, AND

WHEREAS, AIGC has prepared a preliminary report for review by town personnel, specifically, the Town's engineer, attorney and other advisory personnel, AND

WHEREAS, it is now necessary for AIGC personnel to attend an informational meeting with town personnel, as well as to discuss the potential import of its report with representatives of the PRP Group.

NOW, THEREFORE, BE IT RESOLVED, that a professional fee, not to exceed \$1,500.00, plus out-of-pocket expenditures, be paid to AIGC, and BE IT FURTHER

RESOLVED, that all amounts, as herein authorized, be paid from the contingency account.



MOTION BY COUNCILMAN JOHNSON, SECONDED BY COUNCILMAN SOLECKI TO AMEND THE ABOVE RESOLUTION, ITEM 20, AND THE VOTING WAS AS FOLLOWS:

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Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0



AMENDED

WHEREAS, AIG Environmental Management, Inc. (AIGC) was retained by and through environmental legal counsel to the Town for the purpose of performing technical consulting services, that is, analyzing and evaluating certain technical data generated by the Pfohl Brothers Landfill Site Steering Committee (PRP Group) on the removal and remediation of the Pfohl Brothers Landfill Site, AND
Item No. 20 cont'd.

WHEREAS, AIGC has prepared a preliminary report for review by town personnel, specifically, the Town's engineer, attorney and other advisory personnel, AND

WHEREAS, it is now necessary for AIGC personnel to attend an informational meeting with town personnel, as well as to discuss the potential import of its report with representatives of the PRP Group.

NOW, THEREFORE, BE IT RESOLVED, that a professional fee, not to exceed \$15,000.00, plus out-of-pocket expenditures, be paid to AIGC, and BE IT FURTHER

RESOLVED, that all amounts, as herein authorized, be paid from the contingency account.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 21 Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, Birch Grove Landscaping & Nursery, Inc. has submitted requisition for Final Payment for Cheektowaga Parks - New Playstructures at Orchard, Raymond and Hanley Parks, AND

WHEREAS, Darryl L. Jones, Registered Landscape Architect and the Facilities Department Director have reviewed and approved the Contractor's Certificate of Substantial Completion, Contractor's Affidavit of Payment of Debts & Claims, Contractor's Affidavit of Release of Liens, Consent of Surety Company to Final Payment, Application & Certificate for Payment with Wage & Supplement Affidavit, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Final Payment in the amount of \$1,073.76 for Cheektowaga Parks - New Playstructures at Orchard, Raymond and Hanley Park to Birch Grove Landscaping & Nursery, Inc., P.O. Box 117, East Aurora, New York 14052 and, BE IT FURTHER

RESOLVED, that funds for said action are available from Capital Improvement Account #5108-7110-9116.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 22 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

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

CAPITAL FUND

From:	5402-1910-9399	Administrative Expense	\$ 5,000.00
To:	5402-7110-9402	Town Park Improvements	\$ 5,000.00

GENERAL FUND

From:	0100-1355-1163	Real Property Appraisal	\$21,750.00
To:	0100-1355 f 1403	Property Appraisal Technician	\$21,750.00

Item No. 22 cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

AYES: 0

ABSENT: 0

Item No. 23 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

BE IT RESOLVED, that the following Vouchers & Warrants that were submitted to the Town of Cheektowaga prior to June 30, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$208,450.66
HIGHWAY FUND	32,275.99
TRUST & AGENCY FUND	13,806.41
PART TOWN FUND	3,109.86
RISK RETENTION FUND	27,878.91
CDBG HUD FUND	83,327.54
HUD REHABILITATION FUND	24,165.59
SPECIAL DISTRICTS FUND	293,460.60
CAPITAL FUND	<u>283,743.26</u>
	\$970,218.62

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 24 Building Permits
Received and Filed.

Item No. 25 Independent Auditors' Reports - Year Ended December 31, 1994
Received and Filed.

Item No. 26 Comprehensive Annual Financial Report Ended December 31, 1994
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 27 Petition Regarding Placing Memorial Stone in Cedargrove Heights Park
Received and Filed.

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0



Item No. 28 Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Erie County Medical Center (ECMC) has announced its intentions to locate a satellite primary care out-patient clinic on the southeast corner of Harlem Road and Genesee Street in the Town of Cheektowaga, AND

WHEREAS, the Erie County Legislature will be voting this week to provide authority to establish said satellite clinic operation and others, AND

WHEREAS, the Harlem Road and Genesee Street location is in close proximity to St. Joseph's (Community) Hospital, AND

WHEREAS, other locations in Cheektowaga are available for such a project, which would not constitute direct competition with this important facility, the sole full service hospital in Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby goes on record in opposition to an ECMC primary care out-patient clinic at Harlem Road and Genesee Street, and BE IT FURTHER

RESOLVED, that a certified copy of this resolution be delivered to the Clerk of the County Legislature before Thursday, July 6, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 29 Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz to adjourn this meeting.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 16
July 17, 1995**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of July, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Bill Pugh, Town Engineer; Salvatore LaGreca, Chairman of Planning Board; David Kulik, Working Foreman of Sanitation Department; Bruce Chamberlin, Chief of Police.

I. FROM THE TABLE

Item No. 2 Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of One (1) New Automated One Arm Garbage Packer for the Sanitation Department, which bids were duly received and opened at a public bid opening for that purpose, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of One (1) New Automated One Arm Garbage Packer be awarded to CYNCON Equipment, Inc., 6800 West Henrietta Road, West Henrietta, New York 14586 for their bid in the amount of \$58,535.00 for One (1) New Automated One Arm Garbage Packer, said bid being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funding for said One (1) New Automated One Arm Garbage Packer shall be chargeable to Account No. 5304-8160-9364.



THE ABOVE RESOLUTION WAS WITHDRAWN BY A UNANIMOUS VOTE



Item No. 3 Motion by Councilman Johnson, Seconded by Councilman Jaworowicz

WHEREAS, Computer Task Group ("CTG") performed a review of the recordkeeping and computer systems of the Cheektowaga Police Department and its interaction with the Town Justice Court and found that there is potential in such areas for significant improvement for enhanced efficiency, and

WHEREAS, based on such review, CTG recommended conducting a joint application design session in each area needing improvement in the Police Department, as per the attached proposal, at a cost not to exceed \$5,000.00, and

WHEREAS, this Town Board is anxious to have these areas of the Police Department become more streamlined and to reduce court overtime, NOW, THEREFORE, BE IT

Item No. 3 cont'd

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RESOLVED, that CTG be and hereby is retained to perform the work outlined in the attached proposal, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached proposal, and BE IT FURTHER

RESOLVED, that moneys for such work, in an amount not to exceed \$5,000.00 shall be appropriated from budget line item number 5502-1220-9505.



Motion by Unanimous, Seconded by Unanimous
To table the above resolution, Item #3, the the voting was as follows:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

II. RESOLUTIONS

Item No. 4 Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, the term "councilman" has been used in the Town of Cheektowaga to designate male and female members of the Town Council, and

WHEREAS, since both men and women serve on the Town Council, the title for such office should be changed to a title that is gender neutral, NOW, THEREFORE, BE IT

RESOLVED, that the title for male and female members of the Town Council shall hereafter be known as "councilmember", and such title shall hereafter be used on all Town resolutions and other official documents and correspondence, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to all departments.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, the Cheektowaga, Town Board at a meeting on July 3, 1995 approved Final Payment to Birch Grove Landscaping & Nursery, Inc., P.O. Box 117, East Aurora, 14052 in the amount of \$1,073.76, NOW, THEREFORE, BE IT

RESOLVED, that the above stated resolution be amended as follows:

"RESOLVED that funds for said action are available from Capital Improvement Account #5907.7110.1203".

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 6 Motion by Unanimous, Seconded by Unanimous

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WHEREAS, Home Properties of New York L.P., owners of the Linda Lane Apartments, have been approved for Low Income Housing Tax Credits through the New York State Division of Housing and Community Renewal for the Linda Lane Apartments in the Town of Cheektowaga, and

WHEREAS, the proposed project will involve the renovation of Linda Lane Apartments, which contain 156 one and two-bedroom rental units, and

WHEREAS, upon completion of said project, residents of said apartment units will be persons/households; with annual incomes not greater than 60% of area median income, and

WHEREAS, residents of the area adjacent to the Linda Lane Apartments have expressed concern regarding the impact of the proposed project on their neighborhood, and

WHEREAS, the Town of Cheektowaga is opposed to the relocation of existing tenants from the Linda Lane Apartments and the disruption such relocation would cause, NOW, THEREFORE, BE IT

RESOLVED, that Home Properties of New York is hereby memorialized to delay implementation of the proposed project until the full impact on existing tenants can be determined, and BE IT FURTHER

RESOLVED, that Home Properties of New York is requested to reduce the number of rental units included in the Low Income Housing Tax Credit Program in order to minimize the disruption on existing tenants, and BE IT FURTHER

RESOLVED, that a certified copy of this resolution be sent to the New York State Division of Housing and Community Renewal.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 7 Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, on June 6, 1955, the Town Board of the Town of Cheektowaga adopted an ordinance now known as Chapter 65, Article II of the Code of the Town of Cheektowaga setting forth specifications for the construction of sidewalks in the Town, and

WHEREAS, Section 200a 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 property owners, and

WHEREAS, this Town Board, by resolution dated September 3, 1991, adopted Local Law No. 4 of the year 1991, entitled "A Local Law Apportioning the Cost of Repairing Sidewalks", 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 listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before August 20, 1995, in accordance with the Town's Streets and Sidewalks Ordinance, and BE IT FURTHER

ORDERED, that, would such property owners choose not to repair/replace their sidewalks as so notified, the Town will cause such sidewalks to be repaired/replaced, and audit and pay 50% of the expense thereof against the property which abuts such sidewalk over a period of two (2) years, with interest at the rate of 6.00%, and BE IT FURTHER

Item No. 7 cont'd

ORDERED, that the Town Clerk be and hereby is directed to notify the owners of properties, listed on the attached sheets of this order, by sending the attached Notice via certified mail addressed to each such owner at his address as it appears on the Town Assessment roll.

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Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 8 Motion by Councilman Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the U.S. Geological Survey (U.S.G.S.) has discontinued data collection activities at the stream gaging station on Scajaquada Creek, immediately east of Pine Ridge Road, and

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WHEREAS, the Town currently maintains a graphic recording device at said gaging station to monitor stream heights and the flows of Scajaquada Creek, which information has proven invaluable to the Town, and

WHEREAS, a Stevens telemark telemetry device is currently installed at the gage station, being property of the U.S.G.S, and permits remote access to instantaneous gage height levels, which information has also proven invaluable to the Town, National Weather Service and local and regional disaster response agencies during severe storm conditions, and

WHEREAS, the U.S.G.S. has proposed the transfer of the ownership, and maintenance responsibilities for the existing gage structure to the Town to enable the Town to continue the operation of the graphic recording device, and has agreed to prepare a Joint Funding Agreement between the Town and the U.S.G.S, enabling continued operation and maintenance of the telemark telemetry device with the Town's share currently amounting to \$525.00, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board supports the recommendation of the Town Engineer that the operation of the Scajaquada Creek Gage Station, recording equipment, and telemetry device be continued and hereby requests that the U.S.G.S. prepare written agreements for review by this Town Board and the Town Attorney, which will enable the continued operation of this facility, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the attention of Mr. John Hornlein, Chief Hydrologic Data Section, U.S.G.S., at the following address:

United States Department of the Interior
U.S. Geological Survey
Water Resources Division
903 Hanshaw Road
Ithaca, New York 14850

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, this Town Board, by resolution dated September 6, 1994, rejected the sole bid for the Modifications to the Harlem Road Pump Station Project, Contract "C" - H.V.A.C., which bid was publicly opened on August 24, 1994, and subsequently authorized the re-bidding of Contract "C" as outlined in the attached letter of the Town Engineer dated July 11, 1995, which letter is hereby made a part of this resolution, and

WHEREAS, on October 7, 1994 Contract "C" - H.V.A.C. for the modifications to the Harlem Road Pump Station Project was re-bid followed by award to the lowest responsible bidder by Town Board resolution dated October 17, 1995, and

WHEREAS, as part of the administrative process to re-bid the aforesaid contract, the project consultants, Nussbaumer & Clarke, Inc. was required to prepare new specifications, make modifications to the contract drawings, conduct a pre-bid meeting and complete additional tasks exceeding the original engineering scope of services by a professional fee in the amount of \$2,800.00, and

Item No. 9 cont'd

WHEREAS, the Town Engineer in his letter dated July 11, 1995 recommends payment to Nussbaumer & Clarke, Inc. in the amount of \$2,800.00 for the administrative costs associated with re-bidding Contract "C", the re-bidding of which resulted in a net savings to the Town in the amount of \$11,447.00, NOW, THEREFORE, BE IT

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RESOLVED, that this Town Board supports the recommendation of the Town Engineer and hereby approves payment in the amount of \$2,800.00 as an addition to the contract of Nussbaumer & Clarke, Inc. dated April 8, 1994, and BE IT FURTHER

RESOLVED, that said professional services fee shall be charged to the Harlem Road Pump Station Capital and Reconstruction Account #5823-8125-1102.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 10a Motion by Supervisor Gabryszak, Seconded by Councilman Jaworowicz

WHEREAS, the Town of Cheektowaga has received funding through the U.S. Department of Health and Human Services (grant #1H86SP04160) to underwrite the Cheektowaga Action Partnership, and

WHEREAS, grant funds are provided for continuation of 5th year contracts for an Independent Evaluator, Media-Public-Relations, and Community Programming consultants, (0100-7320-4000), and

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WHEREAS, the grant identifies Nowak and Associates, 146 Park Forest Drive, Williamsville, New York as the Project Evaluator, RjM & Associates, Advertising and Public Relations, 10 Old Farm Court, Depew, New York as the Media Consultant, and the Cheektowaga Department of Youth and Recreation Services as the Community Programming Consultant, and

WHEREAS, the Town Attorney's Office has provided a preliminary review and approved said contracts for content and form, NOW, THEREFORE, BE IT

RESOLVED, that under the terms and conditions of the above-referenced grant the Supervisor of the Town of Cheektowaga be and hereby is directed to execute renewal of agreements between the Town of Cheektowaga and the said parties for the contract period August 1st, 1995 running through July 31, 1996 with total consultant costs not to exceed:

Nowak and Associates	\$52,500.00
RjM & Associates	\$27,060.00
Cheektowaga Dept. of Youth & Recreational Services	\$35,760.00

AND BE IT FURTHER

RESOLVED, that prior to execution of the contract, the Town Attorney's Office will conduct a final review for conformance with this resolution and affix its stamp of approval an same.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, by resolutions dated November 23, 1992 And December 28, 1992, this Town Board approved a Forbearance Agreement with Buffalo Airport Center Associates (BACA) with respect to certain obligations owing to the Town by BACA; and in consideration of such Agreement, the BACA gave the Town a mortgage on the property covered thereby and located at 4454 Genesee Street, Cheektowaga, New York; and

WHEREAS, the Forbearance Agreement was necessitated by the loss of income from tenants to the BACA due to the publicized efforts of the Niagara Frontier Transportation Authority (NFTA) in acquiring the property for expansion of the Greater Buffalo International Airport; and

WHEREAS, the said Forbearance Agreement expired on June 30, 1995, but BACA has requested a one year extension of such Agreement to June 30, 1996, and

WHEREAS, the Town's Supervising Accountant and Town Attorney have reviewed the matter, and have no objection to extending the standstill period to June 30, 1996,

NOW, THEREFORE, BE IT RESOLVED that the Supervisor be and hereby is authorized and directed to execute an extension of the Forbearance Agreement on behalf of the Town of Cheektowaga.

Item No. 10b cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 10c Motion by Councilman Johnson, Seconded by Councilman Rogowski

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WHEREAS, the New York State Department of Transportation proposes the December 1995 letting for the reconstruction of Broadway, N.Y., Route 130, from Harlem Road eastward to Union Road identified as P.I.N. 5012.17, and

WHEREAS, as part of said highway reconstruction project, there is a need to perform modifications and adjustments to existing municipally owned sanitary sewer manholes located within the state right-of-way in Town Sanitary Sewer District No. 3, and

WHEREAS, the Town Board is supportive of said highway reconstruction project and in agreement that modifications to Town Sewer District No. 3 facilities are a necessary part of the road reconstruction work, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby grants permission to the NYSDOT to perform the necessary sanitary sewer facility modifications, providing that such modifications, as designed and constructed, meet the approval of the Town Engineer so as to insure continued proper and uninterrupted functioning of said Sewer District No. 3 system and BE IT FURTHER

RESOLVED, that all costs associated with the relocation and modification to the Town Sanitary Sewer District No. 3 facilities are to be borne by the NYSDOT as an integral part of the highway reconstruction project, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed, on behalf of this Town Board, to sign the Public Utility Work Agreement HC-140, submitted by the New York State Department of Transportation for the aforesaid project.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

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

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 12a Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on unoccupied property known as [REDACTED], Cheektowaga, New York, SBL #91.18-5-9 and according to the Assessors' Office is owned by Andrew J. Fininzio and Wife, [REDACTED], Cheektowaga, New York [REDACTED], and

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

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

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Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 12b Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on unoccupied property known as [REDACTED], Cheektowaga, New York, SBL #102.16-4-23 and according to the Assessors, Office is owned by Frederick A. Gilley, [REDACTED], Cheektowaga, New York 1 [REDACTED], and

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilman Johnson, Seconded by Councilman Rogowski

WHEREAS, the Town is currently performing maintenance and improvements projects on Slate Bottom Creek, Scajaquada Creek, various detention basins, and a number of drainage tributaries utilizing the 1995 Equipment & Operators Public Works Projects bid in order to maintain the flood carrying capacity and efficiency of these drainage systems, and

WHEREAS, the Town of Cheektowaga further has an agreement with the New York State Department of Environmental Conservation for the maintenance of Scajaquada Creek and its tributaries, mandating annual erosion control activities, and

WHEREAS, there is a continuing need for the services of an erosion control soils specialist to effectively assess and implement a successful erosion control and drainage system maintenance and improvement program, NOW, THEREFORE, BE IT

Item No. 13 cont'd

RESOLVED, that the Town Engineer is hereby authorized to retain the services of Merriman Conservation Consultants, 504 Ridge Avenue, East Aurora, New York 14052 (652-8270) as needed at the rate of thirty (\$30.00) dollars per hour for said services, and BE IT FURTHER

RESOLVED, that payment for said professional services in an amount not to exceed \$12,000.00 shall be chargeable to the Town Wide Drainage District Account 4000-8140-4581 and to the Detention Basin Maintenance Account No. 5109-1440-9123 as directed by the Town Engineer.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

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Item No. 14 Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

BE IT RESOLVED that the following SEASONAL and PART-TIME employees be and hereby are terminated as listed:

		<u>EFFECTIVE</u>
<u>RECYCLING DEPARTMENT</u>		
Kevin Zawodzinski	[REDACTED]	immediately
<u>FACILITIES DEPARTMENT</u>		
William Wierling	[REDACTED]	Immediately
Eugene Czajkowski	[REDACTED]	"
Felix Lampke	[REDACTED]	"
James Schork	[REDACTED]	"

