

TOWN OF CHEEKTOWAGA
MEETING NO. 14
JULY 7, 1997

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 July, 1997 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Planning Board Chairman; John Schaller, Assistant Chief of Police; Robert Kaczmarek, Supervising Accountant; William Pugh, Town Engineer; David Kulik, General Crew Chief-Sanitation Department; Patricia Wojcik, Director of Senior Services Department; and Leonard Szymanski, Facilities Foreman.



PLEASE NOTE THAT THE PUBLIC HEARING REGARDING PROPERTY LOCATED ON FRENCH ROAD REFERRED TO AS "FRENCH ROAD COMMONS" THAT WAS SCHEDULED TO BE HELD AT THIS MEETING WAS NOT FORMALLY HELD AND WILL BE HELD ON JULY 21, 1997 AT 6:30 P.M.



I. RESOLUTIONS

Item No. 2 Motion By Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

GENERAL FUND

From:	0100-1420-4012	Printed Briefs	\$ 1,000.00
To:	0100-1420-4013	Law Books	\$ 1,000.00

HIGHWAY FUND

From:	0300-9501-9131	Bond Principal	\$20,000.00
	0300-5141-1934	Brush & Weed	20,000.00
	0300-9501-9131	Bond Principal	2,500.00
To:	0300-5141-1453	Groundworker	\$20,000.00
	0300-5140-1701	Highway General Labor	20,000.00
	0300-9010-8157	TCEA Health & Welfare	2,500.00

CAPITAL FUND

From:	5304-1910-9399	Administrative	\$41,055.00
To:	5304-8160-9364	Packer Trucks	441,055.00

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Upon roll call

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to July 3, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$ 290,953.95
HIGHWAY FUND	97,234.09
TRUST & AGENCY	13,484.48
PART TOWN FUND	13,958.64
RISK RETENTION FUND	3,916.67
CDBG HUD FUND	53,062.84
HUD HOUSING REHABILITATION FUND	19,755.00
SPECIAL DISTRICTS FUND	312,135.84
CAPITAL FUND	<u>211,401.84</u>
	\$1,015,903.35

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga has previously entered into an agreement with the County of Erie to receive funds to increase its service to "at risk" youth as a result of savings in the PINS/JD Diversion Program, AND

WHEREAS, the Town has now received an advance payment of \$8,133.00 from the County, AND

WHEREAS, the Town will enter into an agreement with the Be-A-Friend Big Brother/Big Sister Program for provision of said service, which will require establishment of necessary budget lines, NOW, THEREFORE, BE IT

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

BAF/Erie Co. (Expense) - Account #7140.4489
BAF/Erie Co. (Revenue) - Account #7140.2180

Upon roll call

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

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

WHEREAS, earlier this year, David Manko/Seneca Creek Development made application for the rezoning of three (3) parcels of property located on French Road (French Road Commons), said rezoning applications being as follows:

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Parcel 1 - From RS to RA
Parcel 2 - from RS to RSC

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Parcel 3 - from RS to RSC to RA

,AND

WHEREAS, such applicant paid fees to the Town for the rezoning applications, development review and environmental review, AND

WHEREAS, Town departments conducted many meetings and reviewed the plan for French Road Commons, and it was directed that a public hearing on the rezoning requests be held, AND

WHEREAS, Town departments conducted many meetings and reviewed the plan for French Road Commons, and it was directed that a public hearing on the rezoning requests be held, AND

WHEREAS, after the resolution was enacted to call for a public hearing on the rezonings, Town officials requested the applicant to request Parcels 1 and 3 to be rezoned to RSC, and the applicant agreed to re-file applications for Parcels 1 and 3, AND

WHEREAS, due to the fact that review of French Road Commons, based on the RSC rezonings, would not cause the Town to incur additional costs except for publication and mailing, it is proper for the Town to waive certain fees, NOW, THEREFORE, BE IT

RESOLVED, that the following Town fees be waived for the review of the request to rezone Parcels 1 and 3 to RSC:

Environmental Review - waive entire \$400 fee
Development Review - waive entire \$400 fee
Rezoning Application - waive \$100 of \$400 fee

Upon roll call

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

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

WHEREAS, David Manko/Seneca Creek Development has made application and requested the rezoning of property located on French Road referred to as "French Road Commons" from:

1. RS-Residence Single District to RSC-Residential Senior Citizens Housing District
2. RS-Residence Single District and RSC-Residential Senior Citizens Housing District to RSC-Residential Senior Citizens Housing District

with the permission of the owner of the property, namely Vincent Molino, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on July 21, 1997 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call

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

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

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on July 21, 1997 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of

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Hearing in the CHEEKTOWAGA TIMES on the 10th day of July, 1997, said amendments being set forth in the Notice of Hearing.



NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on July 21, 1997 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE IV

Traffic Control Signals

76-40 Installation, maintenance and operation of traffic control signals.

Section 76-40 shall be amended by deleting the entire section and replacing same with the following:

Traffic control signals shall be installed and operated at the intersections and locations described:

Cayuga Road at Cleveland Drive (added 1-26-76)

Cayuga Road at Maryvale Drive (added 1-26-76)

Cayuga Creek Road at South Henry Street - John F. Kennedy School driveway (added 8-4-69)

Cleveland Drive at Beach Road

Cleveland Drive at Century Road (added 2-3-69)

Cleveland Drive at Cleveland Hill Hose Fire Co. and Merrymount Drive

Cleveland Drive at Highview Road, Highview Court (added 2-3-69)

Cleveland Drive at Oehman Boulevard and Lamarck Drive

Cleveland Drive at Ravenswood Terrace, Birkdale Road (7-1-68)

Cleveland Drive at Thruway Exit 50A Off Ramp (eastbound I-90) (8-5-74)

Clinton Street at Willowlawn Parkway

Como Park Boulevard at Borden Road

Dick Road at North Creek Drive

Dick Road at Barone Circle

Dingens Street at Alaska Street (8-4-69)

Dingens Street at Rossler Avenue (added 5-6-68)

Doat Street at Randolph Avenue - Villa Maria entrance

Item No. 6b cont'd.

East Delavan Avenue at Andrews Avenue

French Road at Scrivner Drive

French Road at Borden Road (10-2-72)

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French Road (County Route No. 321) at Kelly Drive (added 8-20-73; amended 10-1-73; 4-7-75)

French Road at Southline Hose Fire Co. (8-12-72)

French Road at Boxwood Lane and Yvette Drive and in front of Fire Station on Boxwood Lane 318 feet south of French Road (added 11-17-69)

French Road at Towers

Galleria Drive West Service Road at its intersection with Galleria Drive (5-7-90)

Galleria Drive East Service Road

Genesee Street at Andrews Avenue

George Urban Boulevard at Dick Road

George Urban Boulevard at Nagel Drive

George Urban Boulevard at Rosewood Terrace - Queen of Martyrs School

Kensington Avenue at Century Road

Kensington Avenue at Kenview Boulevard

Losson Road at Borden Road (3-18-68)

Losson Road at Towers Boulevard

Maryvale Drive at Beach Road

Maryvale Drive - entrance to Maryvale High School (added 2-3-69)

Nagel Drive at North and South Creek Drive Forks Hose Fire House (8-21-72)

Pine Ridge Road at Doat Street

Pine Ridge Road at East Delavan Avenue (5-6-68)

Pine Ridge Road at Rescue Hose Fire Co.

South Rossler Avenue at Griswold Street Doyle Hose Fire Co. No. 2

Union Road at Cheektowaga Central School Drive (north)

Union Road at Cheektowaga Central School Drive (south)

William Street - Doyle Hose Fire Co. No. 1

William Street at Cayuga Creek Road

William Street at Standard Parkway

William Street at Theodore Roosevelt School (added 2-3-69)

William Street at Cass Avenue, Mansion Avenue (added 2-3-69)

Item No. 6b cont'd.