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15a Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be hired as indicated:
(seasonal)

Lifeguard V - 7180.1903 - \$6.25
(retroactive to July 10, 1995)

Brian Roehmholdt [REDACTED]

Lifeguard I - 7180.1903 - \$4.75
(retroactive to July 19, 1995)

Andrew Kurtyko [REDACTED]

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15b Motion by Councilman Wielinski, Seconded by Councilman Jaworowicz

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

		<u>EFFECTIVE</u>
<u>RECYCLING DEPARTMENT - \$5.00 per hour</u>		
Daniel Kowalik	[REDACTED]	Immediately
Donald Becker	[REDACTED]	7/4/95
<u>FACILITIES DEPARTMENT - \$5.00 per hour (0100-7100-1491)</u>		
Donald Noonan	[REDACTED]	Immediately

Upon Roll Call

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AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 16a Motion by Councilman Blachowski, Seconded by Councilman Jaworowicz

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

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

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

WHEREAS, Daniel Miller applied for said vacancy and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Daniel Miller of [REDACTED], Cheektowaga, New York [REDACTED], be and hereby is appointed to the position of Laborer's Aide in the Recycling Department, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective July 24, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 16b Motion by Councilman Wielinski, Seconded by Councilman Rogowski

WHEREAS, by resolution, this Town Board created the position of Records Inventory Clerk in the Town Clerk's Office, and

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

WHEREAS, there currently exists no valid Civil Service list for the title of Records Inventory Clerk, and

WHEREAS, Lisa DeMont is interested in this position and is familiar with the duties and has applied for said position, NOW, THEREFORE, BE IT

Item No. 16b cont'd

RESOLVED, that Lisa DeMont of [REDACTED], Cheektowaga, New York [REDACTED], be and hereby is appointed to the position of Records Inventory Clerk in the Town Clerk's office, on a provisional basis, pending the establishment of a valid Civil Service examination list for said position, and BE IT FURTHER

RESOLVED, that said appointment is made effective July 24, 1995 and the salary for said position will be as stated in the Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association dated July 3, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

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

GENERAL FUND

FROM: 0100-9010-8121	FICA Expense	\$1,700.00
0100-1420-4321	Computer Expense-Attorney	1,000.00
TO: 0100-1625-4433	Genesee Sub Station	\$1,700.00
0100-1420-4013	Law Books	1,000.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Supervisor Gabryszak, Seconded by Councilman Johnson

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to July 14, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$1,349,460.83
HIGHWAY FUND	714,409.56
TRUST & AGENCY	53,333.36
PART TOWN FUND	48,961.10
RISK RETENTION FUND	85,410.53
CDBG HUD FUND	18,004.65
HUD REHABILITATION FUND	31,189.75
SPECIAL DISTRICTS FUND	1,193,328.73
CAPITAL FUND	<u>1,459,452.48</u>
	\$5,953,550.99

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 19a Minutes of Cheektowaga Traffic Safety Commission - June 20, 1995
Received and Filed.

Item No. 19b Minutes of Cheektowaga Planning Board - June 8, 1995
Received and Filed.

Item No. 20 Office of Disaster Preparedness - Quarterly report from April to June, 1995
Received and Filed.

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 21a Third Party Summons - Grace Astor et al vs Town of Cheektowaga
Copies were sent to: Town Attorney's Office.
Received and Filed.

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Item No. 21b Third Party Summons - Raymond Freier et al vs Town of Cheektowaga
Copies were sent to: Town Attorney's Office.
Received and Filed.

Item No. 21c Third Party Summons - Kevin Batt et al vs Town of Cheektowaga
Copies were sent to: Town Attorney's Office.
Received and Filed.

Item No. 22 Notice of Claim - Michael Barone by Amica Mutual Ins. Co. vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department; Allied Claims, Insurance Company.
Received and Filed.

Item No. 23 Letter from resident wishing to speak regarding Town Matters
Received and Filed.

V. SUSPENSION OF RULES

Motion by Supervisor Gabryszak, Seconded by Councilman Solecki
to suspend the rules to include the following items, and the vote was as follows:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilman Jaworowicz, Seconded by Councilman Blachowski

WHEREAS, vacancies exist in the position of Police Officer in the Town of Cheektowaga, and

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

Item No. 24 cont'd

RESOLVED, that the following individuals 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, Inc.:

Frederick D. Roll
David M. Filipski

and BE IT FURTHER

RESOLVED, that said appointments shall become effective July 27, 1995 and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 25 Motion by Councilman Rogowski, Seconded by Supervisor Gabryszak

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

MEETING NO. 16
July 17, 1995

From Lifeguard I (7180.1903) to Bathhouse Attendants (7180.1901) - \$4.25

Tim Skrzydlewski

From Bathhouse Attendants (7180.1901) to Lifeguard 1 (7180.1903) \$4.75

John Bialek

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 26 Motion by Supervisor Gabryszak, Seconded by Councilman Wielinski

WHEREAS, David Torgalski, an employee of the Sewer Department, has exhausted all of his sick time, and

WHEREAS, David Torgalski is currently under doctor's care and, as per Section 8.02(e) of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, has requested an extension of sick leave payments for a period of fifteen (15) days, NOW, THEREFORE, BE IT

RESOLVED, that David Torgalski be and hereby is granted an additional fifteen (15) days of sick leave payments, effective July 17, 1995, and BE IT FURTHER

RESOLVED, that said payments must be returned to the town by Mr. Torgalski upon his return to service.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 27 Motion by Supervisor Gabryszak, Seconded by Councilman Blachowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 17
AUGUST 7, 1995

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of August, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilman Patricia A. Jaworowicz
Councilman Richard B. Solecki
Councilman William P. Rogowski
Councilman Jacqueline A. Blachowski
Councilman Thomas M. Johnson, Jr.
Councilman William L. Wielinski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Bill Pugh, Town Engineer; Salvatore LaGreca, Chairman of Planning Board; David Kulik, Working Foreman of Sanitation Department; John Howlett, Captain of Police Department; Ronald Marten, Building & Plumbing Department; Kenneth Kopacz, Director of Youth and Recreational Services Department; Larry Golas, Superintendent of Waste Water Treatment Plant; and Leonard Szymanski, Facilities Foreman.

I. FROM THE TABLE

Item No. 2 Retain Firm to Perform a Joint Application Design Session Between Court and Police Departments
This item was withdrawn.

II. RESOLUTIONS

Item No. 3a Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

WHEREAS, Walter F. Grenda, Jr. has made application and requested the Rezoning from R-Residential District to NS-Neighborhood Services District for property located at 2819 William Street, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on August 21, 1995 at 6:30 o'clock P.M., Eastern Daylight Savings Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon Roll Call...

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 12 of the Laws of 1995, which authorizes local municipalities to provide a retirement incentive for certain town employees, AND

WHEREAS, Chapter 12 of the Laws of 1995 requires the Town of Cheektowaga to enact a local law to provide such early retirement incentive, AND

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

RESOLVED, that a public hearing be held on the 21st day of August, 1995 at 7:00 P.M., at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 95-1 of the Year 1995, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 12 of the Laws of 1995, for the eligible employees of the Town of Cheektowaga", and BE IT FURTHER

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



NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 21st day of August, 1995 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, act upon the following proposed Local Law:

Local Law Intro No. 95-1

A Local Law enacting a retirement incentive program as authorized by

Chapter 12, Laws of 1995, for the eligible employees of the

Town of Cheektowaga

- Section 1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 12, Laws of 1995.
- Section 2. The commencement date of the retirement incentive program shall be September 1, 1995.
- Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit shall be 61 days in length.
- Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.
- Section 5. This act shall take effect immediately upon filing with the Secretary of State.

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

Richard M. Moleski
Town Clerk

Item 3b cont'd.

Dated: Cheektowaga, New York

Meeting No. 17
August 7, 1995

August 7, 1995



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 4 Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of motor oils, lubricants, anti-freeze, unleaded gasoline and diesel fuel, etc. for use by various departments in the Town.

Information for bidders and specifications may be obtained from the office of the Town Clerk located at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227, between the hours of 8:00 a.m. and 3:30 p.m., Monday through Friday, and BE IT FURTHER

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids the aforesaid items at 11:00 a.m. on August 23, 1995.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Department will receive proposals for the purchase of quantities of motor oils, lubricants, anti-freeze, unleaded gasoline and diesel fuel, etc. for use by various departments in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on August 23, 1995 at 11:00 a.m. The contract for the purchase of these items shall be awarded for a term of one (1) year.

Information for bidders and specifications may be obtained from the office of the Town Clerk, located at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York 14227. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR MOTOR OILS, LUBES, GASOLINE, FUEL, ETC."

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

Richard M. Moleski
Town Clerk

Date: August 7, 1995

Published: August 10, 1995



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 5 Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

WHEREAS, bids were duly received by this Town Board at a bid opening on July 19, 1995, for One (1) New and Unused, 1995-96 Model Articulated Steering Tractor Type Slope Mower for

use by the Cheektowaga Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bid be awarded to TRIMALAWN EQUIPMENT INC., 2081 Victory Boulevard, Staten Island, New York 10314 at the purchase price after trade-in of \$53,880.00, and BE IT FURTHER

RESOLVED, that monies be charged to line item 5508-4000-9602.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town of Cheektowaga spends millions of dollars each year on purchasing and public works projects, AND

WHEREAS, most purchases and public works contracts are competitively bid pursuant to the General Municipal Law of the State of New York, AND

WHEREAS, bid notices, at present, are published in the official newspaper, are forwarded to Dodge Reports and at least three bidders are notified of same, AND

WHEREAS, Bid Net, a private organization, at no cost to municipalities, will transmit information nationwide concerning public bids to certain companies in the field, thereby creating more competition for bids at, hopefully, less cost, AND

WHEREAS, this Town Board is interested in utilizing Bid Net for future notices to bidders, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby directs that the services of Bid Net shall hereafter be utilized in all public bid situations where this Town Board approves notices to bidders, and directs the Town Clerk to send Bid Net such Notices to Bidders, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Bid Net, P.O. Box 5600, 20A Railroad Avenue, Albany, New York 12205-0600.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, on June 6, 1955, the Town Board of the Town of Cheektowaga adopted an ordinance now known as Chapter 65, Article II, of the Code of the Town of Cheektowaga, setting forth specifications for the construction of sidewalks in the Town, AND

Item No. 7 cont'd.

WHEREAS, Section 200a 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 property owners, AND

Meeting No. 17
August 7, 1995

WHEREAS, this Town Board, by resolution dated September 3, 1991, adopted Local Law No. 4 of the Year 1991 entitled, "A Local Law Apportioning the Cost of Repairing Sidewalks," 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 listed on the attached sheets be and hereby are directed to repair/replace the sidewalks abutting such properties on or before September 10th, 1995 in accordance with the Town's Streets and Sidewalks Ordinance, and BE IT FURTHER

ORDERED, that would such property owners choose not to repair/replace their sidewalks as so notified, the Town will cause such sidewalks to be repaired/replaced, and audit and pay 505K of the expense thereof against the property which abuts such sidewalk over a period of two (2) years, with interest at the rate of 6.00%, and BE IT FURTHER

ORDERED, that the Town Clerk be and hereby is directed to notify the owners of properties, listed on the attached sheets of this order, by sending the attached Notice via certified mail addressed to each such owner at his address as it appears on the Town Assessment roll.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

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

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

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August 7, 1995

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

WHEREAS, an application was submitted by the Bella Vista Group to erect a 10,000 square foot store building at 6470 Transit Road, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on August 2, 1995 rendered the determination shown on the attached memo dated August 3, 1995, 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 therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

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

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

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

WHEREAS, an application was submitted by Walter F. Grenda, Jr. to rezone part of [REDACTED] from R-Residence District to NIS-Neighborhood Service District for the purpose of establishing a financial office in the former house, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on August 2, 1995 rendered the determination shown on the attached memo dated August 3, 1995, 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 therefore issues a "Negative Declaration" for purposes of S.E.Q.R.A.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

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

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

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

WHEREAS, an application was submitted by Brookfield Development Partners LLC to develop approximately sixteen (16) acres of vacant land known as 2911 William Street, AND

WHEREAS, the proposed development would be constructed in phases and stages over approximately a three (3) year period of time, AND

WHEREAS, the first phase, consisting of two (2) stages will entail the construction of fifty-six (56) condominium units in fourteen (14) buildings on a 4.83 acre parcel, AND

WHEREAS, the developer had submitted documents, including a traffic study and drainage study, reviewing impact for the full sixteen (16) acre development, AND

WHEREAS, the application had been referred to various agencies including the New York State Thruway Authority ("NYSTA"), New York State Department of Environmental Conservation ("NYSDEC") and Erie County Department of Environment and Planning ("ECPEP") for their review and comment, AND

WHEREAS, the Town Planning Board, Traffic Safety Commission and Conservation Advisory Council have also reviewed and commented on the development, AND

WHEREAS, the first phase, condominiums, was shown not to significantly impact the William Street traffic, AND

WHEREAS, the New York State Thruway Authority has reviewed the drainage plan and will allow the condominium storm waters to drain into the existing NYSTA drainage system, AND

WHEREAS, the developer has committed to working in a cooperative and reasonable manner in addressing and resolving traffic issues associated with further development of their lands adjacent to the condominium complex, AND

WHEREAS, the developer has also committed to maintaining the condominium landscaping and to implement a snow removal program for the private roadways as well as the public sidewalk along William Street, AND

WHEREAS, these commitments will apply to the developers, successors and assigns, AND

WHEREAS, the developer has also committed to providing the Town with easements the Town Engineer deems necessary, AND

WHEREAS, the Advisory Committee at its meeting held on August 2, 1995 rendered the determination shown on the attached memo dated August 3, 1995, AND

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

Item No. 8c cont'd.

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 S.E.Q.R.A. for the condominium phase only.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

Town, AND WHEREAS, Slate Bottom Creek crosses property located at [REDACTED] in the

WHEREAS, the Town has notified the owners of such property that it requires an easement from them prior to granting them a building permit, AND

WHEREAS, the owners of such property, Raymond J. and Rita N. Buczynski, have executed a drainage easement to the Town for such property, AND

WHEREAS, such drainage easement has been reviewed by the Town Engineer and is acceptable to him, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned drainage easement, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town is in the process of performing Scajaquada Creek maintenance work in the area of Town Park, AND

WHEREAS, it is necessary to obtain a drainage easement in the rear yard of [REDACTED] to repair the creek bank and fence in this area, AND

WHEREAS, the owner of such property, Mary F. Holtz, has executed an easement to the Town, NOW, THEREFORE, BE IT

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located at 2810 Union Road, Cheektowaga, New York, SBL #113.12-3-12 and according to the Assessor's Office is owned by LaPorta Enterprises Incorporated, 2810 Union Road, Cheektowaga, New York 14225-1415, AND

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

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

Item No. 10 cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, in 1993, the State Legislature enacted Section 803 of the Retirement & Social Security Law to allow certain employees to obtain retroactive membership in a public retirement system, AND

WHEREAS, some concern was raised by local governments regarding the costs associated with the implementation of this law, AND

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WHEREAS, Assemblyman Paul A. Tokasz sponsored a bill in the State Legislature (A. 8185/S. 5466) which would, when an employee worked for more than one public employer, socialize the cost among all participating employers, AND

WHEREAS, such bill has been approved by the State Senate and Assembly and is awaiting the Governor's signature, AND

WHEREAS, this Town Board supports this bill and feels it is equitable, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes Governor George Pataki to sign the aforementioned bill into law, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Governor George Pataki, Assemblyman Paul Tokasz, and Senator William Stachowski.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, Buffalo Airfield, Inc. operates as a private owner, a public use airport at 4500 Clinton Street, West Seneca, New York, and a part of such airport is situated in the Town of Cheektowaga, AND

WHEREAS, Buffalo Airfield, Inc. has made application to the Federal Aviation Administration ("FAA") and the New York State Department of Transportation ("DOT") for funding (Project No. K550580; ID/PIN No. 5914.06) to perform work at Buffalo Airfield and for the purpose of acquiring avigation easements from nearby residents, AND

WHEREAS, a public information meeting was conducted for affected property owners on July 5, 1995, and the Town has also reviewed the subject application with respect to the Buffalo Airfield 1991 Master Plan and current conditions, AND

WHEREAS, area residents are very concerned about increased air traffic at this airport, which airport is located adjacent to and surrounded by densely populated residential neighborhoods, and are opposed to any further expansion of such airport, AND

WHEREAS, this Town Board believes that the progressive increase in landings and takeoffs at the subject airport has magnified the noise impacts upon residents and diminished their safety, AND

Item No. 12a cont'd.

WHEREAS, since area residents are strongly objecting to the granting of any avigation easements to Buffalo Airfield, Inc., this Board feels that any application for funding for such easement acquisitions should be carefully scrutinized and rejected, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby expresses its opposition to the granting of the above referenced application for funding, and memorializes the FAA and DOT to deny such application, and BE IT FURTHER

RESOLVED, that this Board opposes any further State or Federal efforts to support increases in capacity and operations at Buffalo Airfield, Inc. facilities, as deleterious to the environment, health and welfare of Town residents, and BE IT FURTHER

RESOLVED, that this Board asks said agencies to review any designation of such airport as a "reliever" for the Greater Buffalo International Airport, and to encourage the alternative use or development of more rural facilities, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the FAA, DOT, Town of West Seneca and the Federal and State legislators serving the Town of Cheektowaga.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 12 Motion by Councilmember Rogowski, Seconded by Councilmember Johnson and Councilmember Jaworowicz

WHEREAS, the Southern Tier West Regional Planning Board recently went on record in support of a proposal to allow for commercial logging in nearly half of Allegheny State Park, AND

WHEREAS, a local planning board might view the park's potential and value in economic terms, Allegheny State Park is a rare and beautiful natural resource whose value to New York State far exceeds regional economic interests, AND

WHEREAS, the proposal calls for using 46 percent of the park acreage of 30,936 acres for forest management, including logging, AND

WHEREAS, this proposal solely serves the interests of commercial logging and "forest management" supporters, AND

WHEREAS, in addition to the concern for natural forest preservation, those opposed to commercial logging in Allegheny State Park are concerned about establishing a precedent setting policy that may serve to make other state parks targets for commercial logging, AND

WHEREAS, the Cheektowaga Conservation Advisory Council has previously opposed logging in Allegheny State Park and supports the preservation of mature and old growth forests within New York State, with associated wildlife habitat, as exemplified by the Reinstein Woods, a State-managed remnant of forestation long since diminished in Erie County, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board urges New York State Commissioner of Parks, Bernadette Castro and the New York State Assembly and Senate to reject any proposals to open Allegheny State Park for the purposes of commercial logging, AND BE IT FURTHER

RESOLVED, that certified copies of this resolution be sent to the New York State Parks Commissioner, Bernadette Castro and to the members of the Western New York Delegation to the New York State Legislature.

Item No. 12b cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

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

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, the Town has advertised for bids for the purchase and installation of a new telecommunications system, cable plant and ancillary equipment for the Town Hall complex, AND

WHEREAS, part of the design of such system requires that the Town be allowed to attach some wires to a New York State Electric & Gas Corporation ("NYSEG") pole on the south side of Cheektowaga Town Hall, AND

WHEREAS, NYSEG has agreed to allow the town to attach wires to its pole subject to the terms contained in the attached Pole Attachment Permit, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Pole Attachment Permit on behalf of the Town.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, the Town of Cheektowaga has previously provided a mortgage-secured Housing Rehabilitation loan to Mr. & Mrs. Richard Marzullo for property owned by them at 162 Wheaton Drive, AND

WHEREAS, Mr. & Mrs. Marzullo have applied for an increase in their home equity line of credit through M & T Bank, which has conditioned its approval on the Town's subordination of its mortgage to that of the bank's, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement, and any related documents, with M & T Bank pertaining to the Town's mortgage on the property at 162 Wheaton Drive.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 14c Motion by Councilmember Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, the Congress of the United States has passed, and the President of the United States has signed into law, the National Affordable Housing Act of 1990, AND

WHEREAS, Title II of the National Affordable Housing Act of 1990 created the HOME Program under which the Secretary of Housing and Urban Development is authorized to make grants to States and units of general local government to help finance investments in affordable housing, AND

WHEREAS, said Act provides that a consortium of geographically contiguous units of local governments can be considered to be a unit of general local government for purposes of the HOME program, AND

WHEREAS, the Towns of Cheektowaga, Tonawanda, and Amherst, which will act as the lead community, desire to be considered as such a consortium for purpose of applying for assistance under the HOME Program, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga is hereby authorized to execute a three-year Cooperation Agreement with the Towns of Amherst and Tonawanda for federal Fiscal Years 1996, 1997 and 1998 for the purpose of forming a Consortium to participate in the HOME Investment Partnership Program.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 14d Motion by Councilmember Blachowski, Seconded by Supervisor Gabryszak

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

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

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

Item No. 14d cont'd.

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a subrecipient agreement with the Cheektowaga Economic Development Corporation for the purpose of allocating Community Development Block Grant funds to that agency for the 1995 program year in an amount of up to \$100,000, which includes \$25,000 from Program Year 1995 and \$75,000 from Program Year 1994.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED, that the Supervisor be authorized to execute the 1995-1998, Family Support Contract (No. C013541) Amendment in the amount of \$26,076.00 on behalf of the Cheektowaga Youth and Recreational Services Department and the New York State Office of Mental Retardation and Development Disabilities. (Includes additional optioned funding in the amount of \$6,519.00).

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, Cheektowaga Central School District ("Cheektowaga Central") has requested a ten-foot-wide easement from the Town of Cheektowaga over Town-owned land on the west side of McNaughton Avenue just south of Scajaquada Creek for the purpose of installing a water line to service property owned by Cheektowaga Central known as the Beverly Hills Baseball field, AND

WHEREAS, Cheektowaga Central has also requested permission to tie into the Town's sanitary sewer trunkline at this location, AND

WHEREAS, a legal description for said easement has been submitted to and approved by the Town Engineer, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves of the granting of the attached easement and sewer-tie-in to Cheektowaga Central and authorizes and directs the Supervisor to execute such easement, and BE IT FURTHER

RESOLVED, that the use for such easement and sewer-tie-in is limited to the proposed use by the Beverly Hills Baseball League, and BE IT FURTHER

RESOLVED, that the granting of this easement is subject to permissive referendum under Section 64(2) of the Town Law, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 14g Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga and the Village of Depew desire to continue their cooperative efforts in consolidating governmental services where economically feasible and practical, AND

WHEREAS, the Town employs, on a full-time basis, a dog control officer, who has the authority and performs the duties specified in the Agriculture and Markets Law, AND

WHEREAS, an agreement between the Town and the Village for dog control officer services is authorized by Section 114 (2) of the Agriculture and Markets Law and by section 119-o of the General Municipal Law, AND

WHEREAS, an interim agreement with the Village of Depew on this matter has been prepared and reviewed.

NOW, THEREFORE, BE IT RESOLVED, that the aforesaid interim agreement is approved, and the Supervisor be and hereby is authorized to execute same on behalf of the Town.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 14h Motion by Councilmember Wielinski, Seconded by Councilmember Solecki

BE IT RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, Inc.



MOTION BY COUNCILMEMBER WIELINSKI, SECONDED BY COUNCILMEMBER ROGOWSKI TO AMEND THE ATTACHED MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF CHEEKTOWAGA AND THE TOWN OF CHEEKTOWAGA EMPLOYEES ASSOCIATION AS ATTACHED AID THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, and Wielinski
NAYES: Councilmember Johnson
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 14i Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign the attached Memorandum of Agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

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

Kathleen Bobeck
David Fieckert
Jason Krasinski
Kate Mendel
Katherine Netzel
Sarah Noonan
Wendy Poplawski
Andrew Rokitka
Jessica Wessel

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15b Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the following SEASONAL and PART-TIME employees be and hereby are terminated as listed:

	<u>EFFECTIVE</u>
<u>SANITATION DEPARTMENT</u>	
Rick Roll	Immediately
Paul Wilcox	7-20-95
<u>MAIN PUMP STATION</u>	
Leroy Linkner	7-21-95

Meeting No. 17
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Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Group provides in Article 18 that, in certain disciplinary actions, a covered employee "may be suspended without pay, immediately", AND

WHEREAS, Thomas D. Skowronski, an Assistant Superintendent, Waste Water Pump Station, is a member of the aforesaid collective bargaining agreement, and disciplinary action against him is necessary and warranted,

NOW, THEREFORE, BE IT RESOLVED, that Thomas D. Skowronski be and he hereby is immediately suspended from work without pay pending a hearing and determination on a charge(s) of incompetency and/or misconduct, and BE IT FURTHER

RESOLVED, that the hearing upon the charge shall be held by James J. Kirisits, Esq., the Town Attorney, who is hereby designated by this Town Board in writing for that purpose, and BE IT FURTHER

RESOLVED, that the aforesaid designated hearing officer be and he hereby is vested with the powers of this Board for such purpose, and he shall make a record of the hearing, which record, together with a report and recommendation be then referred to this Board for review and decision, and BE IT FURTHER

Item No. 16 cont'd.

RESOLVED, that notification of the proposed disciplinary action, as well as this resolution be sent to both the aforesaid employee and the president of his union.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 17a Adopt Town of Cheektowaga Personnel Policy for Department Heads
This item was withdrawn.

Item No. 17b Adopt Town of Cheektowaga Personnel Policy for Exempt Full-Time Employees
This item was withdrawn.

Item No. 18 Establish Salaries of Town Employees Not Covered by Any Bargaining Unit
This item was withdrawn.

Item No. 19 Motion by Councilmember Johnson, Seconded by Councilmember Solecki

WHEREAS, pursuant to Local Law No. 1 of the Year 1993 entitled "A Local Law Establishing a Board of Ethics", a Board of Ethics for the Town of Cheektowaga was established, AND

WHEREAS, by resolution dated August 16, 1993, members were appointed to such Board of Ethics, AND

WHEREAS, the term of one of the members of such Board of Ethics has expired, AND

WHEREAS, the Chairman of the Board of Ethics has recommended that Donald LeBarron be re-appointed to his position on the Board of Ethics, AND

WHEREAS, this Board wishes to fill this vacancy, NOW, THEREFORE, BE IT

RESOLVED, that Donald LeBarron be and hereby is re-appointed to the Board of Ethics, effective August 15, 1995 and expiring on August 15, 2000.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 20a Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

BE IT RESOLVED, that John Ross, currently employed as a temporary General Mechanic! in the Facilities Department, be and hereby is returned to his position of Light Motor Equipment Operator in the Recycling Department, effective August 14, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 20b Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

BE IT RESOLVED, that Jerome Brzozowski, currently employed as a temporary Light Motor Equipment Operator in the Recycling Department, be and hereby is returned to his part-time Laborer's position in the Sanitation Department, effective August 14, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Recreation Instructor in the Youth and Recreational Services Department,

BE IT RESOLVED, that Bradley Engel be elevated from the position of Recreation Leader II to the position of Recreation Instructor VIII to fill said vacancy, at a rate of \$6.25 per hour (7140.1625), AND

BE IT RESOLVED, that the following individual be hired to fill the position of Recreation Leader II at a rate of \$5.50 per hour (7140-1625):

Ronald Jarosz, Jr. [REDACTED] [REDACTED]

BE IT RESOLVED, that the following individuals be transferred as indicated, AND

BE IT FURTHER RESOLVED, that those listed be paid a salary rate (B) for the week of August 13th-19th and return to their hourly rate (A) effective August 20th:

- Camp JI-IK-DO-WAH-GAH - 7310-1801
- Camp Aloha - 7310.1802
- Camp Crabapple - 7310.1802
- Adapted Recreation Program - 7310.1803
- Camp Flamingo - 7310.1810

From Camp Flamingo to Camp Aloha to Adapted Recreation:

Dane Abendschein
A. \$ 4.50

B. \$235.00

Stephanie Albano
A. \$ 4.50
B. \$235.00

Amy Conner
A. \$ 4.75
B. \$235.00

Trevor Stowell
A. \$ 5.00
B. \$235.00

Amy Tomaka
A. \$ 5.25
B. \$235.00

Sarah Miga
A. \$ 5.00
B. \$235.00

Victor Nosal
A. \$5.00
B. \$235.00

Item No. 21 cont'd.

From Camp JI-IK-DO-WAH-GAH to Camp Aloha to Adapted Recreation:

Ronn Whitehead
A. \$ 4.75
B. \$235.00

Jim Ruzewski
A. \$ 4.75
B. \$235.00

Maggie Wnuk
A. \$ 5.25
B. \$235.00

Amy Roska
A. \$ 5.00
B. \$235.00

From Camp Crabapple to Camp Aloha to Adapted Recreation:

Amy Wetmore
A. \$ 5.25
B. \$235.00

From Pools (7180.1903) to Camp Aloha to Pools:

Timothy Isch
A. \$ 5.00
B. \$235.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 22 Motion by Councilmember Wielinski, Seconded by Councilmember Jaworowicz

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

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

EFFECTIVE

RECYCLING DEPARTMENT - \$5.00 per hour

James Wilczak
Nicholas Notaro

8-07-95

"

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 23a Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the New York State Office of Court Administration will be holding a continuing Judicial Education program in Lake Placid, New York from October 15-18, 1995, AND

Item No. 23a cont'd.

WHEREAS, Town Justices Thomas S. Kolbert and Ronald E. Kmiotek have requested permission to attend said Judicial Education program, AND

WHEREAS, basic and advanced certification courses will be given at said program and will be used toward satisfying the judicial education requirements for Town Justices, NOW, THEREFORE, BE IT

RESOLVED, that Town Justices Thomas S. Kolbert and Ronald F. Kmiotek be and hereby are authorized to attend the aforementioned continuing Judicial Education program, and BE IT FURTHER

RESOLVED, that all necessary and reasonable expenses for attending such program, in an amount not to exceed \$1,000.00, shall be reimbursed to said Town Justices from budget line item number 0100-1110-4082.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 23b Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Office of Court Administration will be conducting a seminar for Town Court Clerks from October 15-18, 1995 in Lake Placid, New York, AND

WHEREAS, the Cheektowaga Town Justices have requested permission for two court clerks to attend this seminar, AND

WHEREAS, said seminar would provide such court clerks with up-to-date information on recordkeeping, the TSLE ticket system, criminal disposition reporting, new legislation, etc., NOW, THEREFORE, BE IT

RESOLVED, that two court clerks, as chosen by the Town Justices, be and hereby are authorized to attend such seminar, and BE IT FURTHER

RESOLVED, that the reasonable and necessary expenses for attending such seminar, in an amount not to exceed \$1,000.00, shall be reimbursed to said court clerks out of budget line item number 0100-1110-4082.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0
ABSENT: 0

Item No. 23c Motion by Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, Keller Technical Institute will be holding an OSHA Compliance Seminar on August 17, 1995 in Amherst, New York, AND

WHEREAS, the Town's Disaster Coordinator, Earl Loder, has requested permission to attend this seminar, AND

WHEREAS, such seminar would provide the Town Disaster Coordinator with information to assess the Town's current OSHA compliance status and to keep abreast of the ever-increasing OSHA regulatory demands, NOW, THEREFORE, BE IT

RESOLVED, that Earl Loder be and hereby is authorized to attend the aforementioned OSHA compliance seminar, and BE IT FURTHER

RESOLVED, that the fee for such seminar, shall be appropriated from budget line item number 0100-1220-4008 and such fee shall not exceed the sum of \$195.00.

Item No. 23c cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 24 Motion by Councilmember Wielinski, seconded by Councilmember Rogowski

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 portion of the program, AND

WHEREAS, before the Town can avail itself of the CHIPS funding for the capital project portion, the Town must first spend the money and then seek reimbursement from CHIPS, AND

WHEREAS, a capital account must be established, moneys must be transferred into such account, and then moneys from such account will be spent, to be reimbursed later, NOW, THEREFORE, BE IT

RESOLVED, that the following accounts be and hereby are established:

CHIPS State Aid (Expense) - #5507-5132-0001 - \$125,929.47
CHIPS State Aid (Revenue) - #5507-5132-3089 - \$125,929.47

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

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

GENERAL FUND

From:	0100-1910-4711	Contingency	\$ 2,341.75
	0100-1330-4431	Equipment Repair	1,000.00
	0100-1410-4051	Microfilming	1,850.00
	0100-1410-4593	Contractual Steno Services	1,000.00
	0100-1450-4431	Board of Elections-Equipment, Repairs & Maintenance	1,000.00

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	0100-7110-1374	Clerk-Typist	600.00
	0100-1355-4575	Contracted Appraisals	1,000.00
To:	0100-1430-4751	Employee Assistance Program	\$ 2,341.75
	0100-1330-4001	Office Supplies	1,000.00
	0100-1410-1380	Payroll - Lisa-Marie DeMont	1,850.00
	0100-1410-1380	Payroll - Lisa-Marie DeMont	1,000.00
	0100-1410-1380	Payroll - Lisa-Marie DeMont	1,000.00
	0100-7110-1391	Part-Time Clerk	600.00
	0100-1359-2005	Office Equipment	1,000.00

PART TOWN FUND

From:	0800-3620-1750	Assistant Housing Inspector	\$ 4,000.00
To:	0800-3620-1755	Housing Inspector Part-Time	\$ 4,000.00

Item No. 25 cont'd.

SPECIAL DISTRICTS FUND

From:	1500-8160-1414	MEO-B Sanitation	\$20,000.00
	1500-8160-4469	Solid Waste Management Board	5,000.00
	2500-8125-2304	Bucket Machine	22,000.00
	2500-8125-2305	Low Boy Dump	927.00
	2500-8125-2514	Pickup Truck	6,538.00
	2500-8125-2515	Sewer Flusher Truck	4,225.00
	2500-8125-2516	Vans	4,118.00
To:	1500-8160-1444	MEO-A Sanitation	\$20,000.00
	1500-8160-4453	Building Repairs	5,000.00
	2500-8125-2505	Other Equipment	37,808.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
 NAYES: 0
 ABSENT: 0

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

BE IT RESOLVED, that the following Vouchers and Warrants were submitted to the Town of Cheektowaga prior to August 3, 1995 and are hereby approved and made a part hereof:

GENERAL FUND	\$2,457,559.20
HIGHWAY FUND	736,323.73
TRUST & AGENCY	42,615.61
PART TOWN FUND	46,257.69
RISK RETENTION FUND	92,513.39
CDBG HUD FUND	191.46
HUD REHABILITATION FUND	43,604.48
SPECIAL DISTRICTS FUND	1,684,137.91
CAPITAL FUND	<u>826,829.12</u>
	\$5,930,032.59



MOTION BY COUNCILMEMBER WIELINSKI, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 26, AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0



AMENDED

BE IT RESOLVED, that the following Vouchers and Warrants were submitted to the Town of Cheektowaga prior to August 3, 1995 and are hereby approved and made a part hereof:

Item No. 26 cont'd.

GENERAL FUND	\$2,457,559.20
HIGHWAY FUND	736,323.73
TRUST & AGENCY	42,615.61
PART TOWN FUND	46,257.69
RISK RETENTION FUND	92,513.39
CDBG HUD FUND	191.46
HUD REHABILITATION FUND	43,604.48
SPECIAL DISTRICTS FUND	1,684,137.91
CAPITAL FUND	<u>774,189.12</u>
	\$5,877,392.59

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 27 Building Permits
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 28a Notice of Claim: Gary A. Lachina vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;
Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 28b Notice of Claim: Village of Sloan/Wayne A. Wypych vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 28c Notice of Claim: Patricia A. Ditta vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sewer Department
and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29a Notice of Complaint: Consolidated Rail Corp. vs. the Board of Equalization and
Assessment
Received and Filed.

Item No. 29b New York Telephone vs. the State Board of Equalization and Assessment
Received and Filed.

Item No. 30 Notice of Petition: Stroehmann Bakeries, Inc. vs. the Town of Cheektowaga, its
Assessor and Board of Assessment Review
Received and Filed.



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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0



V. SUSPENSION OF RULES

Item No. 31 Motion by Supervisor Gabryszak, Seconded by Councilmember Wielinski

WHEREAS, a vacancy currently exists in the position of Coordinator of Employee
Relations, AND

WHEREAS, such position was duly advertised, AND

WHEREAS, this Town Board reviewed applications and conducted interviews for this
position, AND

WHEREAS, Robert P. McCarthy applied for this position and meets all of the
requirements for such position, NOW, THEREFORE, BE IT

RESOLVED, that, pursuant to paragraph 7 of the Residency Law of the Town of
Cheektowaga, this Town Board has determined that, by reason of special skills, aptitude and expertise,
an appropriate appointment cannot be made to fill the position of Coordinator of Employee Relations
with a domiciliary in the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the position of Coordinator of Employee Relations be and hereby is
declared exempt from the restrictions contained in the said Residency Law for a period of six (6)
months, and BE IT FURTHER

RESOLVED, that Robert P. McCarthy, [REDACTED], Amherst, New York [REDACTED]
be and hereby is appointed to the position of Coordinator of Employee Relations, effective immediately,
at an annual salary of \$48,170.09, and BE IT FURTHER

RESOLVED, that, in compliance with the Local Law known as Residency Law, Robert
P. McCarthy be and hereby is ordered to obtain residency within the Town of Cheektowaga within six
(6) months from the date of this resolution.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Meeting No. 17
August 7, 1995

Item No. 32 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, there is a need to install a new telecommunications system, cable plant and ancillary systems for the Town of Cheektowaga, AND

WHEREAS, by resolution dated April 17, 1995 this Town Board directed that a Notice to Bidders for such public works project be duly advertised, AND

WHEREAS, bid proposals were opened on May 24, 1995 and were forwarded to the Telecommunications Committee for analysis, tabulation and report, AND

WHEREAS, the Telecommunications Committee has completed its review and has made its recommendations to this Board, NOW, THEREFORE, BE IT

Item No. 32 cont'd.