William Street at I-90 Eastbound Ramps

William Street at I-90 Westbound Ramps

ARTICLE X

Parking, Standing and Stopping

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Section 76-102 shall be amended by deleting therefrom the following:

A. No parking this side or one side parking

Ellwood Place	east side	from the north curblines of Beryl Drive to south curblines of Cedargrove Circle
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C. No parking here to corner

Reo Avenue	east side	from the north curb of Walden Avenue northerly to 9 Reo Avenue
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Leonard Post Drive	west side	from north curb of Walden Avenue to 10 Leonard Post Drive
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D. No standing here to corner

Hedwig Street	east side	from the north curblines of Walden Avenue to a point seventy-five (75) feet northerly therefrom
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F. Miscellaneous parking signs

Ridge Park Avenue	east side	from the north curb of Walden Avenue to No. 9 Ridge Park
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Section 76-103 shall be amended by deleting therefrom the following:

B. Standing Prohibited in Designated Areas

Donlon Drive	east side	from the south terminus to the north terminus
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Idlebrook Drive	east side	from the south terminus to the north terminus
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Windcrest Drive	east side	from the south terminus to the north terminus
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Shirley Drive	east side	from the south terminus to the north terminus
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Primrose Drive	east side	from the south terminus to the north terminus
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Simsbury	east side	from the south terminus to the north terminus
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Section 76-102 shall be amended by adding thereto the following:

B. No parking anytime

Allison Drive	north side	from the east curblines of Cedargrove Circle to a point three hundred (300) feet east
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Item No. 6b cont'd.

Brookhaven Drive	east side	from the north curblines of Cedargrove Circle northerly to a point three hundred fifty (350) feet north and from the south curblines of Cedargrove Circle southerly to a point one hundred seventy-five (175) feet south
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Donlon Drive	east side	from the south terminus to the north terminus
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Ellwood Place	west side	from the north curblines of Beryl Drive to the south curblines of Cedargrove Circle
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Elkhurst Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred twenty-five (325) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Idlebrook Drive	east side	from the south terminus to north terminus
Kingswood Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred forty (340) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Pendlewood Drive	east side & south side	from the north curbline of Cedargrove Circle to the west curbline of Cedargrove Circle
Pendlewood Drive	east side	from the south curbline of Cedargrove Circle southerly to a point two hundred fifteen (215) feet south
Primrose Drive	east side	from the south terminus to the north terminus
Redwood Drive	north side	from the west curbline of Cedargrove Circle westerly to a point three hundred ten (310) feet west
Rockleigh Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred (300) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred eight (180) feet south
Sandstone Drive	east side & north side	from the south curbline of Maryvale Drive to the west curbline of Cedargrove Circle
Siberline Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred (300) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Simpson Drive	south side	from the east curbline of Cedargrove Circle easterly to a point two hundred fifteen (215) feet east
Simpson Drive	south side & west side	from the west curbline of Cedargrove Circle to the south curbline of Windwood Court
Shelby Drive	east side	from the north curbline of Cedargrove Circle northeasterly to a point one hundred forty (140) feet east
<u>Item No. 6b cont'd.</u>		
Shelby Drive	west side	from the north curbline of Cedargrove Circle northeasterly to a point one hundred eighty (180) feet east
Sierra Drive	north side	from the east curbline of Cedargrove Circle easterly to a point three hundred fifteen (315) feet
Simsbury Drive	east side	from the south terminus to the north terminus
Shirley Drive	east side	from the south terminus to the north terminus
Starcrest Drive	east side	from the north curbline of Cedargrove Circle northerly to a point two hundred seventy-five (275)

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		feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred sixty-five (165) feet south
Windcrest Drive	east side	from the south terminus to the north terminus
Windwood Court	south side,	from the west curbline of Cedargrove Circle on the south side, then around on the west side and around the north side, covering the outside of the court back to the west curbline of Cedargrove Circle.
Alexander Avenue	west side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Euclid Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Gualbert Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Haller Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Hedwig Avenue	east side	from the north curbline of Walden Avenue to a point seventy-five (75) feet north
Hoerner Avenue east side		from the north curbline of Walden Avenue to a point sixty (60) feet north
Leonard Post Drive	west side	from the north curbline of Walden Avenue to a point one hundred ten (110) feet north
Randolph Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Reo Avenue	east side	from the north curbline of Walden Avenue to a point ninety (90) feet north
Ridge Park Avenue	east side	from the north curbline of Walden Avenue to a point seventy (70) feet north
Wanda Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north

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

Item No. 6b cont'd.

Dated: July 7, 1997

Richard M. Moleski
Town Clerk

Upon roll call

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of two (2) trucks with 32 cubic yard refuse bodies and rotary cart lifters for the Sanitation Department, which bids were duly received and opened at a public bid opening called for that purpose, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, AND

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of two (2) trucks with 32 cubic yard refuse packer bodies and rotary cart lifters be awarded to Bison Truck Center, Inc., 2370 Walden Avenue, Buffalo, New York 14225 for their bid in the amount of \$238,400 for two (2) 1997 Peterbilt 320 Trucks with Heil F5000-32 Refuse Packer Bodies and Perkins Rotary Cart Lifters and one (1) Cummins Echeck Tool, said bid being the lowest evaluated bid meeting the requirements of the specifications, and, BE IT FURTHER

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RESOLVED, that funds are available in Account #5304-8160-9364 for this purpose.

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 8 Motion By Councilmember Rogowski, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of ONE (1) NEW AND UNUSED, 1998 MODEL, COMBINATION SEWER CLEANER MOUNTED ON A TRUCK CHASSIS FOR USE BY THE Town of Cheektowaga Highway Department/

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

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on July 23, 1997.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

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NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of One (1) New and Unused, 1998 Model, Combination Sewer Cleaner Mounted on a Truck Chassis 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 23rd, 1997 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Richard M. Moleski, Town Clerk of the Town of Cheektowaga at the Cheektowaga Town Hall, Cheektowaga, New York 14227. Bids must be enclosed in an opaque envelope plainly marked "BID FOR ONE (1) NEW AND UNUSED, 1998 MODEL, COMBINATION SEWER CLEANER MOUNTED ON A TRUCK CHASSIS".

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

Richard M. Moleski
Town Clerk

Dated: July 7, 1997

Published: July 10, 1997



Upon roll call

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

NAYES: 0

ABSENT: 0

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PLEASE NOTE THAT ITEM 9 WAS ACTED UPON AFTER ITEM 15.



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

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

WHEREAS, the Cheektowaga Cultural Society has made application to hold its Cultural Weekend in Cheektowaga Town Park on July 12-13, 1997, AND

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Cultural Society, which application has been approved by the Highway Department, Facilities Department and Youth and Recreational Services Department, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Cultural Society for its Cultural Weekend to be held on July 12-13, 1997 in Cheektowaga Town Park.

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga Assessor has been assessing as real property the lateral utility service lines which service a customer's residence or business, AND

WHEREAS, National Fuel Gas Corporation has instituted legal proceedings against the Town of Cheektowaga and other towns claiming that lateral service lines are personal property and, as such, should not be assessed; and this matter is presently in litigation, AND

WHEREAS, National Fuel Gas Corporation has lobbied the State Legislature to enact legislation which would specifically declare that these utility lines are excluded from real property taxation, AND

WHEREAS, a bill (Senate Bill No. 4790/Assembly Bill No. 7692) is pending in the State Legislature to exclude from real property taxation utility company lateral service lines, AND

WHEREAS, this Town Board, by resolution dated June 2, 1997, memorialized the State Senate, Assembly and Governor to oppose such bill, AND

Item No. 11 cont'd.