RESOLVED, that the bid for the installation of a new telecommunications system, cable plant and ancillary systems for the Town be and hereby is awarded to:

Ronco Communications & Electronics, Inc.
595 Sheridan Drive
Tonawanda, New York 14150

at a total bid price, including all alternates, of \$168,825.00 and BE IT FURTHER

RESOLVED, that this Town Board hereby sets aside an additional sum of \$25,000.00 to be used, subject to compliance with competitive bidding and purchase guidelines, to complete the installation of the new telecommunications system and, BE IT FURTHER

RESOLVED, that moneys for this project shall be appropriated from budget line item number 5502-7110-9504.

Upon Roll Call...

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 33 Motion by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of Jean Wasilewski and Mary Grginic.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 18
August 21, 1995**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of August, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilmember Patricia A. Jaworowicz
Councilmember Richard B. Solecki
Councilmember William P. Rogowski
Councilmember Jacqueline A. Blachowski
Councilmember Thomas M. Johnson, Jr.

ABSENT: Councilmember William L. Wielinski

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Bill Pugh, Town Engineer; Salvatore LaGreca, Chairman of Planning Board; John Schaller, Assistant Chief of Police; Ronald Marten, Building & Plumbing Department; Kenneth Kopacz, Director of Youth and Recreational Services Department; Leonard Szymanski, Facilities Foreman; Robert Kaczmarek, Supervising Accountant.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting Local Law Intro No. 95-1, authorized by Chapter 12, Laws of 1995 for the eligible employees of the Town of Cheektowaga, hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said Proposed Local Law being as follows:

Local Law Intro No. 95-1

A Local Law enacting a retirement incentive program as authorized by
Chapter 12, Laws of 1995, for the eligible employees of the
Town of Cheektowaga

- Section 1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 12, Laws of 1995.
- Section 2. The commencement date of the retirement incentive program shall be September 1, 1995.
- Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit shall be 61 days in length.
- Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees, Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.
- Section 5. This act shall take effect immediately upon filing with the Secretary of State.

Item No. 2 cont'd

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

II. RESOLUTIONS

Item No. 3 Motion by Supervisor Gabryszak, Seconded by

WHEREAS, the New York State Legislature adopted, and the Governor signed into Law, Chapter 12 of the Laws of 1995, which authorizes local municipalities to provide a retirement incentive for certain town employees, and

WHEREAS, Chapter 12 of the Laws of 1995 requires the Town of Cheektowaga to enact a Local Law to provide such early retirement incentive, and

WHEREAS, a public hearing was held on the 21st day of August, 1995 at 7:00 P.M., at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law No. 1 of the Year 1995 entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 12, Laws of 1995 for the eligible employees of the Town of Cheektowaga", and

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

WHEREAS, this Town Board feels it is in the Town's interests to adopt such local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 1 of the Year 1995, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 12, Laws of 1995, for the eligible employees for 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 the Town Clerk shall file one (1) certified copy of this local law in his office, one (1) certified copy with the Secretary of State and one (1) certified copy with the New York State and Local Retirement Systems, Employees' Retirement System, and BE IT FURTHER

RESOLVED, that Local Law No. 1 of the Year 1995 shall take effect upon filing with the Secretary of State.



Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson to table the above resolution.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson

NAYES: 0

ABSENT: Councilman Wielinski

THE ABOVE RESOLUTION WAS TABLED.

Item No. 4a Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

WHEREAS, C. Irving Smith/F.J. Wailand Associates has made application and requested the rezoning of 4589 Genesee Street from MS-Motor Service District to CM-General Commercial District, said applicant being the owner of the aforementioned property, NOW, THEREFORE, BE IT

Item No. 4a cont'd

RESOLVED that a public hearing be held regarding said request under the provisions of the Zoning Ordinance on September 5, 1995 at 6:30 o'clock P.M., Eastern Daylight Saving Time at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
and Johnson

NAYES: 0

ABSENT: Councilman Wielinski

AFFIDAVIT - NEXT PAGE

Item No. 4b Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, by resolution dated May 7, 1994, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4 A of the Code of the Town of Cheektowaga (hereinafter referred to as the Ambulance Services Ordinance), and

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WHEREAS, the Cheektowaga Police Department has recommended that Section 4 A-6 of such ordinance be amended, and

WHEREAS, 'this Town Board wishes to amend the Ambulance Services Ordinance to incorporate such recommendations, NOW, THEREFORE, BE IT

RESOLVED, that in accordance with the Town Law of the State of New York, a public hearing be held on the 5th day of September, 1995 at 7:00 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether the Ambulance Services Ordinance shall be amended as shown on the attached Notice of Hearing, and BE IT FURTHER

RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the Cheektowaga Times, a newspaper published in the Town and having a general circulation therein, not less than ten (10) days prior to the date of said hearing.



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 21st day of August, 1995, and in accordance with the provisions of the Town Law of the State of New York, a public hearing will be held on the 5th day of September, 1995 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, at which hearing all parties in interest shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether Chapter 4 A of the Code of the Town of Cheektowaga relating to ambulance services shall be amended as follows:

Section 4 A-6. Application for Driver/Attendant's License

A. Applications for licenses for a driver/attendant shall be made upon forms to be provided by the Town Clerk and shall contain such information as the Town Clerk and EMS Board shall deem reasonably necessary, in addition to meeting the following requirements and qualifications:

- (1) Each applicant for a license as a driver/attendant shall submit to a criminal history investigation by the Cheektowaga Police Department. As part of such investigation, said applicant shall supply his/her fingerprints. Such fingerprints shall be forwarded to the Division of Criminal Justice Services (DCJS), along with the appropriate processing fee. All processing fees shall be paid by the applicant. The only authorized method of payment will be a United States Postal, American Express or Travelers Express Money Order made out to DCJS. A license will not be granted to a driver/attendant convicted of a felony, any offense relating to theft, insurance fraud, offenses or a series of convictions for traffic offenses that would indicate a pattern of disregard for vehicle or personal safety. The record checks will determine if the applicant meets the criteria established in §4 A-13A and B and shall:

Item No. 4b cont'd

- (a) Submit satisfactory proof of completion of the minimum requirements imposed by the State New York
- (b) Submit a current certificate of completion of an EMT course to the EMS Board.

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

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Dated: August 21, 1995

RICHARD M. MOLESKI
Town Clerk



Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

AFFIDAVIT - NEXT PAGE

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

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

WHEREAS, the Federation-German-American Societies has made application to hold its German-American Festival in Cheektowaga Town Park on September 2 and 3, 1995, and

WHEREAS, this Board has reviewed the application submitted by the Federation-German-American Societies, which application has been approved by the Police, Building, Highway, Facilities and Youth & Recreation Departments and has no objection to same, and

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

Requirement that application be made at least 60 days prior to the date of the special event

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Federation-German-American Societies for its German-American Festival to be held on September 2-3, 1995.



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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski



Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

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

WHEREAS, the Federation-German-American Societies has made application to hold its German-American Festival in Cheektowaga Town Park on September 2 and 3, 1995, and

WHEREAS, this Board has reviewed the application submitted by the Federation-German-American Societies, which application has been approved by the Police, Building, Highway, Facilities and Youth & Recreation Departments and has no objection to same, and

WHEREAS, the Federation has submitted proof of \$5 million in General Liability coverage for such event, and

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

1. Requirement that application be made at least 60 days prior to the date of the special event
2. Liquor Liability Insurance

NOW, THEREFORE, BE IT

Item No. 5 cont'd

RESOLVED, that this Town Board hereby approves the aforementioned application of the Federation-German-American Societies for its German-American Festival to be held on September 2-3, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

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

MEETING NO. 18
August 21, 1995

WHEREAS, by resolution dated September 30, 1993, this Town Board approved the rezoning of property located at 225 Como Park Boulevard for Hospice Association of Western New York, Inc. ("Hospice"), and

WHEREAS, the approval of such rezoning was granted based on a commitment from Hospice to enter into a payment-in-lieu of taxes arrangement with the Town wherein it would pay the sum of \$10,000 to the Town on an annual basis for ten years, commencing with the 1994 tax year, covering special district charges for general lighting, general garbage and fire-hydrant districts, and

WHEREAS, the construction of the Hospice complex was not completed until earlier this year, and

WHEREAS, Hospice has requested that the PILOT arrangement with the Town begin with the 1995 tax year rather than 1994, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby amends the aforesaid September 30, 1993 resolution to state that the PILOT agreement between Hospice and the Town begin with the 1995 tax year, and continue until the 2004 tax year, and BE IT FURTHER

RESOLVED, that the annual PILOT fee shall be credited annually to the following special districts as follows:

General Lighting District	\$1,693.86
General Garbage District	\$4,473.68
Bellevue Fire District	\$3,832.46

and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached PILOT agreement with Hospice.



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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski



Motion by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, by resolution dated September 30, 1993, this Town Board approved the rezoning of property located for Hospice Association of Western New York, Inc. ("Hospice"), and **Item No. 6a cont'd**

WHEREAS, the approval of such rezoning was granted based on a commitment from Hospice to enter into a payment-in-lieu of taxes arrangement with the Town wherein it would pay the sum of \$10,000 to the Town on an annual basis for ten years, commencing with the 1994 tax year, covering special district charges for general lighting, general garbage and fire-hydrant districts, and

WHEREAS, the construction of the Hospice complex was not completed until earlier this year, and

WHEREAS, Hospice has requested that the PILOT arrangement with the Town begin with the 1995 tax year rather than 1994, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby amends the aforesaid September 30, 1993 resolution to state that the PILOT agreement between Hospice and the Town begin with the 1995 tax year, and continue at least through the 2004 tax year, and BE IT FURTHER

MEETING NO. 18
August 21, 1995

RESOLVED, that the annual PILOT fee shall be credited annually to the following special districts as follows:

General Lighting District	\$1,693.86
General Garbage District	\$4,473.68
Bellevue Fire District	\$3,832.46

and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached PILOT agreement with Hospice.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson

NAYES: 0

ABSENT: Councilman Wielinski

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 6b Motion by Councilmember Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development for the 1995 Program Year, and

WHEREAS, the Town wishes to amend its Final Statement on the Use of Community Development Block Grant Funds for the 1995 Program Year, and

WHEREAS, the Community Development Director has recommended approval of said amendments, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby amends the Town of Cheektowaga's Final Statement on the Use of Community Development Block Grant Funds for the 1995 Program Year as indicated on the attached Community Development Block Grant Final Statement Amendment Report, and BE IT FURTHER

**MEETING NO. 18
August 21, 1995**

RESOLVED, that the Supervisor be and hereby is authorized to execute any required documents or forms in relation to this action and to submit same to the Department of Housing and Urban Development.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

AFFIDAVIT - NEXT PAGE

Item No. 6c Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the Cheektowaga Action Partnership is desirous of retaining the services of nationally known motivational and drug prevention trainer Milton Creagh for its fourth annual awards dinner on October 3rd, 1995, and

WHEREAS, Mr. Creagh will also conduct drug prevention training at five area high schools during the daytime on October 3rd and 4th, and

WHEREAS, Cheektowaga Central, Cleveland Hill, John F. Kennedy, Maryvale and Villa Maria High Schools will reimburse the Town for their cost of training at a rate of \$250.00 per school, and

WHEREAS, funds are available to cover the remaining cost of said training (0100-7320-4000), NOW, THEREFORE, BE IT

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RESOLVED, that the Supervisor be authorized to execute a letter of agreement on behalf of the Partnership with Creagh and Associates, Stone Mountain, Georgia with total costs to CAP not to exceed \$4,000, and BE IT FURTHER

RESOLVED, that prior to the execution of the letter of agreement, the Town Attorney's Office will conduct a final review for conformance with this resolution and affix its stamp of approval on same.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

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

WHEREAS, this Town Board, by resolution dated September 6, 1994, be awarded the contract for the Reconstruction of the Harlem Road Pump Station, Contract B, Plumbing, to M.K.S. Plumbing Corporation, 19 Ransier Drive, West Seneca, New York 14224 in the amount of \$17,300, and

WHEREAS, the Town Engineer and the consulting engineering firm of Nussbaumer & Clarke, Inc. have advised that the work under the aforesaid contract has been completed in accordance with the contract requirements, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board agrees with the recommendations of the Town Engineer, and hereby accepts the completed project, Contract B, and hereby authorizes and directs the Supervisor to sign the final contract acceptance documents with M.K.S. Plumbing Corporation, including Change Order #B-1, which provides for a zero (0) increase/decrease to this contract.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 7 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

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

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

Item No. 7 cont'd

RESOLVED that the Town Clerk be and hereby is authorized, empowered an 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.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

*SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 18
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Item No. 8 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Town, under a previous construction contract which provided for the installation of roofs, has begun the process of converting the three (3) 75 foot diameter sludge digester structures located at the Plant #5 site, into needed garage and storage facilities for use by the Sewer Maintenance Department and Main Pump Station Department, and

WHEREAS, there is a need to prepare plans and specifications in order to receive bids for construction for the completion of this conversion program to provide for further structural modifications, design of heating, lighting and ventilating systems, so as to comply with the New York State Building Code, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Nussbaumer & Clarke, Inc. as submitted to the Town Engineer and dated August 8, 1995 for the preparation of plans and specifications and provision of services during construction, be and hereby is accepted and approved, and BE IT FURTHER

RESOLVED, that the cost for said consulting services in the amount of \$18,800 is to be charged to account #2500-8135-4547.

Upon Roll Call

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AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 9a Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, Section 73 of New York State Civil Service states, in part, the following:
"When an employee has been continuously absent from and unable to perform the duties of his position for one (1) year or more by reason of a disability, other than a disability resulting from occupational injury or disease, as defined in the Worker's Compensation Law, his employment status may be terminated and his position may be filled by a permanent appointment."

WHEREAS, Bradley Colgrove, a Motor Equipment Operator (B) in the Sanitation Department, last day of work was July 20, 1994, NOW, THEREFORE, BE IT

RESOLVED, that Bradley Colgrove be terminated from his employment with the Town of Cheektowaga, effective immediately, and BE IT FURTHER

RESOLVED, that as a result of said termination, under Section 73 of the New York State Civil Service Law, he may, within one (1) year, make application to return to work if a medical examination certifies his ability to perform his former duties and shall be returned to any existing vacancy in his job title or a vacancy in a lower grade position in the same occupational field. In the event no appropriate vacancy exists, he will have preferred status for a period of four (4) years in filling the next appropriate vacancy.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

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

BE IT RESOLVED that the following employees be terminated from the Youth and Recreational Services Department, as indicated:

EFFECTIVE IMMEDIATELY

Mark Bechtel
Kathleen Bobeck
Sarah Broton

Item No. 9b cont'd

Lori Brucato
Patrick Cartenuto
Sara Caya
Julie Chiarilli
John Ciesielski
Rebecca Deuel
Laura Dumke
Nathan Frank
Stacey Getz
Jennifer Golas
Melissa Con
Amber Gorzynski
Laura Herko
Joseph LaBarbara
Larry Lenz
Andy Montroy
Melissa Newhouse
Aimee Pickhardt
Danielle Pickhardt
Kerrie Rich
Howie Schnauffer

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Kelly Szczublewski
Denise Tasca
Kevin Tomaka
Susan Wysocki

EFFECTIVE AUGUST 7th
Ronald Swartz

EFFECTIVE AUGUST 27th
Amy Conner
Anne Marie DiRado
Angela Krause
Amy Roska
Donna Quigley
Janine Urbanski

SEPTEMBER 2nd
Karen Noworyta

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 9c Motion by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

BE IT RESOLVED that the following Seasonal and Part-Time Employees be and hereby are terminated as listed:

	<u>EFFECTIVE</u>
<u>FACILITIES DEPARTMENT</u>	
Jason Jankowiak	Immediately
<u>SANITATION DEPARTMENT</u>	
Tracy Gielinski	Immediately
Richard Kernen	"
Frederick Roll	"
Paul Wilcox	"

Item No. 9c cont'd

<u>RECYCLING DEPARTMENT</u>	
James Kazmierczak	Immediately
Gregory Parry	"
John Skonecki	"
John Strong	"
Ronald Strong	"
<u>SEWER MAINTENANCE</u>	
Alex Nesteruk	Immediately

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

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

BE IT RESOLVED that Paul F. Deboy be terminated as a part time van driver in the Department of Senior Services, and BE IT FURTHER

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RESOLVED, that the following be hired as part-time van drivers at the rate of \$5.50 per hour:

Randolph Skrzydlewski [REDACTED] Cheektowaga, NY
John Polakiewicz [REDACTED], Cheektowaga, NY

Funding Source: Account #7620.1639

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 11 Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

BE IT RESOLVED that Mark Radecki of [REDACTED], Cheektowaga, New York 14225, be and hereby is appointed to the position of Housing Inspector (Part-Time) at the rate of \$9.00 per hour, effective immediately.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

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

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

EFFECTIVE

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1491)

Michael Sciandra [REDACTED] immediately
Eugene Demler [REDACTED] "

Item No. 12 cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

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

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

EFFECTIVE

SANITATION DEPARTMENT

Scott Havernick [REDACTED] Immediately

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

MEETING NO. 18
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Item No. 14a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Recreation Supervisor in the Youth and Recreational Services Department, NOW, THEREFORE, BE IT

RESOLVED, that Shawn Ryan be elevated from the position of Recreation Attendant to Recreation Supervisor III to fill said vacancy, at a rate of \$6.00 per hour, retroactive to August 7th (7140-1648 - Arts & Crafts), and BE IT FURTHER

RESOLVED, that the following Youth and Recreational employees be transferred as indicated (part-time):

Camp Aloha	(7310.1802)
Adapted Recreation Program	(7310.1803)
Camp JI-IK-DO-WAH-GAH	(7310.1801)

**From Camp Aloha to Adapted Recreation Program
Effective August 21st**

Activity Director I - \$6.00

Maggie Wnuk
Victor Nosal
Trever Stowell

Assistant Program Coordinator/Nurse - \$8.25

Barbara Walters

Counselor IV - \$5.00

Ron Whitehead

From Camp JI-IK-DO-WAH-GAH to Rink Guard (7140.1661)

Recreation Attendant II - \$4.50

Nick Logiudice

Item No. 14a cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

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

BE IT RESOLVED that the following Youth and Recreation employees be transferred from seasonal to part-time, effective immediately:

Adapted Recreation Program - (7310.1803)

Sandy Bentz
Kim Bosiaci
Amy Imiola
Alicia Licht
Kim Rafanowicz (Szucs)
Samantha Schanne
Dan Quigley
Amy Zakrzewski

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

MEETING NO. 18
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Item No. 15a Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED that the salaries for the following part-time employees be and hereby are established as follows, effective immediately:

SEWER

Jerel Bogdan	[REDACTED]	5.50/hr.
Jerome Borowski	[REDACTED]	5.25/hr.
Mark Burkard	[REDACTED]	5.50/hr.
Ryan Czubaj	[REDACTED]	5.25/hr.
Timothy Danner	[REDACTED]	6.00/hr.
Leo Dominczak	[REDACTED]	6.50/hr.
Damin Klosko	[REDACTED]	5.50/hr.
David Klosko	[REDACTED]	6.00/hr.
Joseph Malkiewicz	[REDACTED]	5.25/hr.
Jason Mueller	[REDACTED]	5.50/hr.
Louis Mueller	[REDACTED]	6.00/hr.
Dean Sarago	[REDACTED]	6.50/hr.
Scott Skibniewicz	[REDACTED]	6.00/hr.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski



Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson to dispense with the reading of the names in Item 15b, and the voting was as follows:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilmember Wielinski

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

BE IT RESOLVED that the salaries for the following part-time employees be and hereby are established as follows, effective immediately:

Accounting Department:

Sue Ozolins [REDACTED] 6.25/hr.

Central Garage:

John Wieberg [REDACTED] 6.50/hr.

Main Pump Station:

Robert Cieslikowski [REDACTED] 6.00/hr.

Florence Falkiewicz [REDACTED] 6.50/hr.

Senior Services: (van drivers)

Ted Rarog [REDACTED] 6.25/hr.

Gabe Babiarz [REDACTED] 6.25/hr.

Cynthia Kwiatkowski [REDACTED] 6.25/hr.

Jesse Nero [REDACTED] 6.25/hr.

Victor Carlucci [REDACTED] 6.25/hr.

Scott Stevenson [REDACTED] 6.25/hr.

Senior Services: (van drivers)

Bob Brands [REDACTED] 6.25/hr.

Tom Slisz [REDACTED] 6.25/hr.

Senior Services: (site managers)

Mildred Fournier [REDACTED] 6.00/hr.

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Linda Kolbe	[REDACTED]	6.00/hr.
Laura Kubik	[REDACTED]	6.00/hr.
Carol Kishbaugh	[REDACTED]	6.00/hr.
Patricia Marciniak	[REDACTED]	6.00/hr.
Dorothy McManus	[REDACTED]	6.00/hr.

<u>Town Clerk's Office</u> Sophie Sunday	[REDACTED]	6.50/hr.
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Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson to amend the above resolution, and the voting was as follows:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson

NAYES: 0

ABSENT: Councilman Wielinski



Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED that the salaries for the following part-time employees be and hereby are established as follows, effective immediately:

<u>Central Garage:</u> John Wieberg	[REDACTED]	6.50/hr.
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<u>Main Pump Station:</u> Robert Cieslikowski	[REDACTED]	6.00/hr.
Florence Falkiewicz	[REDACTED]	6.50/hr.

Item No. 15b cont'd

<u>Senior Services: (van drivers)</u> Ted Rarog	[REDACTED]	6.25/hr.
Gabe Babiarz	[REDACTED]	6.25/hr.
Cynthia Kwiatkowski	[REDACTED]	6.25/hr.
Jesse Nero	[REDACTED]	6.25/hr.
Victor Carlucci	[REDACTED]	6.25/hr.
Scott Stevenson	[REDACTED]	6.25/hr.

<u>Senior Services: (van drivers)</u> Bob Brands	[REDACTED]	6.25/hr.
Tom Slisz	[REDACTED]	6.25/hr.

<u>Senior Services: (site managers)</u> Mildred Fournier	[REDACTED]	6.00/hr.
Linda Kolbe	[REDACTED]	6.00/hr.
Laura Kubik	[REDACTED]	6.00/hr.
Carol Kishbaugh	[REDACTED]	6.00/hr.
Patricia Marciniak	[REDACTED]	6.00/hr.
Dorothy McManus	[REDACTED]	6.00/hr.

<u>Town Clerk's Office</u> Sophie Sunday	[REDACTED]	6.50/hr.
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AND BE IT FURTHER

RESOLVED, that the salaries of the following Town employees, not covered by any bargaining unit, be and hereby are established and set forth as follows, effective January 1, 1995:

Disaster Coordinator	\$10,609.47
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Planning Board Member	\$ 3,109.00
Planning Board Secretary (1)	\$ 3,935.63
Planning Board Chairman (1)	\$ 4,593.29
Zoning Board Members (4)	\$ 3,665.11
Zoning Board Chairman (1)	\$ 4,964.77
Assessment Review Board Members (4)	\$ 1,259.84
Assessment Review Board Chairman (1)	\$ 1,566.17
Police Matrons (3)	\$ 10,521.06
Zoning Enforcement Officer (part-time)	\$ 15.00/hr.
Clerk to the Supervisor	\$ 8.36/hr.
Clerk to the Supervisor	\$ 8.36/hr.
Part-time Accounting Clerk	\$ 6.25/hr.
Student Accountant	\$ 6.00/hr.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 16 Motion by Councilmember Rogowski, Seconded by Councilmember Blachowski

WHEREAS, the National Recreation & Parks Society is holding its annual conference, Wednesday, October 4th thru Sunday, October 8th in San Antonio, and

WHEREAS, the program is sponsoring an Urban Strategies Institute, as well as various other topics of interest to the Department of Youth and Recreational Services such as Managing Recreation Resources for Changing Populations, Automation and Service System Development, Citizen Involvement thru Public Focus Groups, Quality Recreation Based on Visitor Preference and Budget, Enterprise Funds: An Entrepreneur Model for Recreation, Accrediting your Local Agency, and many others that would be beneficial to staff, NOW, THEREFORE, BE IT

Item No. 16 cont'd

RESOLVED, that Kenneth J. Kopacz be reimbursed for necessary transportation expenses not to exceed \$750 (estimate) (Line Item 01-7310-4681) lodging expenses at a cost not to exceed \$900 (estimate)(Line Item 01-7310-4681) meals not to exceed \$150 (Line Item 01-7140-4191) and training fees of \$320 (Line Item 01-7310-4681); and that these fees cover necessary travel connections to attend said conference during the period Oct. 3 thru Oct. 9.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 17a Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

WHEREAS, the contract for the construction of the pedestrian bridge spanning Scajaquada Creek in the vicinity of Marlene Drive, awarded by Town Board Resolution dated July 18, 1994 to Donald J. Braasch Construction, Inc. in the amount of \$71,513.00, has been substantially completed in accordance with contract requirements, and

WHEREAS, the Town Engineer and the Project Consulting Engineer, Pratt & Huth Associates, have recommended the approval of Change Order No. 1 (final) for the Scajaquada Creek Pedestrian Bridge Project, which provides for the final adjustment to contract item quantities to those actually incorporated into the project, and for modifications to the north abutment and benches as outlined in the Change Order document, and in the letter of the Town Engineer dated August 16, 1995, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 for the aforementioned project in the amount of \$2,750.23 as an addition to the contract of Donald J. Braasch Construction, Inc., 1661 Lakeview Road, Lakeview, New York 14085 be and hereby is approved, and BE IT FURTHER

MEETING NO. 18
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RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 1 (final) on behalf of this Town Board.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 17b Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, on May 3, 1993 this Town Board awarded the contract for the Sewer Maintenance Garage Restoration Project, Contract B, Heating & Ventilating, to Allied Mechanical, Inc. for the total sum of \$48,226.00, and

WHEREAS, due to the default of the General Contractor, Baker Development and Construction Company under Contract A for the subject project, and the delays by the surety in progressing this project to facilitate the ability to complete Contract B, Allied Mechanical, Inc. was required to maintain insurance coverages as required under the contract for a period exceeding one (1) year beyond the contractually scheduled completion date, and

WHEREAS, the Town Engineer and the Project Consulting Engineer, Nussbaumer & Clarke, Inc. have recommended the approval of Change Order #B-2 (final) which provides for compensation to allied Mechanical, Inc. for payment of the premium for the extension of insurance coverage, the cost of which will be deducted from monies owed the General Contractor under Contract A during the close-out of Contract A, and

Item No. 17b cont'd

WHEREAS, Allied Mechanical, Inc. has executed the project close-out documents for Contract B consisting of the forms of Guarantee, Contractor's Affidavit of Release of Liens, Form of Affidavit for Final Payment and Engineer's Statement of Completion and has submitted the Consent of Surety for final payment, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #B-2 in the amount of \$547.00 as an increase to the contract of Allied Mechanical, Inc., 531 Virginia Street, Buffalo, New York 14202 be approved, and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order #B-2 on behalf of this Town Board, and BE IT FURTHER

RESOLVED, that funding in the amount of \$547.00 shall be chargeable to Account No. 2500-8125-1930, and BE IT FURTHER

RESOLVED, that Contract B is hereby deemed complete in accordance with the contract plans and specifications and the Supervisor, on behalf of this Town Board, is further authorized and directed to execute the Statement of Completion for said Contract B.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

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

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

GENERAL FUND

**MEETING NO. 18
August 21, 1995**

FROM:	0100-1220-1370 Systems Analyst	\$15,000.00
	0100-7140-1621 Umpires & Referees	3,000.00
	0100-7140-1639 Hockey	2,000.00
	0100-7140-1625 Lacrosse	1,500.00
	0100-7180-1903 Lifeguards	3,000.00
	0100-7180-1903 Lifeguards	3,000.00
TO:	0100-8540-4586 Raymond Park Drainage	\$15,000.00
	0100-7140-1651 Theater	3,000.00
	0100-7140-1636 Soccer	2,000.00
	0100-7140-1642 Tennis	1,500.00
	0100-7180-1901 Bathhouse Attendants	3,000.00
	0100-7180-1902 Supervisors-Beach & Pool	3,000.00

HIGHWAY FUND

FROM:	0300-5141-1491 Part-time Laborer	\$ 4,000.00
TO:	0300-5141-1391 Part-time Clerk	\$ 4,000.00

COMMUNITY DEVELOPMENT FUND

FROM:	0700-5093-0675 Handicapped Access Ramp	\$ 4,361.91
TO:	0700-5093-0770 Senior Services Center	\$ 4,361.91

SPECIAL DISTRICTS FUND

FROM:	2500-8135-2509 Cargo Van	\$4,500.00
TO:	2500-8135-2507 Electronic Ballasts	\$4,500.00

Item No. 18 cont'd

PART-TOWN FUND

FROM:	0800-3620-1750 Assistant Housing Inspector	\$29,000.00
TO:	0800-3620-1700 Housing Inspector	\$29,000.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
 NAYES: 0
 ABSENT: Councilman Wielinski

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to August 18, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$150,398.53
HIGHWAY FUND	16,273.09
TRUST & AGENCY	3,431.42
PART TOWN FUND	1,432.93
RISK RETENTION FUND	16,110.67
CDBG HUD FUND	168.19
HUD REHABILITATION FUND	5,779.84
SPECIAL- DISTRICTS FUND	35,708.23
CAPITAL FUND	<u>598,027.39</u>
	<u>\$827,330.29</u>

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
 NAYES: 0
 ABSENT: Councilman Wielinski

MEETING NO. 18
August 21, 1995

III. DEPARTMENTAL COMMUNICATIONS

- Item No. 20** Supervisor's Statement of Funds - June, 1995
Received and Filed.
- Item No. 21a** Minutes of Meeting - Cheektowaga Library Board - May 24, 1995
Received and Filed.
- Item No. 21b** Minutes of Meeting - Cheektowaga Planning Board - July 13, 1995.
Received and Filed
- Item No. 21c** Minutes of Meeting - Cheektowaga Traffic Safety Commission - July 18, 1995
Received and Filed.

IV. GENERAL COMMUNICATIONS

- Item No. 22a** Notice of Claim - Richard & Dawn Thurnherr, parents of Jennifer, infant vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Allied Claims, Insurance Carrier.
Received and Filed.
- Item No. 22b** Notice of Claim - Janine Szretter vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed.
- Item No. 23** Notice of Motion - Janice L. Kowalski-Kelly vs Dennis Gabryszak, Supervisor and Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Town Board Members.
Received and Filed.
- Item No. 24** Summons & Complaint - Janice L. Kowalski-Kelly vs Town of Cheektowaga and Dennis Gabryszak, Supervisor
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Town Board Members.
Received and Filed.
- Item No. 25a** Notice of Petition - Avis Rent-A-Car, Inc. vs Town Assessor, Board of Assessment Review
Received and Filed.
- Item No. 25b** Notice of Petition - Bridgestone/Firestone, Inc. vs Town Assessor, Board of Assessment Review
Received and Filed.
- Item No. 25c** Notice of Petition - 600 Cayuga Road, Inc. vs Town Assessor, Board of Assessment Review
Received and Filed.
- item No. 25d** Notice of Petition - Con-Way Central Express, Inc. vs Town Assessor, Board of Assessment Review

**MEETING NO. 18
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Received and Filed.

Item No. 25e Notice of Petition - Cook Moving Systems, Inc. vs Town Assessor, Board of Assessment Review
Received and Filed.

Item No. 25f Notice of Petition - Empire State Storage Associates, LP vs Town Assessor, Board of Assessment Review
Received and Filed.

Item No. 25g Notice of Petition - Falling's Furniture Showrooms vs Town Assessor, Board of Assessment Review
Received and Filed.

Item No. 25h Notice of Petition - Friendly Ice Cream Corp. vs Town Assessor, Board of Assessment Review
Received and Filed.

Item No. 25i Notice of Petition - King Pin Enterprises. Inc. vs Town Assessor, Board of Assessment Review
Received and Filed.

V. SUSPENSION OF RULES

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 26 Motion by Councilmember Blachowski, Seconded by Councilmember Rogowski

WHEREAS, the New York State Disaster Preparedness Commission will be sponsoring its annual conference from September 10-13, 1995 in Albany, New York, and

WHEREAS, the Town's Disaster Coordinator has requested permission to attend this conference, and

WHEREAS, attendance at this conference will enable the Town's Disaster Coordinator to keep up-to-date on matters of natural and man-made disasters, and

WHEREAS, the New York State Emergency Management Office will pay one-half of the cost of this conference, NOW, THEREFORE, BE IT

RESOLVED, that Earl Loder be and hereby is authorized to attend the aforementioned conference, and BE IT FURTHER

RESOLVED, that the Town shall pay an amount not to exceed \$250.00 for the cost of this conference from budget line item number 0100-1220-4008.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

MEETING NO. 18
August 21, 1995

Item No. 27 Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

WHEREAS, the Town previously appointed Paul Marchewka as Recreation Supervisor on a provisional basis, pending the establishment of a valid competitive Civil Service list for said position, and

WHEREAS, such competitive list has now been established by the Erie County Department of Personnel and Paul Marchewka is listed as an eligible candidate, NOW, THEREFORE, BE IT

RESOLVED, that Paul Marchewka be and hereby is permanently appointed to the position of Recreation Supervisor in the Youth and Recreational Services Department effective immediately.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

Item No. 28 Motion by Councilmember Blachowski, Seconded by Supervisor Gabryszak

WHEREAS, Walter Grenda, Jr. has petitioned for the rezoning from R-Residential District to NS-Neighborhood Services District of property owned by him and located at [REDACTED] Cheektowaga, New York, which property is more particularly described in the attached legal description, and

Item No. 28 cont'd

WHEREAS, a public hearing on such petition was held before this Town Board on the 21st day of August, 1995 at 6:30 P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law") and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, and

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

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga," has duly considered the application for the aforementioned rezoning has recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment, NOW, THEREFORE, BE IT

RESOLVED, that the application of Walter Grenda, Jr. for the rezoning from R-Residential District to NS-Neighborhood Services District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, and Johnson
NAYES: 0
ABSENT: Councilman Wielinski

**SEE NEXT PAGE(S) for ATTACHMENT

AFFIDAVIT - NEXT PAGE

MEETING NO. 18
August 21, 1995

Item No. 29 Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Town is in the process of constructing a new library known as the Julia Boyer Reinstein Library on Losson Road in the Town, and

WHEREAS, natural gas service needs to be connected to such building, and

WHEREAS, National Fuel Gas Distribution Corporation has requested a right of way to construct a line to service such building, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Right of Way to service the proposed library building, and BE IT FURTHER

RESOLVED that the granting of this right of way is subject to permissive referendum under Section 64(2) of the Town Law, and BE IT FURTHER

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



NOTICE OF ADOPTION OF RESOLUTION

SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on August 21, 1995, adopted a resolution authorizing the granting of a right of way for the construction and maintenance of a natural gas line and appurtenances over and across property owned by the Town of Cheektowaga located at 1030 Losson Road (proposed Julia Boyer Reinstein Library) in the Town of Cheektowaga.

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

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

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

Dated: August 21, 1995

**MEETING NO. 18
August 21, 1995**

**RICHARD M. MOLESKI
Town Clerk**

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
and Johnson

NAYES: 0

ABSENT: Councilman Wielinski

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

AFFIDAVIT - NEXT PAGE

Item No. 30 Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski
to adjourn the meeting.

**RICHARD M. MOLESKI
Town Clerk**

**TOWN OF CHEEKTOWAGA
MEETING NO. 18A
September 1, 1995**

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of September, 1995 at 5:30 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilmember Richard B. Solecki
Councilmember William P. Rogowski
Councilmember Jacqueline A. Blachowski
Councilmember Thomas M. Johnson, Jr.
Councilmember William L. Wielinski

ABSENT: Councilmember Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Bob McCarthy, Director of Employee Relations.

I. FROM THE TABLE

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

WHEREAS, the New York State Legislature adopted, and the Governor signed into Law, Chapter 12 of the Laws of 1995, which authorizes local municipalities to provide a retirement incentive for certain town employees, and

WHEREAS, Chapter 12 of the Laws of 1995 requires the Town of Cheektowaga to enact a Local Law to provide such early retirement incentive, and

WHEREAS, a public hearing was held on the 21st day of August, 1995 at 7:00 P.M., at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law No. 1 of the Year 1995 entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 12, Laws of 1995 for the eligible employees of the Town of Cheektowaga", and

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

WHEREAS, this Town Board feels it is in the Town's interests to adopt such local law, NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 1 of the Year 1995, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 12, Laws of 1995, for the eligible employees for 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 the Town Clerk shall file one (1) certified copy of this local law in his office, one (1) certified copy with the Secretary of State and one (1) certified copy with the New York State and Local Retirement Systems, Employees' Retirement System, and BE IT FURTHER

RESOLVED, that Local Law No. 1 of the Year 1995 shall take effect upon filing with the Secretary of State.

Item No. 2 cont'd

AYES: Supervisor Gabryszak, Councilmembers Solecki, Rogowski, Blachowski, Johnson, and
Wielinski
NAYES: 0
ABSENT: Councilmember Jaworowicz

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 3 Motion by Councilmember Wielinski, Seconded by Unanimous

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 AFL-CIO and United Way have made application to hold a parade on Monday, September 4, 1995, on Harlem Road between Walden Avenue and Cheektowaga Town Park, and

WHEREAS, this Board has reviewed the application submitted by the AFL-CIO and United Way, which application has been approved by the Police Department, and has no objection to same, and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the AFL-CIO and United Way for their parade to be held on September 4, 1995, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Solecki, Rogowski, Blachowski, Johnson, and Wielinski

NAYES: 0

ABSENT: Councilmember Jaworowicz

Item No. 4 Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Niagara Frontier Transportation Authority ("NFTA") is proceeding with a construction project to expand the Greater Buffalo International Airport ("GBIA"), and

WHEREAS, the Buffalo Building and Construction Trades Council, a local labor organization, has requested the NFTA to support a project labor agreement to guarantee that local workers with union representation perform the work for this project, and

WHEREAS, this Town Board supports the position of the Buffalo Building and Construction Trades Council since the project labor agreement would help the local economy, increase employment in the Western New York area, and support local labor unions, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NFTA to approve the project labor agreement as proposed by the Buffalo Building and Construction Trades Council, for the GBIA expansion project, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the NFTA Board of Commissioners, U.S. Senators Alfonse M. D'Amato and Daniel P. Moynihan, Congressman Jack Quinn, and the Buffalo Building and Construction Trades Council.