WHEREAS, just prior to the adoption of the aforesaid June 2, 1997 Town Board resolution, the State Senate, by a 57-to-1 vote, passed such bill; and such bill is pending in the State Assembly, AND

WHEREAS, if this bill is passed and signed into law by the Governor, the Town of Cheektowaga stands to lose approximately \$7 million in assessed valuation on National Fuel Gas Corporation property, and Town taxpayers will have to make up a loss of \$387,646± in loss tax revenues, said moneys being lost by the following governmental entities and districts as follows:

County of Erie	\$ 78,963 (est.)
General Town	\$ 60,008 (est.)
School Districts	\$168,936 (est.)
Fire Districts	\$ 20,817 (est.)
Fire Hydrant Districts	\$ 2,791 (est.)
General Lighting	\$ 7,288 (est.)
General Garbage	\$ 22,212 (est.)
Sewer Districts	\$ 26,631 (est.)

,AND

WHEREAS, State Assemblyman Paul A. Tokasz is considering submitting an amendment to S.4790/A.7692 which would require the utility companies to make direct rebates to its

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customers if the proposed legislation results in additional profits to such utility companies, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby re-expresses its opposition to the passage of S.4790/A.7692 and, BE IT FURTHER

RESOLVED, that, should it appear that the above referenced bill will become law, this Town Board hereby memorializes the State Senate and Assembly to amend such bill to provide for a mechanism to require utility companies to make direct rebates to those taxpayers in the Town of Cheektowaga and elsewhere who would be adversely affected by the passage of this legislation and, BE IT FURTHER

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

Upon roll call

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

Item No. 12 Motion By Councilmember Jankowiak, Seconded by Councilmember Jaworowicz
Councilmember Johnson

WHEREAS, this Town Board previously adopted a Truck Route System, upon which all trucks, tractors, etc. are required to travel when entering or exiting the Town, AND

WHEREAS, pursuant to such Truck Route system, trucks, trailers, etc. are prohibited from traveling on all other highways which are not on the truck route, AND

WHEREAS, the Town has requested the New York State Thruway Authority ("NYSTA") to post a truck prohibition sign at the South Ogden Street exit (Exit 1) on Route I-90 so that truck drivers do not travel on non-Truck Route System highways, AND

WHEREAS, the NYSTA has agreed to post such sign on the Thruway ramp and Griswold Street provided it receives written approval from the Town and the City of Buffalo, NOW, THEREFORE, BE IT

Item No. 12 cont'd.

RESOLVED, that this Town Board hereby requests the NYSTA to install truck prohibition signs on the Thruway ramp and Griswold Street and, BE IT FURTHER

RESOLVED, that, should it be necessary, said signs may be placed on Town property/rights-of-way.

Upon roll call

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

Item No. 13 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

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

WHEREAS, an application was submitted by James Busshart to rezone 2804 Union Road from C-Retail Business to MS-Motor Service, AND

WHEREAS, the applicant would construct a 1,020 square foot addition to the existing Mr. Oil Change facility to provide additional services to the public, AND

WHEREAS, the Advisory Committee, at its meeting held on June 4, 1997 rendered the determination shown on the attached memo dated June 5, 1997, AND

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

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 14a Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on vacant property located at 124 Alaska Street, Cheektowaga, New York, SBL #113.69-3-6.1 and according to the Assessors' Office is owned by Ricky J. Sees & Susan, 79 Grace Street, Buffalo, New York 14207, AND

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

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

Upon roll call

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

Item No. 14b Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on vacant property located at 274 Cayuga Road, Cheektowaga, New York, SBL #92.09-1-22.1 and according to the Assessors' Office is owned by Mr.

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John C. Manley Jr., c/o Upstate Appraisal, Inc., 280 Cayuga Road Cheektowaga, New York 14225,
AND

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

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

Upon roll call

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

Item No. 14c Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on vacant property located at 350 Danbury Drive, Cheektowaga, New York, SBL #91.10-2-8 and according to the Assessors' Office is owned by Peter and Nadine Rubel, 350 Danbury Drive, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

Item No. 14d 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 vacant property located at 24 Homewood Avenue, Cheektowaga, New York, SBL #114.09-1-12.211 and according to the Assessors' Office is owned by Theodore Kulbacki, 2 Wendling Court, Lancaster, New York 14086, AND

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

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

Upon roll call

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

Item No. 14e Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on vacant property located at 27 Marne Road, (vacant) Cheektowaga, New York, SBL #90.76-4-39 and according to the Assessors' Office is owned by The Prudential Home Mortgage Co., Inc., 3200 Robbins Road, Springfield, Illinois 62794, AND

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

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

Upon roll call

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

Item No. 14f Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding highway weeds and accumulated debris on vacant property located at 27 Park Place, Cheektowaga, New York, SBL #114.18-7-16 and according to the Assessor's Office is owned by Henry M. Fronckowiak and Etal, c/o Michael Fronckowiak, 11 Park Place, Cheektowaga, New York 14227, AND

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

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

Upon roll call

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

Item No. 14g Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding highway weeds and accumulated debris on vacant property located at 31 Park Place, Cheektowaga, New York, SBL #114.18-7-15 and according to the Assessor's Office is owned by Henry M. Fronckowiak and Etal, c/o Michael Fronckowiak, 11 Park Place, Cheektowaga, New York 14227, AND

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

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

Upon roll call

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

Item No. 14h Motion By Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding highway weeds and accumulated debris on vacant property located on Princeton Court (vacant), Cheektowaga, New York, SBL #92.05-1-14 and according to the Assessor's Office is owned by David Glian, 9565 Martin Road, Clarence Center 14032, AND

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

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

Upon roll call

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

Item No. 14i 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 vacant property located on 82 White Road, Cheektowaga, New York, SBL #80.20-7-16 and according to the Assessor's Office is owned by George R. & Joelle A. Choueiry, 82 White Road, Cheektowaga, New York 14225, AND.

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

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

Upon roll call

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

Item No. 15a Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town has submitted its Annual Community Development Block Grant Program Statement to the Department of Housing and Urban Development for the 1997 Program Year, AND

WHEREAS, one of the purpose 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 1997 Community Development Block Grant Program 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 \$8,000 with the Housing Assistance Center of Niagara Frontier, Inc., for the provision of said service for the 1997 Program Year.

Upon roll call

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

Item No. 15b Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

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

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

WHEREAS, the Community Development Office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property located at 151 Broad Street in an amount not to exceed \$36,000, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement, and any other necessary related documents, with the owner of 151 Broad Street, Cheektowaga, New York, for a housing rehabilitation loan in an amount not to exceed \$36,000.

Upon roll call

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

Item No. 15c Motion By Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town has submitted a Consolidated Plan and annual program statement to the Department of Housing & Urban Development for Community Development Block Grant funding totaling \$924,000 for the 1997 Program Year, AND

WHEREAS, it will be necessary to execute a Grant Agreement with the Department of Housing and Urban Development for Fiscal Year 1997 Community Development Block Grant funding upon approval of said Consolidated Plan and annual program statement by HUD, AND

Item No. 15c cont'd.

RESOLVED, that the Supervisor be and hereby is authorized to execute a Grant Agreement with the Department of Housing and Urban Development for the 1997 Community Development Block Grant Program Year.