Item No. 4 cont'd

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmembers Solecki, Rogowski, Blachowski, Johnson, and Wielinski

NAYES: 0

ABSENT: Councilmember Jaworowicz

Item No. 5 Motion by Councilmember Wielinski, Seconded by Councilmember Blachowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
SEPTEMBER 5, 1995**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of September, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilmember Patricia A. Jaworowicz
Councilmember Richard B. Solecki
Councilmember William P. Rogowski
Councilmember Jacqueline A. Blachowski
Councilmember Thomas M. Johnson, Jr.
Councilmember William L. Wielinski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James Kirisits, Town Attorney; Bill Pugh, Town Engineer; Salvatore LaGreca, Chairman of Planning Board; Bruce Chamberlin, Chief of Police; Ronald Marten, Building & Plumbing Department; and Robert Kaczmarek, Supervising Accountant.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of amending the Ambulance Services Ordinance (Chapter 4 A of the Code of the Town of Cheektowaga), hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said Proposed Local Law being as follows:

Section 4 A-6. Application for driver/attendant's license

A. Applications for licenses for a driver/attendant shall be made upon forms to be provided by the Town Clerk and shall contain such information as the Town Clerk and EMS Board shall deem reasonably necessary, in addition to meeting the following requirements and qualifications:

(1) Each applicant for a license as a driver/attendant shall submit to a criminal history investigation by the Cheektowaga Police Department. As part of such investigation, said applicant shall supply his her fingerprints. Such fingerprints shall be forwarded to the Division of Criminal Justice Services (DCJS), along with the appropriate processing fee. All processing fees shall be paid by the applicant. The only authorized method of payment will be a United States Postal, American Express or Travelers Express Money Order made out to DCJS. A license will not be granted to a driver/attendant convicted of a felony, any offense relating to theft, insurance fraud, offenses or a series of convictions for traffic offenses that would indicate a pattern of disregard for vehicle or personal safety. The record checks will determine if the applicant meets the criteria established in §4 A-13A and B and shall:

(a) Submit satisfactory proof of completion of the minimum requirements imposed by the State of New York

Item No. 2 cont'd.

- (b) Submit a current certificate of completion of an EMT course to the EMS Board.

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

II. RESOLUTIONS

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

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

GENERAL FUND

From:	0100-9501-9211	Bond Interest	\$ 1,200.00
	0100-9501-9211	Bond Interest	5,400.00
	0100-9501-9211	Bond Interest	4,330.00
	0100-9501-9131	Bond Principal	54,000.00
	0100-9501-9211	Bond Interest	4,000.00
	0100-3120-1351	Senior Clerk	14,000.00
	0100-3120-1374	Clerk Typist	12,500.00
	0100-3120-1501	Captain	5,000.00
	0100-3120-2209	Bike Patrol Equipment	3,000.00
	0100-7110-4491	Special Events	2,000.00
	0100-7110-4454	Portable Toilets	4,000.00
	0100-7110-4022	Supplies	2,000.00
To:	0100-1220-1308	Supervising Accountant	50.00
	0100-6250-1952	Director JTPA	200.00
	0100-7310-1114	Executive Director-Youth and Recreation	200.00
	0100-1355-1101	Assessor	200.00
	0100-9999-1123	HUD Wages	200.00
	0100-1440-1105	Town Engineer	200.00
	0100-7620-1121	Senior Citizens Director	150.00
	0100-1625-1203	Working Crew Chief	200.00
	0100-1640-1201	General Crew Chief	200.00
	0100-1640-1202	Auto Mechanic Crew Chief	200.00
	0100-3020-1565	Senior Dispatcher	4,200.00
	0100-7110-1201	General Crew Chief	200.00
	0100-7110-1203	Working Crew Chief	400.00
	0100-1910-1989	Property Improvements	4,330.00
	0100-9010-8171	Dental Insurance	58,000.00
	0100-3120-1541	Patrolmen	22,000.00
	0100-3020-4431	Equipment Repair & Maintenance	4,500.00
	0100-3020-4029	Printer & Copies Supplies	3,000.00
	0100-3120-4093	Training	5,000.00
	0100-7110-4451	Building & Grounds Maintenance & Repairs	2,000.00
	0100-7110-4451	Building & Grounds Maintenance & Repairs	4,000.00
	0100-7110-4162	Gasoline	2,000.00

CAPITAL FUND

From:	5502-7620-9502	Senior Center Parking Lot	\$ 2,600.00
	5504-1910-5031	Transfers-In	2,600.00
To:	5504-7620-9508	Senior Center Roofing	2,600.00
	5502-9950-9901	Transfers-Out	2,600.00

PART-TOWN FUND

From:	0800-3620-4321	Computer Expense	\$ 1,000.00
	0800-4010-4028	Supplies	200.00

Item No. 3 cont'd.

PART-TOWN FUND cont'd.

To:	0800-3620-4191	Miscellaneous Expense	\$ 1,000.00
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0800-3620-1110 Supervisory-Building & Plumbing 200.00

HIGHWAY FUND

From: 0300-9501-9211 Bond Interest \$ 1,150.00

To: 0300-5141-1202 Working Crew Chief 800.00
 0300-5141-1202 Auto Mechanic Chief 150.00
 0300-5141-1201 General Crew Chief 200.00

SPECIAL DISTRICTS FUND

From: 2500-8125-9201 Bond Interest \$ 950.00

To: 2500-8135-1201 Supervisor Treatment Plant 200.00
 2500-8135-1301 Assistant Supervisor Treatment Plant 150.00
 2500-8125-1201 General Crew Chief 200.00
 2500-8125-1202 Working Crew Chief 400.00

From: 1500-8160-9211 Bond Interest 600.00

To: 1500-8160-1205 Assistant Foremen 400.00
 1500-8160-1124 General Foreman 200.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
 Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to September 1, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$206,907.00
HIGHWAY FUND	40,730.54
TRUST & AGENCY	21,902.46
PART TOWN FUND	14,354.54
RISK RETENTION FUND	24,370.83
CDBG HOME PROGRAM FUND	69,740.20
NYS HOME PROGRAM FUND	250.27
HUD REHABILITATION FUND	2,066.00
SPECIAL DISTRICTS FUND	90,342.20
CAPITAL FUND	<u>332,016.18</u>
	\$802,680.22

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
 Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

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

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

Item No. 5 cont'd.

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

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

WHEREAS, an application was submitted by Frank J. Willand to rezone from MS-Motor Service District to CM-General Commercial District the property known as 4589 Genesee Street for the purpose of establishing an electrical contractors office and parking area, AND

WHEREAS, the "EAC", at its meeting held on August 30, 1995 rendered the determination shown on the attached memo dated August 31, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the "EAC" 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 SEQRA.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, C. Irving Smith has petitioned for the rezoning from MS-Motor Service District to CM-General Commercial District of property owned by him and located at [REDACTED], Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

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WHEREAS, a public hearing on such petition was held on such petition before this Town Board on the 5th day of September, 1995 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

WHEREAS, the Environmental Advisory Committee of the Town of Cheektowaga, pursuant to the "Environmental Impact Review Ordinance of the Town of Cheektowaga", has also duly considered the application for the aforementioned rezoning, and has recommended that this Town Board issue a determination that such rezoning will not have a significant effect on the environment, AND

NOW, THEREFORE, BE IT RESOLVED, that the application of C. Irving Smith for the rezoning from MS-Motor Service District to CM-General Commercial District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 7 Motion by Councilmember Blachowski Seconded by Councilmember Jaworowicz

WHEREAS, on the 7th day of May, 1984 this Town Board adopted an ordinance relating to ambulances now known as Chapter 4A of the Code of the Town of Cheektowaga ("Ambulance Services Ordinance"), which, among other things provides for the licensing of all ambulances and drivers/attendants operating in the Town of Cheektowaga and for the creation of an Emergency Medical Services Board ("EMS Board"), AND

WHEREAS, a public hearing concerning such amendments was duly held on September 5, 1995 at which time the public was afforded the opportunity to discuss such amendments, all in accordance with the provisions of the Town Law, AND

WHEREAS, the Town Board has reviewed such recommendations and wishes to amend the Ambulance Services Ordinance to incorporate such recommendations, NOW, THEREFORE, BE IT

RESOLVED, that the Ambulance Services Ordinance shall be and hereby is amended as follows:

Section 4 A-6. Application for driver/attendant's license

A. Applications for licenses for a driver/attendant shall be made upon forms to be provided by the Town Clerk and shall contain such information as the Town Clerk and EMS Board shall deem reasonably necessary, in addition to meeting the following requirements and qualifications:

- (1) Each applicant for a license as a driver/attendant shall submit to a criminal history investigation by the Cheektowaga Police Department. As part of such investigation, said applicant shall supply his/her fingerprints. Such fingerprints shall be forwarded to the Division of Criminal Justice Services (DCJS), along with the appropriate processing fee. All processing fees shall be paid by the applicant. The only authorized method of payment will be a United States Postal, American Express or Travelers Express Money Order made out to DCJS. A license will not be granted to a driver/attendant convicted of a felony, any offense relating to theft, insurance fraud, offenses or a series of convictions for traffic offenses that would indicate a pattern of disregard for vehicle or personal safety. The record checks will determine if the applicant meets the criteria established in §4 A-13A and B and shall:
 - (a) Submit satisfactory proof of completion of the minimum requirements imposed by the State of New York
 - (b) Submit a current certificate of completion of an EMT course to the EMS Board.

and, BE IT FURTHER

RESOLVED, that a copy of this resolution be entered in the minutes of the Town Board of the Town of Cheektowaga held on May 4, 1987 and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of Cheektowaga and having a general circulation therein, and BE IT FURTHER

RESOLVED, that the aforementioned amendments to the Ambulance Ordinance of the Town of Cheektowaga, New York shall take effect ten (10) days after said publication.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 8 Motion by Councilmember Blachowski, Second by Councilmember Jaworowicz

WHEREAS, on May 7, 1984, the Ambulance Services Ordinance of the Town of Cheektowaga was entered to require licensing of ambulances and their drivers and attendants, AND

WHEREAS, by resolution dated November 5, 1984, application/license fees for ambulance and drivers/attendants under such ordinance were established, AND

WHEREAS, the Cheektowaga Police Department has recommended that such fees be changed, NOW, THEREFORE, BE IT

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RESOLVED, that application/license fees for ambulances and drivers/attendants be established as follows:

Ambulances	\$20.00 per ambulance
Drivers/Attendants	\$20.00 per driver/attendant

and, BE IT FURTHER

RESOLVED, that said fees shall also be required for the renewals of said licenses, and BE IT FURTHER

RESOLVED, that these fees shall be effective upon the effective date of the amendments to Section 4A-6 of the Ambulance Services Ordinance adopted by resolution dated September 5, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 9 Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

WHEREAS, bids were duly received by this Town Board at a bid opening held on August 23, 1995, for the furnishing of fuel, oil, gas, lubricants, etc. for use by the various Town of Cheektowaga departments and as a result of advertising thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bids be awarded to American Lubricants Inc., 619 Bailey Avenue, Buffalo, New York 14206 for Items D through Q and T. F. Kurk, Inc., 2130 Clinton Street, Buffalo, New York 14206 for Items A through C, as per tabulation attached.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 10 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated August 21, 1995, this Town Board retained Nussbaumer & Clarke, Inc. for the preparation of plans and specifications and for provision of services during construction for converting three sludge digester structures located at the Plant #5 site into garage and storage facilities for use by the Sewer Maintenance Department, AND

WHEREAS, the cost for such services were incorrectly stated in such resolution as being \$18,800, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution be and hereby is amended to state that the cost for such consulting services shall be in an amount not to exceed \$18,400.

Meeting No. 19
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Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, the YMCA of Greater Buffalo, in conjunction with NFL Properties, Inc., and Gatorade, has requested to utilize the Airlines Junior Football field in Stiglmeier Park on Saturday, September 16, 1995 from 9:00 a.m. to 12:00 noon to hold its annual Punt, Pass and Kick Competition, AND

WHEREAS, the YMCA of Greater Buffalo will provide the Town with proof of adequate liability insurance coverage for this event and have agreed to indemnify and save harmless the Town from any liability resulting from such competition, AND

WHEREAS, this Town Board feels that this competition is for a worthy cause and will not interfere with the use of the park by others, NOW, THEREFORE, BE IT

RESOLVED, that the YMCA of Greater Buffalo be and hereby is granted permission to use to the Airlines Junior Football Field and adjoining areas for its annual Punt, Pass and Kick Competition on Saturday, September 16, 1995 from 9:00 a.m. to 12:00 noon and, BE IT FURTHER

RESOLVED, that the organizers of this event be requested to contact the Directors of the Facilities and Youth and Recreational Services Departments to make arrangements for such competition, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to the Facilities and Youth and Recreational Services Department's directors.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

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 Clergy Association has made application to hold the 1995 Cheektowaga Crop Walk on October 22, 1995 on Cleveland Drive, Harlem Road, Maryvale Drive, Union Road and other roadways in the Town, AND

Item No. 12 cont'd.

WHEREAS, up to 25% of the funds raised by CWS and CCA may be returned to local agencies for programs such as meals on Wheels and other programs involved with feeding hungry people, AND

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

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

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

3. 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 Clergy Association for the Cheektowaga Crop Walk to be held on October 22, 1995, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Councilmember Blachowski, Second by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on property located [REDACTED] Cheektowaga, New York, SBL #92.09-4-2 and according to the Assessor's Office is owned by Mr. and Mrs. Joseph S. Matuszewski, [REDACTED], Buffalo, New York 1 [REDACTED], AND

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, Neth & Son, Inc., has submitted Change Order #1 for removal and replacement of plywood deck associated with Roof Replacement at the Senior Citizens Center, AND

WHEREAS, Change Order #1 required removal and replacement of 1792 sq. ft. of ½", pressure treated plywood at the bid price of \$1.50 per sq. ft. totaling \$2,688.00, AND

Item No. 14a cont'd.

WHEREAS, Scaffidi & Moore Architects and the Facilities Department Director have verified the total square footage of deck replacement, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order #1 in the amount of \$2,688.00 as submitted by Neth & Son, Inc., 146 Taylor Drive, Depew, New York 14043 for deck replacement at the Senior Citizens Center and, BE IT FURTHER

RESOLVED, that funds are available from Capital Account Number 5504-7620-9508.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, Neth & Son, Inc. has submitted Change Order #2 for additional Masonry Repairs at the Senior Citizens Center and Police and Court Building, AND

WHEREAS, Change Order #2 requires pointing and caulking at thirteen specified areas at the Senior Citizens Center and Police and Court Building, AND

WHEREAS, Scaffidi & Moore Architects and the Facilities Department Director have reviewed the sites and approved the proposal for Masonry Repairs, AND

WHEREAS, said Change Order #2 for \$3,464.00 to Neth & Son Inc. is contingent upon the Town Board's approval of a Transfer of Funds from Capital Improvement Account #5502.7602.9502 to #5504.7620.9508, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby approves Change Order #2 as submitted by Neth & Son Inc., 146 Taylor Drive, Depew, New York 14043 in the amount of \$3,464.00 for Masonry Repairs at the Cheektowaga Senior Citizens Center and Police and Court Building.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 14c Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, Scaffidi & Moore Architects has performed additional services related to Roof Replacement Work at the Cheektowaga Senior Citizens Center, AND

WHEREAS, the Standard Form of Agreement, Article 11.3.2, Additional Services, requires a Town Board Resolution to complete said services as permitted by Articles 3.1.1 and 3.3.3, AND

WHEREAS, Article 11.3.2 provided a fee of \$100.00 per hour for additional services, AND

WHEREAS, Scaffidi & Moore Architects has estimated that six (6) hours was required for additional services at the Senior Citizens Center and Police and Court Building for deck replacement and masonry repairs, AND

WHEREAS, the Facilities Department Director has reviewed the proposed submitted by Scaffidi & Moore Architects as being equitable and in the best interest of the Town, NOW, THEREFORE BE IT

Item No. 14c cont'd.

RESOLVED, that the Cheektowaga Town Board hereby approves payment in the amount of \$600.00 to Scaffidi & Moore Architects, 4535 Bailey Avenue, Buffalo, New York 14226 for additional professional services related to Roof Replacement the Senior Citizens Center, AND BE IT FURTHER

RESOLVED, that funds are available from Capital Improvement Account #5504-7620-9508.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 14d Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, Contract "D", electrical for the Julia Boyer Reinstein Library was awarded by Town Board Resolution dated October 25, 1994 to CIR Electrical Company, Inc. in the amount of \$256,300.00, AND

WHEREAS, Library Director, Elaine C. Mahaney, has requested the installation of a range in the staff room and three electric hand dryers, one for each toilet room for purposes as noted on the attached letter dated August 21, 1995, AND

RESOLVED, Foit Albert has submitted and recommended approval of Change Order #D-02 for the installation of electrical wiring for the hand dryers and range for the library project as an addition to the electrical contract, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #D-02 for the addition of electrical wiring for three hand dryers and one range to the contract of CIR Electrical Company, Inc., 1067 Harlem Road, Buffalo, New York 14227 in the amount of \$1,410.00 be and hereby is approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order #D-02 on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that funding for Change Order #D-02 shall be chargeable to Account #5403-1220-9409.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, this Town Board, by resolution dated November 2, 1992, awarded the contract for the Replacement and Upgrading of the Process Controller at the Main Pump Station to Ferguson Electric Construction Company Inc., 333 Ellicott Street, Buffalo, New York 14202 in the amount of \$51,099.00, AND

WHEREAS, the Town Engineer and the consulting firm of Nussbaumer & Clarke, Inc. have advised that the work under the aforesaid contract has been completed in accordance with the contract requirements, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board agrees with the recommendation of the Town Engineer, and hereby accepts the completed project, and hereby authorizes and directs the Supervisor and directs the Supervisor to sign the final contract acceptance documents with Ferguson Electric Construction Company Inc., including Change Order No. A-1 which provides for a zero (0) increase/decrease to this contract.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15b Authorize Supervisor to Execute Agreement Permitting Entry on Property with APU
This item was withdrawn.

Item No. 15c Motion by Councilmember Jaworowicz, Second by Councilmember Blachowski

WHEREAS, by resolutions dated December 7, 1992 and June 6, 1994 this Town Board authorized the Supervisor to execute Indemnification Agreements with the Cheektowaga Veterinary Clinic and Dr. Michael Keem, D.V.M. in order for them to supply the Town Dog Control Officer with certain tranquilizer drugs, AND

WHEREAS, the Dog Control Officer has notified this Town Board that she also needs to utilize Telazol to tranquilize sick and older dogs, AND

WHEREAS, Dr. Michael Keem and the Cheektowaga Veterinary Clinic have agreed to act as agent in dispensing/supplying such tranquilizer drug provided the Town expands the aforementioned Indemnification Agreement to include such drug, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Indemnification Agreement to indemnify Dr. Keem and the Cheektowaga Veterinary Clinic from the Town's actions in using the aforementioned drug.

Upon Roll Call....