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga has received \$8,133 from Erie County to increase its service to "at risk" youth as a result of savings in the PINS/JD Diversion Program; AND

WHEREAS, the Department of Youth and Recreational Services has determined that children from the single parent families which comprise almost seventeen percent of our total households are, oftentimes, considered to be "at risk"; AND

WHEREAS, the Be-A-Friend Big Brother/Big Sister Program, with twenty-five years of experience in providing positive youth/adult mentoring relationships, can provide all required services necessary to provide six such relationships for said amount, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with Be-A-Friend, Inc. to provide said service.

BUDGET LINE ITEM: 7140.4489

Upon roll call

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

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*SEE NEXT PAGE FOR ATTACHMENT

Item No. 15e Motion By Supervisor Gabryszak, Supervisor Gabryszak Councilmember Jankowiak

WHEREAS, in 1996 the New York State Department of Environmental Conservation (DEC) instituted a civil proceeding against the Town for allegedly "failing to follow acceptable methods of composting" by maintaining "oversized stockpiles of yard waste" and because such yard waste produced odors off site, AND

WHEREAS, the aforesaid complaints have been investigated and remediated by the General Crew Chief of the Town's Department of Sanitation and Recycling, which remediation included the submission of a registration for a municipality owned/operated transfer station for yard waste, along with DEC approval of a plan for receiving and transferring yard waste, AND

WHEREAS, the State Department of Environmental Conservation has prepared an Order on Consent on the aforementioned matter,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and he hereby is authorized and directed to sign the aforesaid Order on Consent on behalf of the Town of Cheektowaga.

Upon roll call

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

Item No. 15f Motion By Councilmember Swiatek, Seconded by Unanimous

BE IT RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized to sign the attached collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc., for the years January 1, 1996 through December 31, 1998.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

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COUNCILMEMBER BLACHOWSKI LEFT THE MEETING AFTER ITEM 15.



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

WHEREAS, the County of Erie has awarded a contract (Erie County Bid #970055-V) for the purchase of County Police Systems ("CPS") for Mobile Data to Daumtech Corporation, 2275 Wehrle Drive, Williamsville, New York 14221, AND

WHEREAS, such system operates on an existing data-only frequency established and maintained by the CPS; and enables the message handler to communicate with the CPS Erie Municipal Police Retrieval Enhancement ("EMPIRE") system, car-to-car and car-to-base, AND

WHEREAS, the Erie County Legislature has adopted a resolution for the purpose of allowing local governmental agencies, including the Town of Cheektowaga, to make purchases through this County bid, AND

WHEREAS, the Chief of Police has requested permission to utilize this County contract to purchase the CPS Mobile Data system for the Cheektowaga Police Department, thereby making wireless in-car computing available for the Cheektowaga Police Department, AND

WHEREAS, the use of the CPS Mobile Data system in Cheektowaga Police Department vehicles will provide the Town Police Department with 24-hour support to local, state, federal and international criminal justice networks, AND

WHEREAS, the Cheektowaga Police Department has acquired grants and will be acquiring additional funds in the future to purchase this type of equipment; said moneys are and will be available in the Police Department budget line item number 0100-3120-2205, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes the Chief of Police to utilize Erie County Bid #970055-V to purchase CPS Mobile Data equipment from Daumtech Corporation for so long as Erie County Bid #970055 is usable, subject to the availability of moneys in Police Department budget line item number 0100-3120-2205.

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Upon roll call

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

Item No. 16 Motion By Councilmember Swiatek, Seconded by Councilmember Jankowiak

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

EFFECTIVE

FACILITIES DEPARTMENT

Eugene Demler	Immediately
Eugene Czajkowski	Immediately
Felix Lampke	Immediately
Brian Drzymala	Immediately
Ken Kubler	Immediately

Item No. 16 cont'd.

EFFECTIVE

RECYCLING DEPARTMENT

Scott Dwyer	Immediately
William Kotarski	Immediately
David Martin	Immediately
Patrick Fix	Immediately
Keary Ciamaga	Immediately
James Chojnicki	Immediately
George Principe	Immediately
Darryl Heer	Immediately

SANITATION

Nicole Falk	Immediately
James Janiszewski	Immediately

POLICE DEPARTMENT

Elizabeth Schmidt	Immediately
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Upon roll call

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

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

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

WHEREAS, candidates from the existing Civil Service list were interviewed and their resumes and work performances were studied, AND

WHEREAS, the Chief of Police recommends that Sergeant Kenneth Hycner be promoted to the position of Lieutenant, NOW, THEREFORE, BE IT

RESOLVED, that Kenneth Hycner be and hereby is appointed to the position of Lieutenant in the Police Department, effective July 8, 1997.

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Upon roll call

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

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

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

WHEREAS, candidates from the existing Civil Service list were interviewed and their resumes and work performances were studied, AND

WHEREAS, the Chief of Police recommends that Patrolman Laurence Bauer be promoted to the position of Sergeant, NOW, THEREFORE, BE IT

RESOLVED, that Laurence Bauer be and hereby is appointed to the position of Sergeant in the Police Department, effective July 8, 1997.

Item No. 17b cont'd.

Upon roll call

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

Item No. 17c Motion By Councilmember Swiatek, Seconded by Councilmember Rogowski

WHEREAS, a temporary vacancy exists in the position of General Mechanic in the Facilities Department, NOW, THEREFORE, BE IT

RESOLVED, that Dennis O'Brien of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of General Mechanic 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 June 17, 1997.

Upon roll call

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

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

BE IT RESOLVED, that the following individuals be hired as Seasonal employees in the Youth and Recreational Department:

YOUTH CONSERVATION CORPS - (YCC)
Effective July 8, 1997)

YCC Participants - 7310.1812

\$4.75
Kellie Gallagher XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jaclyn Toy XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Christopher Kubala XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Karol Szycmzuk XXXXXXXXXXXXXXXXXXXXXXXXXXXX

POOLS
(Effective June 25th)

Bathhouse Attendants - 7180.1901

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Basket Checkers (Trainees)

\$4.25

James Coleman XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Erika Felicetta XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jennifer Kreavy XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kelly L. Moriarity XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Scott Przybysz XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Lifeguards - 7180.1903

Level I

\$5.25

Caroline Lewis XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Melissa Luczkowiak XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Item No. 18a cont'd.

Basketball - 7140.1654

Recreation Attendant IV
(Effective June 25th)

\$5.50

Jason Przybysz XXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendants - 7140.1612 (Aerobics)

(Effective July 8th)
Recreation Instructor III

\$6.50

Sarah Tapia XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Upon roll call

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

Item No. 18b Motion By Councilmember Swiatek, Seconded by Councilmember Jankowiak

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 - \$6.00 per hour

Gregory Patterson XXXXXXXXXXXXXXXX, Cheek. XXXXX 7-08-97
Garrett Dorr XXXXXXXXXXXXXXXX, Cheek. XXXXX 7-08-97
John Paluszynski XXXXXXXXXXXXXXXX Cheek. XXXXX 7-08-97
Matthew Bzibzak XXXXXXXXXXXXXXXX. Sloan XXXXX 7-08-97

FACILITIES DEPARTMENT - \$6.00 per hour (0100-1625-1491)

Richard Kernan XXXXXXXXXXXXXXXX., Cheek. XXXXX 7-08-97

Upon roll call

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

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Item No. 19 Motion By Councilmember Swiatek, 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 - \$6.00 per hour

Mike Sonnenfeld XXXXXXXXXXXXXXXXXXXX, Cheek. XXXXX 7-08-97

Item No. 19 cont'd.