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT



MOTION BY COUNCILMEMBER WIELINSKI, SECONDED BY COUNCILMEMBER BLACHOWSKI TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 16A AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0



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

BE IT RESOLVED, that the following employees be terminated from the Youth and Recreational Services Department as indicated:

Penny Armitage
Eric Blodgett
Tonja Glass
Candice Jankowski
Elizabeth Kreavy

Melissa Zgoda
Erin Wisniewski
Kyle Wagner
Derek Tricoli
Jason Siembida

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Sabrina Kotowski
Paula Panaszewicz
Jill Sieczkarek
Amy Snyder
Jill Szarynski
Corry Walter
Sean Zent
Neil Czerniejewski
Monica Polinski
Eric Corcoran
Mike Boczar
Nicholas Astyk
Sarah Kazukiewicz
Brian Conner
Mark Znaczk
Jeff Miller
Michael Barnhard
Jennifer Gerace
Tony Pawlowski
Michael Wyse
Nicole Derenda
Daniel Kmiotek
Erik Hansen
Craig Mahalic
Jon Bialek
Renee Kazukiewicz
Kathleen Kreil
Lori Taberski
Margaret Brezowski
Andrew Boczkowski
Elizabeth Snyder
Martin Sypniewski
Ronald Jaros
Carrie Scharmach
Jill Matuszewski
John Walkowiak
David Stoklosa
Kimberly Mahoney
Todd Loos
Jason Sprada
Keith Hansen
Andrea Solecki
Brian Roehmholdt
Andrew Kurtyko
Sandy Kaczmarek

Kimberly Couture

Dominick Selvaggio
Dennis Regan
John Petrocy
Todd Miller
Kathleen Marren
Jeffrey Kosicki
Jonathan Dutka
Robert Proehl
Shawn Paa
Jacqueline Houser
Craig Bova
Ginene Kazmierczak
Chris Dukat
Daryl Lindell
Edward Pawlowski
Kristy Przepiora
Ryan Santarini
Rachael Williams
Mark Przybysz
Christopher Weipert
Timothy Jankowiak
Juliette Nowak
Brian Gould
Tim Skrzydlewski
Beth Kawczynski
Amy Owens
Jill Glijer
Amy Garbacz
Sarah Garcea
Carrie Burnicki
Heather Solecki
Gary Tytka
Joshua Johnson

David Backes
Jeffrey Pula
Scott Syroczyński
Eric Kazukiewicz
Mark Bechtel
Heather Desimone
Amy Dauscher
Jennifer Dembinski
Brian Zimmer
Kristin Howlett
Robert Hurd

Item No. 16a cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0



MOTION BY COUNCILMEMBER WIELINSKI, SECONDED BY COUNCILMEMBER BLACHOWSKI TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 16B, AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0



Item No. 16b Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the following SEASONAL and PART-TIME employees be and hereby are terminated as listed:

	<u>EFFECTIVE</u>
<u>POLICE DEPARTMENT</u>	
Traci Howlett	Immediately
Nadine Bucolo	"
Lynn Piscitello	"
<u>MAIN PUMP STATION</u>	
Vito LaBarbara	07/12/95
Aaron Kuczmarski	08/24/95
<u>SANITATION DEPARTMENT</u>	
Nancy Ruhl	08/19/95
<u>RECYCLING DEPARTMENT</u>	
Ara Rustowicz	08/31/95
Jeffrey Rogowski	08/18/95
Michael Adamski	08/18/95
Lawrence Alesski	08/18/95
<u>FACILITIES DEPARTMENT</u>	
Patrick Chludzinski	Immediately
David Szczepanek	"
Robert Stoklosa	"
Rodo Iozzis	"
Robert Stachewicz	"
Jarrett Sinclair	"
Todd Corcoran	"
Randall Boersma	"
Justin Keating	"
Kenneth Bednasz	"

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED, that the following Youth and Recreational employees be transferred as indicated (Seasonal to Part-Time):

From Soccer (7140.1636) to Hockey (7140.1639)

Lynne Butts

From Soccer (7140.1636) to Rink Personnel (7140.1611)

Cher Stucke

From Softball (7140.1633) to Rink Personnel (7140.1611)

Scott Fleetwood

From Sports Rotation (7140.1645) to Pre-K (7140.1664)

Cheryl Ostempowski
Tammy Ozolins

From Crafts Rotation (7140.1648) to Xtraordinary Art (7140.1613)

Stephanie King

From Crafts Rotation (7140.1648) to TGIF (7140.1614)

Ginger Schwartz

From Sports Rotation (7140.1645) to Xtraordinary Art (7140.1613)

Lynn Kopra

From Recreation Attendant III - 7140.1632 - to Recreational Attendant IV \$5.00 - 7310.1814/7140.1614

Tammy Schumacher

From Recreation Attendant V - 7140.1631 - to Recreation Leader III - \$5.75 7310.1814/7140.1614

Paul Rokitka

From Seasonal to Part-Time (7140.1651)

Joseph Bucheker
Joanne Haas
Camille Kazmierczak
Bonnie Nowicki
Leanne Ventura

From Seasonal to Part-Time (7140.1664)

Laila Desjardins

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 18 Motion by Councilmember Wielinski, Seconded by Councilmember Solecki

BE IT RESOLVED, that John Zyla, who had been serving as a temporary General mechanic in the Facilities Department, be and hereby is returned to his former position of Laborer's Aide in the Recycling Department, effective August 17, 1995.

Item No. 18 cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 19a Motion by Councilmember Wielinski, Seconded by Councilmember Solecki

WHEREAS, a vacancy exists in the position of Motor Equipment Operator (A) in the Sanitation Department, AND

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

WHEREAS, Mark Bolis, currently employed as a temporary Motor Equipment Operator (A) in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Mark Bolis of 1047 Beach Road, Cheektowaga, New York 14225 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 6, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,

Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 19b Motion by Councilmember Wielinski, Seconded by Councilmember Solecki

WHEREAS, a vacancy exists in the position of Motor Equipment Operator (A) in the Sanitation Department, AND

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

WHEREAS, Thomas Trzaska, currently employed as a temporary Motor Equipment Operator (A) in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Thomas Trzaska of [REDACTED], Sloan, New York 1 [REDACTED] 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 6, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 19c Motion by Councilmember Wielinski, Seconded by Councilmember Solecki

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

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

Item No. 19c cont'd.

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

RESOLVED, that Paul Stallone of [REDACTED], Cheektowaga, New York 14225 be and hereby is appointed to the position of Motor Equipment Operator (B) in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective September 6, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

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

<u>SANITATION DEPARTMENT - \$5.00 per hour Laborer</u>	<u>EFFECTIVE</u>
Ginene Kazmierczak [REDACTED]	Immediately

SANITATION DEPARTMENT - \$5.00 per hour (Clerical)

Carolyn Raimondo [REDACTED] Immediately

RECYCLING DEPARTMENT - \$5.00 per hour (Laborer)

Jeffrey Cwiklinski [REDACTED] Immediately
Eric Cadwallader [REDACTED] "

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 21 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED, that the salaries for the following Part-Time employees be and hereby are established as follows, effective August 21, 1995:

Senior Services (Van Drivers)

Randolph Skrzydlewski [REDACTED] \$6.25 per hour
John Polakiewicz [REDACTED] \$6.25 per hour

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Building Permits
Received and Filed

Item No. 23 Supervisor's Statement of Funds - July, 1995
Received and Filed

IV. GENERAL COMMUNICATIONS

Item No. 24a Notice of Claim: Sandra M. Geracci vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Jams Kirisits, Town Attorney;
Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 24b Notice of Claim: Deanne Mekarski vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;
Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 24c Notice of Claim: Sharon A. Chimera vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;
Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 24d Notice of Claim: Donald D. Fest vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney;
Sewer Maintenance Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 24e Notice of Claim: Rebecca Lesniak vs. the Town of Cheektowaga

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

- Item No. 24f Notice of Claim: Patricia A. Mack vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 24g Notice of Claim: Andrew P. Hope vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 25a Notice of Petition: F.N. Burt Co., Inc. vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Received and Filed.
- Item No. 25b Notice of Petition: C & L Parts Corp. vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Received and Filed.
- Item No. 25c Notice of Petition: Calspan Corporation vs. the Assessor and the Board of Assessment Review.
Received and Filed.
- Item No. 25d Notice of Petition: Captec Net Lease Realty Inc. vs. the Board of Assessment Review, the Assessor and the Town of Cheektowaga.
Received and Filed.
- Item No. 25e Notice of Petition: Chemical Bank (fka) Manufactures Hanover Trust vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Received and Filed.
- Item No. 25f Notice of Petition: Conax Buffalo Corp. vs. the Assessor and the Board of Assessment Review.
Received and Filed.
- Item No. 25g Notice of Petition: Domtar Industries, Inc. vs. the Assessor and the Board of Assessment Review.
Received and Filed.
- Item No. 25h Notice of Petition: Dynamic Enterprises vs. the Board of Assessment, the Assessor and the Town of Cheektowaga.
Received and Filed.
- Item No. 25i Notice of Petition: Ford Leasing Development Corp. vs the Assessor and the Town of Cheektowaga.
Received and Filed.
- Item No. 25j Notice of Petition: 4646 Genesee Street vs. the Board of Assessment Review, the Assessor and the Town of Cheektowaga.
Received and Filed.

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- Item No. 25k Notice of Petition: ITT Fluid Technology Corporation vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Received and Filed.
- Item No. 25l Notice of Petition: Industrial Realty and Funding, Inc. vs. the Board of Assessors.
Received and Filed.
- Item No. 25m Notice of Petition: Anthony Korobellis vs. the Board of Assessors.
Received and Filed.
- Item No. 25n Notice of Petition: IPFC Properties, Inc. vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Received and Filed.
- Item No. 25o Notice of Petition: William T. McMullen vs. the Board of Assessment Review and the Assessor.
Received and Filed.
- Item No. 25p Notice of Petition: Miken Companies vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Received and Filed.
- Item No. 25q Notice of Petition: Multi Wellesley Hotel, L.P. vs. the Assessor and the Town of Cheektowaga.
Received and Filed.
- Item No. 25r Notice of Petition: New Creation Fellowship of Buffalo vs. the Board of Assessment Review and the Assessor.
Received and Filed.
- Item No. 25s Notice of Petition: New York State Electric & Gas Corporation vs. the Board of Assessors.
Received and Filed.
- Item No. 25t Notice of Petition: New York Telephone Company vs. the Town of Cheektowaga, the Assessor and the Board of Assessment Review.
Received and Filed.
- Item No. 25u Notice of Petition: Joseph S. Nicosia vs. the Town of Cheektowaga, the Assessor and the Board of Assessment Review.
Received and Filed.
- Item No. 25v Notice of Petition: NOCO Motor Fuels, Inc. vs. the Assessor and the Board of Assessment Review.
Received and Filed.
- Item No. 25w Notice of Petition: NOCO Motor Fuels, Inc. vs the Assessor and the Board of Assessment Review.
Received and Filed.
- Item No. 25x Notice of Petition: The Price Company vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Received and Filed.
- Item No. 25y Notice of Petition: Realstar Management Co. vs. the Assessor and the Board of Assessment Review.

Received and Filed.

Item No. 25z Notice of Petition: Reichold Chemicals/Sun Chemical Corporation vs. the Assessor, the Board of Assessment Review and the Town of Cheektowaga.
Received and Filed.

Item No. 25aa Notice of Petition: Rite Aid of New York Inc. vs. the Board of Assessment Review, the Assessor and the Town of Cheektowaga.
Received and Filed.

Item No. 25bb Notice of Petition: Sonwil Distribution Center, Inc. vs. the Board of Assessment Review, the Assessor and the Town of Cheektowaga.
Received and Filed.

Item No. 25cc Notice of Petition: TNT Red Star Express vs. the Assessor and the Town of Cheektowaga.
Received and Filed.

Item No. 25dd Notice of Petition: United Refining Company of Pennsylvania vs. the Assessor and the Board of Assessment Review.
Received and Filed.

Item No. 25ee Notice of Petition: Upstate Milk Cooperatives, Inc. vs. the Assessor and the Board of Assessment Review.
Received and Filed.

Item No. 26 Request to Speak: James A, Maquire, Jr. owner of Unionvale Court Apartments - Closure of Two (2) Driveways.
Received and Filed.



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

Upon Roll Call...

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0



V. SUSPENSION OF RULES

Item No. 27 Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, one of New York State's requirements for certification of the Cheektowaga Police Department is that it have mandatory outdoor firearms qualification and training, AND

WHEREAS, until recently, the Town Police Department utilized the Erie County Firing Range in Alden, New York for firearms training, but such property is no longer available for Town use, AND

WHEREAS, the Police Department is interested in using County-owned land located at the north end of Scott Place in the Town of Cheektowaga (S.B.L. #81.04-1-20.2) for its outdoor firearms qualification and training, AND

WHEREAS, such land is suitable for firearms training due to the fact that it is in an isolated area surrounded by land that is not expected to be developed in the near future, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the County of Erie to grant permission to the Town to utilize the aforementioned land for the Town Police department's firearms qualification and training, and BE IT FURTHER

RESOLVED, that, if the County grants the Town such permission, the Town agrees to submit proof of self-insurance and to defend and indemnify the County from liability resulting from the Town's use of such land, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents in line with the terms of this resolution, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Erie County Legislature and to Mr. Stanley Keysa of the Erie County Division of Planning.



MOTION BY COUNCILMEMBER JAWOROWICZ, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 27, AND THE VOTING WAS AS FOLLOWS:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski
NAYES 0
ABSENT: 0



Item No. 27 cont'd.

AMENDED

WHEREAS, one of New York State's requirements for certification of the Cheektowaga Police Department is that it have mandatory outdoor firearms qualification and training, AND

WHEREAS, until recently, the Town Police Department utilized the Erie County Firing Range in Alden, New York for firearms training, but such property is no longer available for Town use, AND

WHEREAS, the Police Department is interested in using County-owned land located at the north end of Scott Place in the Town of Cheektowaga (S.B.L. #81.04-1-20.2) for its outdoor firearms qualification and training, AND

WHEREAS, such land is suitable for firearms training due to the fact that it is in an isolated area surrounded by land that is not expected to be developed in the near future, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the County of Erie to grant permission to the Town to utilize the aforementioned land for the Town Police Department's firearms qualification and training, and BE IT FURTHER

RESOLVED, that, if the County grants the Town such permission, the Town agrees to submit proof of self-insurance and to defend and indemnify the County from liability resulting from the Town's use of such land, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents in line with the terms of this resolution, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to all Erie County Legislators in the Town of Cheektowaga and to Mr. Stanley Keysa of the Erie County Division of Planning.

Upon roll call

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

Item No. 28 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Town Sewer Department has a surplus piece of equipment (1981 Ford Model 555 Backhoe) that it wishes to dispose of, AND

WHEREAS, Roy Teitsworth, Inc. Professional Auctioneers, has submitted a proposal wherein it would sell such equipment at public auction for 10% commission, and has agreed to guarantee that the Town will net a minimum of \$8,500 from the sale of this equipment, AND

WHEREAS, sale of surplus Town equipment is authorized by Section 64 of the Town Law and is required to be done by public auction pursuant to a Town Board resolution dated December 17, 1990, NOW, THEREFORE, BE IT

RESOLVED, that the Town hereby retains Roy Teitsworth, Inc., 6502 Barber Hill Road, Geneseo, New York 14454, as per the terms of the attached Consignment Contract and informational notice, to conduct a sale of the following Town Sewer Department Equipment, at a public sale to the highest responsible bidder on Saturday, October 14, 1995 at the Erie County Fairgrounds in Hamburg, New York:

81 Ford 555 Tractor Loader Backhoe
Vehicle I.D. #C 665248

and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Consignment Contract and any and all documents that may be required to effectuate the sale and transfer of the aforementioned equipment.

Item No. 28 cont'd.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 29 Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

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

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

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

WHEREAS, an application was submitted by The Ludwig Partnership to erect a 25,000 S.F. warehouse/office at 575-595 Ludwig Avenue, AND

WHEREAS, the "EAC", at its meeting held on August 30, 1995 rendered the determination shown on the attached memo dated August 31, 1995, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the "EAC", 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 SEQRA.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Solecki, Rogowski,
Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Meeting No. 19
September 5, 1995

Item No. 30 Motion by Supervisor Gabryszak, Seconded by Councilmember Wielinski to adjourn this meeting In memory of Scott Bakowski, President of Williamstown Senior Citizens.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 20
September 18, 1995**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 18th day of September, 1995 at 7:00 o'clock P.M., Eastern Daylight Saving Time there were:

PRESENT: Supervisor Dennis H. Gabryszak
Councilmember Patricia A. Jaworowicz
Councilmember Richard B. Solecki
Councilmember William P. Rogowski
Councilmember Jacqueline A. Blachowski
Councilmember Thomas M. Johnson, Jr.
Councilmember William L. Wielinski

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; Bill Pugh, Town Engineer; Salvatore LaGreca, Chairman of Planning Board; John Schaller, Assistant Chief of Police; Ronald Marten, Building & Plumbing Department; William Conway, Sole Assessor; Robert McCarthy, Director of Employee Relations.