FACILITIES DEPARTMENT - \$6.00 per hour

Darlene Carlisle XXXXXXXXXXXXXXXXXXXX, Cheek. XXXXX 7-08-97

Upon roll call

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



MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER JAWOROWICZ TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 20, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



Item No. 20 Motion By Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, funds are presently available under the Buffalo-Cheektowaga-Tonawanda Consortium, Summer Youth Program, AND

WHEREAS, the Summer Youth Program starts on July 8th, 1997, participants work a minimum of 24 hours per week, \$4.75 per hour, unless stated differently, and a termination date not to exceed August 30th, 1997, NOW, THEREFORE, BE IT

RESOLVED, that the following persons will be hired based on availability from the Department of Labor and that the alternate portion may be utilized to meet the demographic requirements as stated in our plan submitted to the Department of Labor:

Belisle, Joshua XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Bielaski, Alexander XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Binga, Corey XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Bisantz, Eric XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Bishop, Edward XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX
Blakowski, David XXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXX

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Bolden, Rayshawn	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Borucki, Pamela	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Brockner, Andrew	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Cafarella, Lewis	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Camm, Amanda	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Cate, Justin	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Ciesielski, Jay	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
DeJesus, Crystal	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Delvalle, Felicia	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
DiNunzio, Jennifer		
Counselor - \$11.25	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Donaldson, Connie	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Douglas, Michael	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Dudek, Kyle	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Elias, Maria	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
<u>Item No. 20 cont'd.</u>		
Everts, Shawn	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Fasciana, Danielle	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Flick, Michael	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Forant, Jeffrey	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Frank, Andre'	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Frisicaro, Vincent		
Principal Counselor \$15.31	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Gaffney, Joel	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Giudice, Salvatore	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Giudice, Timothy	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Grafton, Jedediah	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Haas, Sean	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Hale, Nicole	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Hamilton, Michelle	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Hance, Robyn	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Harding, Katherine	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Harris, Angela	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Hawes, Richard	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Haynes, Wayne	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Howard, John	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kaczmarek, Stephanie	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Kulinski, Christopher	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lamb, Charles	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Laprell, Robin	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Laskowski, Pawel	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Lasota, Brandon	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lasota, Peter	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lepkyj, Mirian	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Linden, Jessica	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Lobmbardo, Roy	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
MacQueen, Dawn	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Majerowski, Anne	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Marcinkowski, Ashley	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Margowski, Karen	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Maul, Jamie	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
May, Melanie	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Miller, April	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Miller, Barbara	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Mongiolo, Christopher	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Niwinski, George	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Norris, Emilee	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Norris, Melissa	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Nowak, Richard	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Nowicki, Stacey	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Pache, Susan	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Parini, Nicholas	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Piccolo, Craig	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Pignatore, Keith	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Plummer, Frank	XXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Polakiewicz, Jessica	XXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX

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Pulley, Shauna	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Pyrkos, Brian	XX	
Redenbach, Diane	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Richards, Jessica	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Richards, Justine	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rickert, Eric	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rickert, Lori	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Rusch, Danielle	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Schnauer, Jeremy	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Schweers, Johnathan	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Shinafelt, David II	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Shontz, Karri	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Siuda, Scott	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX

Item No. 20 cont'd.

Smigiel, John	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Speaker, Jeffrey	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Stefaniak, Sherry	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Stone, Brian	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Stone, Valerie	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Swiatkowski, Marc	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Szymborski, Johnathan	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Thompson, Patrick	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Tonsoline, Peter		
Principal Counselor \$15.31	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wahler, Scott	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Walsh, Daniel	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Ward, Kevin	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wilkes, Amber	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wilkes, Jeanette	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Windsor, Thomas	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Witek, Todd	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Wyatt, Jason	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Young, Tyshawn	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Zogaria, Joseph	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Zogaria, Mark	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX
Zwierecki, Amy	XXXXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXX

Upon roll call

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

Item No. 21 Salary Adjustment for Supervising Building Inspector and Plumbing Inspector (Neighborhood Strike Force Grant)
 This item was withdrawn.

Item No. 22 Motion By Councilmember Jaworowicz, Seconded by Councilmember Johnson

WHEREAS, the New York State Association of Local Government Records Officers held its annual conference in Newburgh, New York from June 1-4, 1997, AND

WHEREAS, the Town's Records Management Clerk, Lisa-Marie DeMont, attended this conference at her own expense and utilized her vehicle to travel to and from such conference, AND

WHEREAS, valuable information was presented at this conference relating to retention and disposition of electronic records and other technological advances in records management, AND

WHEREAS, this Town Board feels that Ms. DeMont should be reimbursed for her travel expenses (i.e. mileage) to travel to and from such conference, AND

WHEREAS, moneys are available from the State Archives and Records Administration grant to cover travel expenses, NOW, THEREFORE, BE IT

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RESOLVED, that this Town Board hereby approves reimbursement to Lisa-Marie DeMont for \$257.60 for travel expenses to go to and from the above referenced conference; said expenses to be paid out of budget line items numbers 0100-1415-4003 and 0100-1415-4001.

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Building Permits
Received and Filed.

Item No. 24 Minutes of Cheektowaga Planning Board - June 5, 1997
Received and Filed.

Item No. 25 Supervisor's State of Funds - May 1997
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 26a Notice of Claim: Marvin Macnow vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Senior Services Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 26b Notice of Claim: Florence Jankowski vs 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. 26c Notice of Claim: Nella Sergi vs 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. 26d Notice of Claim: Walter Keller vs 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. 26e Notice of Claim: Dawn Smith vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Department of Youth and Recreational Services and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 27 Designation of Restricted Highway: Replacement of Harlem Road Bridge (Route 240) over Broadway (Route 130) and Conrail in the Town of Cheektowaga and Village of Sloan.

Item No. 28a Notice of Appropriation: SH 9217; Transit Road, Part 4; Erie County, Town of Lancaster; Map(s) 168; Parcel(s) 201
Received and Filed.

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Item No. 28b Notice of Appropriation: SH 9217; Transit Road, Part 4; Erie County, Town of Lancaster; Map(s) 169; Parcel(s) 202
Received and Filed.

Item No. 28c Notice of Appropriation: SH 9217, Transit Road, Part 4; Erie County, Town of Lancaster; Map(s) 184; Parcel(s) 217, 218
Received and Filed.

Item No. 29 Motion By Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn this meeting in memory of John Lynette, Sauer-Lynette Funeral Director. This meeting was adjourned at 9:00 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 21, 1997**

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 July, 1997 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; William Pugh, Town Engineer; Ronald Marten, Supervising Building and Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; Robert McCarthy, Director of Employee Relations; Pat Wojcik, Director of Senior Services; Sal LaGreca, Planning Board Chairman; Bruce Chamberlin, Chief of Police; Thomas Kolbert, Town Justice.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to 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 IV

Traffic Control Signals

76-40 Installation, maintenance and operation of traffic control signals.

Section 76-40 shall be amended by deleting the entire section and replacing same with the following:

Traffic control signals shall be installed and operated at the intersections and locations described:

Cayuga Road at Cleveland Drive (added 1-26-76)

Cayuga Road at Maryvale Drive (added 1-26-76)

Cayuga Creek Road at South Henry Street - John F. Kennedy School driveway (added 8-4-69)

Cleveland Drive at Beach Road

Cleveland Drive at Century Road (added 2-3-69)

Cleveland Drive at Cleveland Hill Hose Fire Co. and Merrymont Drive

Cleveland Drive at Highview Road, Highview Court (added 2-3-69)

Cleveland Drive at Oehman Boulevard and Lamarck Drive

Cleveland Drive at Ravenswood Terrace, Birkdale Road (7-1-68)

Cleveland Drive at Thruway Exit 50A Off Ramp (eastbound I-90) (8-5-74)

Clinton Street at Willowlawn Parkway

Item No. 2 cont'd

TOWN OF CHEEKTOWAGA
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Como Park Boulevard at Borden Road

Dick Road at North Creek Drive

Dick Road at Barone Circle

Dingens Street at Alaska Street (8-4-69)

Dingens Street at Rossler Avenue (added 5-6-68)

Doat Street at Randolph Avenue - Villa Maria entrance

East Delavan Avenue at Andrews Avenue

French Road at Scrivner Drive

French Road at Borden Road (10-2-72)

French Road (County Route No. 321) at Kelly Drive (added 8-20-73; amended 10-1-73; 4-7-75)

French Road at Southline Hose Fire Co. (8-12-72)

French Road at Boxwood Lane and Yvette Drive and in front of Fire Station on Boxwood Lane 318 feet south of French Road (added 11-17-69)

French Road at Towers

Galleria Drive West Service Road at its intersection with Galleria Drive (5-7-90)

Galleria Drive East Service Road

Genesee Street at Andrews Avenue

George Urban Boulevard at Dick Road

George Urban Boulevard at Nagel Drive

George Urban Boulevard at Rosewood Terrace - Queen of Martyrs School

Kensington Avenue at Century Road

Kensington Avenue at Kenview Boulevard

Losson Road at Borden Road (3-18-68)

Losson Road at Towers Boulevard

Maryvale Drive at Beach Road

Maryvale Drive - entrance to Maryvale High School (added 2-3-69)

Nagel Drive at North and South Creek Drive Forks Hose Fire House (8-21-72)

Pine Ridge Road at Doat Street

Pine Ridge Road at East Delavan Avenue (5-6-68)

Pine Ridge Road at Rescue Hose Fire Co.

South Rossler Avenue at Griswold Street Doyle Hose Fire Co. No. 2

Union Road at Cheektowaga Central School Drive (north)

Item No. 2 cont'd

Union Road at Cheektowaga Central School Drive (south)

**TOWN OF CHEEKTOWAGA
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William Street - Doyle Hose Fire Co. No. 1

William Street at Cayuga Creek Road

William Street at Standard Parkway

William Street at Theodore Roosevelt School (added 2-3-69)

William Street at Cass Avenue, Mansion Avenue (added 2-3-69)

William Street at I-90 Eastbound Ramps

William Street at I-90 Westbound Ramps

ARTICLE X

Parking, Standing and Stopping

Section 76-102 shall be amended by deleting therefrom the following:

A. No parking this side or one side parking

Ellwood Place	east side	from the north curbline of Beryl Drive to south curbline of Cedargrove Circle
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C. No parking here to corner

Reo Avenue	east side	from the north curb of Walden Avenue northerly to 9 Reo Avenue
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Leonard Post Drive	west side	from north curb of Walden Avenue to 10 Leonard Post Drive
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D. No standing here to corner

Hedwig Street	east side	from the north curbline of Walden Avenue to a point seventy-five (75) feet northerly therefrom
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F. Miscellaneous parking signs

Ridge Park Avenue	east side	from the north curb of Walden Avenue to No. 9 Ridge Park
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Section 76-103 shall be amended by deleting therefrom the following:

B. Standing Prohibited in Designated Areas

Donlon Drive	east side	from the south terminus to the north terminus
--------------	-----------	---

Idlebrook Drive	east side	from the south terminus to the north terminus
-----------------	-----------	---

Windcrest Drive	east side	from the south terminus to the north terminus
-----------------	-----------	---

Shirley Drive	east side	from the south terminus to the north terminus
---------------	-----------	---

Primrose Drive	east side	from the south terminus to the north terminus
----------------	-----------	---

Simsbury	east side	from the south terminus to the north terminus
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Item No. 2 cont'd

Section 76-102 shall be amended by adding thereto the following:

B. No parking anytime

**TOWN OF CHEEKTOWAGA
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Allison Drive	north side	from the east curblin of Cedargrove Circle to a point three hundred (300) feet east
Brookhaven Drive	east side	from the north curblin of Cedargrove Circle northerly to a point three hundred fifty (350) feet north and from the south curblin of Cedargrove Circle southerly to a point one hundred seventy-five (175) feet south
Donlon Drive	east side	from the south terminus to the north terminus
Ellwood Place	west side	from the north curblin of Beryl Drive to the south curblin of Cedargrove Circle
Elkhurst Drive	east side	from the north curblin of Cedargrove Circle northerly to a point three hundred twenty-five (325) feet north and from the south curblin of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Idlebrook Drive	east side	from the south terminus to north terminus
Kingswood Drive	east side	from the north curblin of Cedargrove Circle northerly to a point three hundred forty (340) feet north and from the south curblin of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Pendlewood Drive	east side & south side	from the north curblin of Cedargrove Circle to the west curblin of Cedargrove Circle
Pendlewood Drive	east side	from the south curblin of Cedargrove Circle southerly to a point two hundred fifteen (215) feet south
Primrose Drive	east side	from the south terminus to the north terminus
Redwood Drive	north side	from the west curblin of Cedargrove Circle westerly to a point three hundred ten (310) feet west
Rockleigh Drive	east side	from the north curblin of Cedargrove Circle northerly to a point three hundred (300) feet north and from the south curblin of Cedargrove Circle southerly to a point one hundred eight (180) feet south
Sandstone Drive	east side & north side	from the south curblin of Maryvale Drive to the west curblin of Cedargrove Circle
Siberling Drive	east side	from the north curblin of Cedargrove Circle northerly to a point three hundred (300) feet north and from the south curblin of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Simpson Drive	south side	from the east curblin of Cedargrove Circle easterly to a point two hundred fifteen (215) feet east
<u>Item No. 2 cont'd</u>		
Simpson Drive	south side & west side	from the west curblin of Cedargrove Circle to the south curblin of Windwood Court
Shelby Drive	east side	from the north curblin of Cedargrove Circle northeasterly to a point one hundred forty (140) feet east

**TOWN OF CHEEKTOWAGA
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Shelby Drive	west side	from the north curbline of Cedargrove Circle northeasterly to a point one hundred eighty (180) feet east
Sierra Drive	north side	from the east curbline of Cedargrove Circle easterly to a point three hundred fifteen (315) feet
Simsbury Drive	east side	from the south terminus to the north terminus
Shirley Drive	east side	from the south terminus to the north terminus
Starcrest Drive	east side	from the north curbline of Cedargrove Circle northerly to a point two hundred seventy-five (275) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred sixty-five (165) feet south
Windcrest Drive	east side	from the south terminus to the north terminus
Windwood Court	south side,	from the west curbline of Cedargrove Circle on the south side, then around on the west side and around the north side, covering the outside of the court back to the west curbline of Cedargrove Circle.
Alexander Avenue	west side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Euclid Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Gualbert Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Haller Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Hedwig Avenue	east side	from the north curbline of Walden Avenue to a point seventy-five (75) feet north
Hoerner Avenue east side		from the north curbline of Walden Avenue to a point sixty (60) feet north
Leonard Post Drive	west side	from the north curbline of Walden Avenue to a point one hundred ten (110) feet north
Randolph Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Reo Avenue	east side	from the north curbline of Walden Avenue to a point ninety (90) feet north
Ridge Park Avenue	east side	from the north curbline of Walden Avenue to a point seventy (70) feet north
Wanda Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north

Item No. 2 cont'd

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

II. RESOLUTIONS

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

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

GENERAL FUND

FROM: 0100-3120-1541 Patrolman \$91,000.00
TO: 0100-3120-2205 Grant Line \$91,000.00

CAPITAL FUND

FROM: 5307-1910-5031 Transfers In \$150,000.00
TO: 5307-5141-9370 Highway Improvements \$150,000.00