I. RESOLUTIONS

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

WHEREAS, the Niagara Frontier Transportation Authority ("NFTA") owns property in and around the Greater Buffalo International Airport ("GBIA") in the Town of Cheektowaga, and

WHEREAS, a portion of this property is exempt from real property taxation under the Public Authorities Law of the State of New York, and

WHEREAS, however, some of the NFTA property is used for non-transportation purposes and is not exempt from taxation, and

WHEREAS, pursuant to Section 1299-r of the Public Authorities Law, the NFTA property which is used for non-transportation purposes is subject to assessment and the NFTA must annually, in lieu of taxes, make payment to the Town in an amount of money commensurate with the assessment on the property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby directs the Town's Supervising Accountant to prepare and forward to the NFTA appropriate statements, based on the assessments placed on the following parcels, for payments-in-lieu-of-taxes in accordance with Section 1299-r of the Public Authorities Law, for the following properties:

Tax Parcel No. 92.01-1-3.1/K (Sierra Plant #3)

Tax Parcel No. 92.01-1-3.1/C (Calspan)

Tax Parcel No. 92.01-1-3.1/B (Sierra Plant #1)

Tax Parcel No. 92.02-1-8.11 (O'Tooles)

Item No. 2 cont'd

MEETING NO, 20
September 18, 1995



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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

The Above Resolution was Amended, and is as follows:



Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Niagara Frontier Transportation Authority ("NFTA") owns property in and around the Greater Buffalo International Airport ("GBIA") in the Town of Cheektowaga, and

WHEREAS, a portion of this property is exempt from real property taxation under the Public Authorities Law of the State of New York, and

WHEREAS, however, some of the NFTA property is used for non-transportation purposes and is not exempt from taxation, and

WHEREAS, pursuant to Section 1299-r of the Public Authorities Law, the NFTA property which is used for non-transportation purposes is subject to assessment and the NFTA must annually, in lieu of taxes, make payment to the Town in an amount of money commensurate with the assessment on the property, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby directs the Town's Supervising Accountant to prepare and forward to the NFTA appropriate statements, based on the assessments placed on the following parcels, for payments-in-lieu-of-taxes in accordance with Section 1299-r of the Public Authorities Law, for the following properties:

Tax Parcel No. 92.01-1-3.1/K (Sierra Plant #3)

Tax Parcel No. 92.01-1-3.1/C (Calspan)

Tax Parcel No. 92.01-1-3.1/B (Sierra Plant #1)

Tax Parcel No. 92.02-1-8.11 (O'Tooles)

and BE IT FURTHER

RESOLVED, that a copy of said appropriate statements be forwarded to our Town Sole Assessor.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, the Town's current agreement with the County of Erie for the removal of ice and snow on certain County roads expired on August 31, 1995, and

WHEREAS, the County, in the 1994-1995 season, paid the Town \$1,495.00 per lane mile for the work performed by the Town, and

Item No. 3 cont'd

**MEETING NO, 20
September 18, 1995**

WHEREAS, at a joint meeting of Town Supervisors and Highway Superintendents, it was recommended that the rate per lane mile for the County's proposed five year renewal of the snow and ice removal agreement be as follows:

1995-1996	\$1,555
1996-1997	\$1,615
1997-1998	\$1,680
1998-1999	\$1,750
1999-2000	\$1,820

and

WHEREAS, this Board agrees with such recommendation, NOW, THEREFORE, BE IT,

RESOLVED, that this Town Board hereby requests that the County of Erie include in the next proposed agreement for snow and ice removal provision that the County pay the Town the rates per lane mile hereinbefore listed, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Clerk of the Erie County Legislature, the County Executive and the County Department of Public Works, Division of Highways.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, Delta-Sonic Carwash Systems, Inc. owns real property abutting Kausel Avenue, a so-called paper street shown on Map Cover 293 filed in the Erie County Clerk's Office; and

WHEREAS, Delta-Sonic Carwash Systems, Inc. has petitioned the Town for the abandonment of a portion of such paper street, so that it might expand its commercial operations, and

WHEREAS, investigation shows that the aforesaid Kausel Avenue has never been opened, dedicated, or laid out as a town highway, nor has it ever been maintained in any way by the Town; and

WHEREAS, the Superintendent of Highways and the Town Engineer have no objection to the abandonment of that portion of Kausel Avenue petitioned by Delta-Sonic Carwash Systems, Inc.; and

WHEREAS, the westerly 465.84 feet of Kausel Avenue, from Union Road, was abandoned pursuant to resolution of this Town Board dated December 19, 1988;

NOW, THEREFORE, BE IT RESOLVED that a portion of the aforesaid paper street, which is more particularly described in the petition of Delta-Sonic Carwash Systems, Inc., dated August 7, 1995, be and the same is hereby abandoned as a town highway, subject to any water, storm and/or sanitary sewer pipes or easements of record, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 5 Motion by Councilmember Wielinski, Seconded by Councilmember Jaworowicz

WHEREAS, Section 15.03 of the current collective bargaining agreement between the Town of Cheektowaga and the Cheektowaga Police Club, Inc. provides that the Town will indemnify

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each police officer for claims made against him based on false arrest, false imprisonment, civil rights violations and other torts within indemnification coverage and for certain punitive and exemplary damages, and

WHEREAS, in addition, the Town of Cheektowaga, on March 17, 1986, adopted a local law to defend and indemnify Town employees in any civil actions arising out of acts which occurred while the employee was acting within the scope of his public employment and duties, and

WHEREAS, Section 50-j of the General Municipal Law authorizes this Town Board to adopt a resolution to provide for the defense and indemnification for civil actions brought against police officers and for certain punitive and exemplary damages, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, pursuant to Section 50-j of the General Municipal Law, hereby agrees that the Town of Cheektowaga shall provide for the defense of any civil action or proceeding brought against a duly appointed police officer of the Town of Cheektowaga and shall indemnify and save harmless such police officer from any judgment of a court of competent jurisdiction whenever such action, proceeding or judgment is for punitive or exemplary damages, arising out of a negligent act or other tort of such Police officer committed while in the proper discharge of his/her duties and within the scope of his/her employment.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, representatives from Cleveland Hill Schools have requested to use a portion of Town Park for an interscholastic cross-country track meet to be held on Tuesday, October 17, 1995 at 4:15 P.M., and

WHEREAS, permission has been granted in the past for such track meets and they have been held without interference to others using the park, NOW, THEREFORE, BE IT

RESOLVED that permission is hereby granted to Cleveland Hill Schools to hold its October 17, 1995 cross-country track meet in Town Park, and BE IT FURTHER

RESOLVED, that the Director of Athletics for Cleveland Hill Schools be requested to contact the Directors of the Facilities and Youth and Recreational Services Departments to make arrangements for such track meet, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to the Director of Athletics for Cleveland Hill Schools and to the Town Facilities and Youth and Recreational Services Department.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of quantities of TIRES AND TUBES for use by various departments in the Town.

Item No. 7 cont'd

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

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RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at 11:00 A.M. on October 4, 1995.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT
LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town of Cheektowaga Highway will receive bids for the purchase of TIRES for use by the various departments of the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on October 4, 1995.

Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk of the Town of Cheektowaga at the Cheektowaga Town Hall, Cheektowaga, NY 14227. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR TIRES".

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

RICHARD M. MOLESKI
Town Clerk

DATE: September 19, 1995

PUBLISHED: September 21, 1995



Upon Roll Call
AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 8a Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, by resolution dated August 7, 1995, this Town Board awarded the contract for a new telecommunications system, cable plant and ancillary systems to Ronco Communications and Electronics, Inc. in the amount of \$168,825.00, and

WHEREAS, an additional sum of \$25,000.00 was set aside to be used to complete such telecommunications system, and

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WHEREAS, the Telecommunications Committee and Consultant Gordon Allen have recommended the upgrade of voicemail to a mail system and other contract revisions as noted on the attached change order, NOW, THEREFORE, BE IT

RESOLVED, that the attached Change Order #1 in the amount of \$1,914.00 be and hereby is approved, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute such Change Order #1 on behalf of the Town Board, and BE IT FURTHER

RESOLVED, that funding for Change Order #1 shall be chargeable to Account #5502-7110-9504.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 8b Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, Contract "A", General Construction for the Julia Boyer Reinstein Library was awarded by Town Board resolution dated October 25, 1994 to Nichter Construction Company, Inc in the amount of \$1,663.00, and

WHEREAS, Foit-Albert Associates Project Architect, has prepared and submitted and has recommended approval of Change Order #A-01 for the Julia Boyer Reinstein Library Project which provides for modification to various building components as outlined in the Change Order documents,

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and as described in the letter of the Town Engineer dated September 14, 1995, NOW, THEREFORE, BE IT

RESOLVED, that Change Order #A-01 in the amount of \$16,622.00 as an addition to the contract of Nichter Construction Company, Inc., 344 Vulcan Street, Buffalo, New York 14207 be and hereby is approved, and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order #A-01 on behalf of this Town Board, and BE IT FURTHER

RESOLVED, that funding for Change Order #A-01 shall be chargeable to Account #5403-1220-9409.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, the New York State Thruway Authority ("NYSTA") is proposing to replace the structure which carries Henry Street over the New York State Thruway ("Thruway") in the Town of Cheektowaga, and

WHEREAS, Section 359 (4) of the Thruway Act requires the Town to maintain and repair Town highways carried over the Thruway, and

WHEREAS, the NYSTA has prepared and submitted to the Town an agreement regarding the Town's and NYSTA's responsibilities for the Henry Street overpass, and

WHEREAS, the Town Highway Superintendent has consented to the terms contained in such agreement, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Agreement with the NYSTA regarding the Henry Street overpass.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

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

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

WHEREAS, the Community Development Office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owners of the property located at [REDACTED]

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██████████ in an amount of up to \$30,000 due to the amount of work that is required to bring the property into compliance with Town housing codes, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves a housing rehabilitation loan in an amount not to exceed \$30,000 to the owner of ██████████, Cheektowaga, New York and authorizes the Supervisor to execute a loan agreement with the owner of said property and any other necessary related documents.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 10 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds on vacant property known as ██████████, Cheektowaga, New York, SBL#81.17-2-27.11 and according to the Assessor's Office is owned by ██████████ Incorporated, ██████████, Cheektowaga, New York ██████████, and

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

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 11 Motion by Councilmember Wielinski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the personnel policies for full-time, non-union employees, copies of which are attached hereto and made a part hereof, be and hereby are adopted by the Town Board, effective immediately.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE(S) FOR ATTACHMENT

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

BE IT RESOLVED that the below listed Youth and Recreation employees be terminated effective immediately:

- Nicole Ausman
- Patrick Boland
- Kevin Corcoran
- Todd Corcoran
- Christine Cramer
- Greg Crossman

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Brian Getz
Elizabeth Gill
Kim Golovin
Huftalen
Allison
Anthony Kalisz
Jennifer Knowles
Adam Kowalyk
John Kulesz
Vito LaBarbara
Eric Meinke
Kristopher Metzger
Michael Murphy
Mikal Murray
Peter Orfanos
Rebecca Peters
Michael Rokitka
Mary Lynn Rusinski
David Schaff
Teresa Smith
Renee Szarzynski
David Szczepanek
Erica Szczublewski
Claudia Zavatti

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

BE IT RESOLVED that the following SEASONAL and PART-TIME employees be and hereby are terminated as listed:

<u>SEWER MAINTENANCE DEPARTMENT</u>		<u>EFFECTIVE</u>
Dean Sarago	[REDACTED]	Immediately
Joseph Malkiewicz	[REDACTED]	"
<u>TAX OFFICE</u>		
Marie Kwiek	[REDACTED]	Immediately
<u>POLICE DEPARTMENT</u>		
Robin Knaus	[REDACTED]	8/31/95
Michelle Drozdowski	[REDACTED]	"
<u>FACILITIES DEPARTMENT</u>		
Ronald Kaczmarek	[REDACTED]	Immediately
Timothy Blakowski	[REDACTED]	"

Item No. 12b cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 13 Motion by Supervisor Gabryszak, Seconded by Unanimous

WHEREAS, the term of office of William R. Conway as State Certified Assessor of the Town of Cheektowaga expires on the 1st day of October, 1995, and

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WHEREAS, Mr. Conway meets or exceeds the qualification standards established for the office of Assessor by the State Board, and

WHEREAS, Mr. Conway has successfully completed prescribed courses of training and education; and therefore, Mr. Conway has the experience, knowledge and training which enables him to perform the duties of Assessor in a manner most advantageous to the Town and its residents,

NOW, THEREFORE BE IT RESOLVED that Mr. William R. Conway be and hereby is appointed to the position of Sole Assessor for the Town of Cheektowaga for a term commencing on October 1, 1995 and ending September 20, 2001.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 14 Motion by Councilmember Wielinski, Seconded by Councilmember Jaworowicz

WHEREAS, a vacancy exists in the position of Cleaner in the Facilities Department, and

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

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

RESOLVED, that Richard Latshaw of [REDACTED], Cheektowaga, New York 14225 be and hereby is appointed to the position of Cleaner in the Facilities Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective September 19, 1995.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

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

Item No. 15 cont'd

EFFECTIVE

FACILITIES DEPARTMENT - \$5.00 per hour (0100-7110-1491)

David Tarapacki [REDACTED] Immediately

SEWER MAINTENANCE DEPARTMENT - \$5.50 per hour

Jamie Feldmann [REDACTED] Immediately

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski
NAYES: 0

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ABSENT: 0

Item No. 16 Motion by Councilmember Wielinski, Seconded by Councilmember Rogowski

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

EFFECTIVE

TAX OFFICE - \$5.00 per hour (Night Shift)

Wanda Lennert [REDACTED] Immediately

POLICE DEPARTMENT- \$5.00 per hour (Clerical)

Kristen Carlisle [REDACTED] Immediately

and BE IT FURTHER

RESOLVED, that George Alder be and hereby is transferred to a part-time employee in the Facilities Department, effective 09/18/95.

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 17 Motion by Councilmember Wielinski, Seconded by Councilmember Johnson

BE IT RESOLVED that the salaries of the following seasonal employees in the Sewer Maintenance Department be and hereby are established as follows, effective September 18, 1995:

Leo Dominczak	\$6.00/hr.
Timothy Witt	\$5.50/hr.
Aaron Vanderlip	\$5.50/hr.
Ronald Sobocinski	\$5.50/hr.
Scott Skibniewski	\$5.50/hr.
Steven Russ	\$5.50/hr.
David Klosko	\$5.50/hr.
Jason Mueller	\$5.50/hr.
Joe Gruber	\$5.50/hr.
Damian Klosko	\$5.50/hr.
Timothy Danner	\$5.50/hr.
Gerald Bogdan	\$5.50/hr.
Louis Mueller	\$5.50/hr.
Jerome Borowski	\$5.50/hr.
Ryan Czubaj	\$5.50/hr.

Item No. 17 cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

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

FROM SEASONAL TO PART-TIME

Dana Abendschein - \$4.50
Stephanie Albano - \$4.50

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Tim Hinkley - \$4.25
Chris Mahalic - \$6.25
Sara Miga - \$5.00
James Ruzewski - \$4.75
Amy Tomaka - \$5.25
Amy Wetmore - \$5.25
Corinne Kindzierski - \$5.00
Michael Mekarski - \$6.25
Peter Odrobina - \$5.00
Jennifer Stewart - \$4.25
Dan Quigley - \$5.00
Dorothy Wojcik - \$5.00

Angela Krzemien - \$6.00
(effective October 13, 1995)

Susan Switalski - \$6.50
(effective November 20, 1995)

FROM SEASONAL TO PART-TIME

From Arts and Crafts Rotation - 7140.1648 to Recreation Attendants- 7140.1614

Shawn Ryan - \$6.00
(effective October 13, 1995)

From Pools - 7180.1903 - to Adapted Recreation 7310.1803

Tim Isch - \$5.00

FROM SEASONAL TO PART-TIME

From 7140.1613 to 7140.1614

Susan Kopp - \$6.50

From 7140.1631 to 7140.1614

Maria DiGiacomo - \$6.00
Glen Getz - \$4.50

From 7140.1632 to 7140.1614 7140.1613

Jennifer Garrison - \$4.50

From 7140.1632 to 7140.1614

George Hunger - \$4.75
Christopher Maciok - \$4.25
Michael Smith \$5.25
Rebecca Volk \$4.75

Item No. 18 cont'd

Ian Wienclawski - \$5.00
Daniel Zilbauer - \$4.50
Dawn Zilbauer - \$5.50

FROM SEASONAL TO PART-TIME

BE IT RESOLVED that the below listed individual, presently employed as a Recreation Supervisor IV in the Basketball program (7140.1654) also be hired as a Recreation Attendant (7140.1614) at a rate of \$5.75 per hour, not to exceed a total of 19 hours:

--Greg Wazny

and BE IT FURTHER

RESOLVED, that the following individuals be hired as indicated:

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POOLS - 7180.1903

Lifeguard III - \$5.50

Jeff Coia

WE THREE - 7140.1664/Gymnastics - 7140.1630

Recreation Attendant III \$4.75

Joelle Stapleton

GYMNASTICS - 7140.1630

Recreation Attendant IV \$5.00

Eileen Skowronski

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

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

WHEREAS, the New York State Office of Fire Prevention and Control will be conducting a "Fire Marshals and Inspectors Seminar" in Montour Falls, New York on October 17-19, 1995, and

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

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

RESOLVED, that Matthew D. Kawczynski and Edward J. Saternus be and hereby are authorized to attend the "Fire Marshals and Inspectors Seminar" on October 17-19, 1995, and BE IT FURTHER

RESOLVED, that the Town pay Mr. Kawczynski's and Mr. Saternus' registration fee of \$20.00 each; lodging costs of \$70.00 each, and a combined travel cost not to exceed \$90.00 for attending such seminar, and such expenses be charged to account number 0800-3620-4088.

Item No. 19 cont'd

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 20 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

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

GENERAL FUND

FROM:	0100-7320-1500 Public Relations Assistant	\$ 100.00
	0100-1910-4711 Contingency	40,000.00
TO:	0100-7310-1400 Administrative Assistant	\$ 100.00
	0100-1420-4502 Contracted Legal Services	40,000.00

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SPECIAL DISTRICTS

FROM: 1500-8160-1414 MEO-B \$30,000.00

TO: 1500-8160-1444 MEO-A \$30,000.00

PART TOWN FUND

FROM: 0800-3620-4321 Computer Expense \$ 300.00

TO: 0800-3620-4088 Travel & Conferences \$ 300.00

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 21 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to September 15, 1995 are hereby approved and made a part hereof:

GENERAL FUND	\$2,580,598.65
HIGHWAY FUND	563,630.21
TRUST & AGENCY	33,150.48
PART TOWN FUND	51,796.28
RISK RETENTION FUND	58,255.89
CDBG HUD FUND	646.99
HUD REHABILITATION FUND	33,518.34
SPECIAL DISTRICTS FUND	1,660,731.94
CAPITAL FUND	<u>1,169,980.63</u>
	\$6,152,309.41

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski

NAYES: 0

ABSENT: 0

II. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Planning Board Minutes - August 10, 1995
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 23a Notice of Claim - Kelly Hammett vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Sanitation Department; Allied Claims, Insurance Carrier.
Received and Filed.

Item No. 23b Notice of Claim - Stanley Pecynz vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed.

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Item No. 23c Notice of Claim - Traveler's Insurance for Kenneth & Amelia Richardville vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department; Allied Claims, Insurance Carrier.
Received and Filed.

Item No. 23d Notice of Claim - Carolyn Bolden vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Jim Matecki, Director of Facilities Department; Allied Claims, Insurance Carrier.
Received and Filed.

Item No. 23e Notice of Claim - Gloria & John Shields vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department; Allied Claims, insurance Carrier.
Received and Filed.

Item No. 24a Notice of Petition - Conbow's Airport Lanes vs Town Assessor, Board of Assessment Review
Received and Filed.

Item No. 24b Notice of Petition - Arthur Gullman vs Town Assessor, Board of Assessment Review
Received and Filed.

Item No. 24c Notice of Petition - Home Properties, Inc. (various properties) vs Town Assessor, Board of Assessment Review
Received and Filed.

Item No. 24d Notice of Petition - IPFC Properties, Inc. vs Town Assessor, Board of Assessment Review
Received and Filed.

Item No. 24e Notice of Petition - Tee-Ping & Josephine Lee vs Town Assessor, Board of Assessment Review
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski to suspend the rules to include the following item and the voting was as follows:

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski, Johnson and Wielinski

NAYES: 0

ABSENT: 0

Item No. 25 Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

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

WHEREAS, the Cheektowaga Central High School has made application to hold their annual Homecoming Parade on Friday, September 29, 1995 at 6:00 P.M., and

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WHEREAS, this Board has reviewed the application submitted by Cheektowaga Central High School, which application has been approved by the Police Department, and has no objection to same, and

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

1. Requirement that application be made at least 60 days prior to the date of the special event.
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 Central High School to be held on Friday, September 29, 1995, and BE IT FURTHER

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

Upon Roll Call

AYES: Supervisor Gabryszak, Councilmen Jaworowicz, Solecki, Rogowski, Blachowski,
Johnson and Wielinski
NAYES: 0
ABSENT: 0

Item No. 26 Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn the meeting.

RICHARD M. MOLESKI
Town Clerk