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to July 18, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$ 291,887.74
HIGHWAY FUND	100,577.24
TRUST & AGENCY	38,371.05
PART TOWN FUND	3,327.30
RISK RETENTION FUND	16,590.47
CDBG HUD FUND	1,014.01
HUD HOUSING REHABILITATION FUND	11,120.00
SPECIAL DISTRICTS FUND	1,560,746.91
CAPITAL FUND	<u>80,033.38</u>
	\$2,103,668.10

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

Item No. 5 cont'd

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

WHEREAS, an application was submitted by Ciminelli Development Company, Incorporated to develop 6.8 acres of vacant land known as 4950 Genesee Street

WHEREAS, such development would consist of a 63,000 square foot warehouse/ office/light manufacturing facility, and

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WHEREAS, after discussions with the New York State Department of Environmental Conservation the developer had reduced the rear parking area to preserve a 2± acre freshwater wetland, and

WHEREAS, the developer will provide an access/drainage/conservation easement to the Town on the property, and

WHEREAS, the Advisory Committee, at its meeting held on July 9, 1997 rendered the determination shown on the attached memo July 10, 1997, and

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

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

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

**See next page(s) for attachments

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

WHEREAS, this Town Board previously enacted a "Non-Residential Development Moratorium" for properties along Losson Road and William Street in the Town of Cheektowaga, and

WHEREAS, during the term of such moratorium, the Town retained a planning consultant to review the zoning district classifications of properties along such roadways, and

WHEREAS, the Cheektowaga Planning Board has recommended that the planning consultant's report/study be accepted and has recommended approval of same, and

**TOWN OF CHEEKTOWAGA
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WHEREAS, the Town is awaiting recommendations from the Environmental Advisory Committee and the Erie County Department of Environment and Planning on the proposed rezonings, and

WHEREAS, review, comments and recommendations from the planning consultant and Cheektowaga Planning Board relating to residents' concerns and a revision to the rezoning are not completed yet, and

WHEREAS, additional time is needed to complete review of the study and revisions, conduct a public hearing, etc., NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 4th day of August, 1997 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 Non-Residential Development Moratorium should be amended to extend same an additional 50 days.



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in said Town of Cheektowaga, 3301 Broadway, on the 4th day of August, 1997 at 7:00 P.M., of said day for the purpose of considering whether the NON-RESIDENTIAL DEVELOPMENT MORATORIUM ORDINANCE should be amended and changed as follows:

1. RESOLVED, that Section 1 of such Ordinance, which pertains to the length of such moratorium and the type of such moratorium, shall be amended to change the length of such moratorium from 320 days to 365 days.

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

Dated: July 21, 1997

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Bella Vista Group, Inc. has made application and requested the rezoning from RS-Single Residential District to RA-Apartment District for property located at Rehm Road, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on August 4, 1997 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

TOWN OF CHEEKTOWAGA
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AFFIDAVIT - NEXT PAGE

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

WHEREAS, in 1996, litigation was commenced by Buffalo Crushed Stone, Inc. ("BCS") against the Town of Cheektowaga, Cheektowaga Town Board and Town Building Inspector alleging that the Town improperly denied BCS a tree removal permit for its property located at 500 Como Park Boulevard (the "Quarry"), and

WHEREAS, settlement negotiations were held between representatives of BCS and the Town to resolve this litigation, and

WHEREAS, the following have been proposed to settle this litigation:

1. BCS will do the following:

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a. BCS will erect berms on the Quarry property in the locations shown on the attached "Proposed Fence and Turnaround Plan" dated May, 1997 (Rev. 7/14/97) prepared for BCS by Clough, Harbour & Associates, LLP. Additionally BCS has planted more than 120 trees of sufficient caliper and good species on the Quarry property;

b. BCS will use its best efforts to mitigate above ground noise, dust, odor (eg., hydrogen sulfide), blast effects, etc. from its mining operations;

c. BCS will adhere to the mining restrictions contained in Section 82-28 of the Town Zoning Law (i.e., setbacks);

d. BCS will withdraw the litigation;

e. BCS will petition the Town for the abandonment of portions of Center Avenue, Homewood Avenue and Hawthorne Avenue (which lie north of Como Park Boulevard), from a point 200 feet south of the AG zoning district line north to their termini. BCS will also petition the Town to abandon all of Reading Avenue (a paper street). BCS will, prior to the Town considering the petition for abandonment, obtain letters of consent to such abandonments from the following utilities, and cover all costs associated with the termination of such utilities from the portions of the highways to be abandoned:

- i. Erie County Sewer District No. 1;
- ii. Erie County Water Authority;
- iii. National Fuel Gas Distribution Company;
- iv. New York State Electric & Gas Corporation.

f. BCS will install turnarounds at the termini of Homewood Avenue and Center Avenue and grant an easement to the town for any portions of such turnarounds which are on BCS property. The construction of such turnarounds shall be done by BCS to the satisfaction of the Town Highway Superintendent;

g. BCS shall erect a six (6) foot high chain link fence (without barbed wire) five (5) feet north of the northerly terminus of Center Avenue; said six (6) foot high fence to continue southerly along the easterly right-of-way line of Center Avenue 45± feet to the turnaround; said six (6) foot high fence to continue southerly along the westerly right-of-way line of Center Avenue five (5) feet to a point, thence continue westerly 124± feet to a point in line with the rear yards of the Center Avenue properties as extended, then continue southerly 60± feet to a point;

h. BCS shall erect, subject to Zoning Board approval, an eight (8) foot high chain link fence (without barbed wire) from the aforementioned westerly terminus of the six (6) foot high fence westerly 310± feet to connect with an existing BCS fence; said eight

Item No. 7 cont'd

(8) foot high fence (without barbed wire) would also proceed easterly from the easterly terminus of the six (6) foot high fence easterly 800± feet to connect with an existing BCS fence;

i. BCS will erect and maintain a landscaped berm north of the six (6) foot high chain link fence which will be erected five (5) feet north of the new terminus of Center Avenue; said berm shall be enhanced with coniferous plantings;

j. BCS will place and maintain coniferous plantings in the five (5) foot area between the terminus of Center Avenue and the six (6) foot high fence;

k. BCS will depict on the attached "Proposed Fence and Turnaround Plan" dated May, 1997 (Revised 7/14/97) prepared for BCS by Clough, Harbour & Associates, LLP the 200 foot mining

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excavation setback required under the Town Zoning Law from a public right-of-way or adjacent property line and otherwise from the boundary of the AG Zoning around the entire Quarry property. BCS will also install permanent post markers depicting the 200 foot mining excavation setback every 200± feet around the southerly (Como Park Boulevard) and southwesterly (First St., Second St.) sides of the Quarry property.

I. Within the 200 foot mining excavation setback, BCS will make every effort to retain existing trees or, where trees are now absent, construct berms and plantings such that visual screening is maintained and air quality benefits are restored. BCS shall work with and comply with reasonable requests of the Town Zoning Inspector to maximize screening of the Quarry property from nearby residences by installing additional trees, berms and landscaping in areas around the Quarry property where, in the opinion of the Zoning Inspector, there are insufficient trees, landscaping, berms etc. to properly screen the Quarry property from nearby residences.

m. BCS will acknowledge that any action taken by the Town to settle this litigation shall in no way be construed to act as any acceptance, approval, etc. of any future attempt by BCS to rezone any of its property to AG or to expand the Quarry operations.

n. BCS will permit Town Building Inspections Department personnel to enter the Quarry property, upon giving BCS at least 48 hours notice, to inspect the Quarry property to ensure that the provisions of the Zoning Law and this resolution are being complied with by BCS.

2. The Town will do the following:

a. Abandon the aforementioned portions of the aforementioned highways;

b. Allow BCS to erect its fence across the unabandoned portion of Homewood Avenue with the stipulation that BCS will obtain no adverse possession or other rights to that portion of Homewood Avenue between the fence and the abandoned portion of Homewood Avenue; also BCS will obtain no adverse possession or other rights to that portion of Hawthorne Avenue which is not abandoned;

c. Approve the removal of trees based on BCS's Tree Removal Permit application.

and

Item No. 7 cont'd

WHEREAS, in furtherance of the proposed settlement, BCS has submitted a Petition for Abandonment of the above referenced Town highways/portions of Town highways, and

WHEREAS, the Town Superintendent of Highways has reviewed such Petition for Abandonment and consents to the proposed abandonments, and

WHEREAS, BCS has obtained letters from the utilities listed hereinabove, which utilities have consented to the proposed abandonments, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby consents to and approves the abandonment of Reading Avenue and the portions of Hawthorne Avenue, Homewood Avenue and Center Avenue hereinabove listed pursuant to Section 205 of the Town Law subject to compliance by BCS with the above listed conditions for settlement of the litigation; and this Town Board shall execute a written consent that the Town Superintendent of Highways file and cause to be recorded in the Town Clerk's Office, and BE IT FURTHER

RESOLVED that this Town Board hereby consents to the settlement of the above reference litigation on the conditions listed hereinabove.

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

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



Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak
Councilmember Swiatek

WHEREAS, in 1996, litigation was commenced by Buffalo Crushed Stone, Inc. ("BCS") against the Town of Cheektowaga, Cheektowaga Town Board and Town Building Inspector alleging that the Town improperly denied BCS a tree removal permit for its property located at 500 Como Park Boulevard (the "Quarry"), and

WHEREAS, settlement negotiations were held between representatives of BCS and the Town to resolve this litigation, and

WHEREAS, the following have been proposed to settle this litigation:

1. BCS will do the following:

a. BCS will erect berms on the Quarry property in the locations shown on the attached "Proposed Fence and Turnaround Plan" dated May, 1997 (Rev. 7/14/97) prepared for BCS by Clough, Harbour & Associates, LLP. Additionally BCS has planted more than 120 trees of sufficient caliper and good species on the Quarry property;

b. BCS will use its best efforts to mitigate above ground noise, dust, odor (eg., hydrogen sulfide), blast effects, etc. from its mining operations;

c. BCS will adhere to the mining restrictions contained in Section 82-28 of the Town Zoning Law (i.e., setbacks);

Item No. 7 cont'd

d. BCS will withdraw the litigation;

e. BCS will petition the Town for the abandonment of portions of Center Avenue, Homewood Avenue and Hawthorne Avenue (which lie north of Como Park Boulevard), from a point 200 feet south of the AG zoning district line north to their termini. BCS will also petition the Town to abandon all of Reading Avenue (a paper street). BCS will, prior to the Town considering the petition for abandonment, obtain letters of consent to such abandonments from the following utilities, and cover all costs associated with the termination of such utilities from the portions of the highways to be abandoned:

- i. Erie County Sewer District No. 1;
- ii. Erie County Water Authority;
- iii. National Fuel Gas Distribution Company;
- iv. New York State Electric & Gas Corporation.

f. BCS will install turnarounds at the termini of Homewood Avenue and Center Avenue and grant an easement to the town for any portions of such turnarounds which are on BCS property. The construction of such turnarounds shall be done by BCS to the satisfaction of the Town Highway Superintendent;

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g. BCS shall erect a six (6) foot high chain link fence (without barbed wire) five (5) feet north of the northerly terminus of Center Avenue; said six (6) foot high fence to continue southerly along the easterly right-of-way line of Center Avenue 45± feet to the turnaround; said six (6) foot high fence to continue southerly along the westerly right-of-way line of Center Avenue five (5) feet to a point, thence continue westerly 124± feet to a point in line with the rear yards of the Center Avenue properties as extended, then continue southerly 60± feet to a point;

h. BCS shall erect, subject to Zoning Board approval, an eight (8) foot high chain link fence (without barbed wire) from the aforementioned westerly terminus of the six (6) foot high fence westerly 310± feet to connect with an existing BCS fence; said eight (8) foot high fence (without barbed wire) would also proceed easterly from the easterly terminus of the six (6) foot high fence easterly 800± feet to connect with an existing BCS fence;

i. BCS will erect and maintain a landscaped berm north of the six (6) foot high chain link fence which will be erected five (5) feet north of the new terminus of Center Avenue; said berm shall be enhanced with coniferous plantings;

j. BCS will place and maintain coniferous plantings in the five (56) foot area between the terminus of Center Avenue and the six (6) foot high fence;

k. BCS will depict on the attached "Proposed Fence and Turnaround Plan" dated May, 1997 (Revised 7/14/97) prepared for BCS by Clough, Harbour & Associates, LLP the 200 foot mining excavation setback required under the Town Zoning Law from a public right-of-way or adjacent property line and otherwise from the boundary of the AG Zoning around the entire Quarry property. BCS will also install permanent post markers depicting the 200 foot mining excavation setback every 200± feet around the southerly (Como Park Boulevard) and southwesterly (First St., Second St.) sides of the Quarry property/

l. Within the 200 foot mining excavation setback, BCS will make every effort to retain existing trees or, where trees are now absent, construct berms and plantings such that visual screening is

Item No. 7 cont'd

maintained and air quality benefits are restored to the extent possible. BCS shall work with and comply with reasonable requests of the Town Zoning Inspector to maximize screening of the Quarry property from nearby residences by installing additional trees, berms and landscaping in areas around the Quarry property where, in the opinion of the Zoning Inspector, and upon the concurrence of BCS, which concurrence shall not be unreasonably withheld, there are insufficient trees, landscaping, berms etc. to properly screen the Quarry property from nearby residences.

m. BCS will acknowledge that any action taken by the Town to settle this litigation shall in no way be construed to act as any acceptance, approval, etc. of any future attempt by BCS to rezone any of its property to AG or to expand the Quarry operations.

n. BCS will permit Town Building Inspections Department personnel to enter the Quarry property, upon giving BCS at least 48 hours notice, to inspect the Quarry property to ensure that the provisions of the Zoning Law and this resolution are being complied with by BCS.

2. The Town will do the following:

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a. Abandon the aforementioned portions of the aforementioned highways;

b. Allow BCS to erect its fence across the unabandoned portion of Homewood Avenue with the stipulation that BCS will obtain no adverse possession or other rights to that portion of Homewood Avenue between the fence and the abandoned portion of Homewood Avenue; also BCS will obtain no adverse possession or other rights to that portion of Hawthorne Avenue which is not abandoned;

and

WHEREAS, in furtherance of the proposed settlement, BCS has submitted a Petition for Abandonment of the above referenced Town highways/portions of Town highways, and

WHEREAS, the Town Superintendent of Highways has reviewed such Petition for Abandonment and consents to the proposed abandonments, and

WHEREAS, BCS has obtained letters from the utilities listed hereinabove, which utilities have consented to the proposed abandonments, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby consents to and approves the abandonment of Reading Avenue and the portions of Hawthorne Avenue, Homewood Avenue and Center Avenue hereinabove listed pursuant to Section 205 of the Town Law subject to compliance by BCS with the above listed conditions for settlement of the litigation; and this Town Board shall execute a written consent that the Town Superintendent of Highways file and cause to be recorded in the Town Clerk's Office, and BE IT FURTHER

RESOLVED that this Town Board hereby consents to the settlement of the above reference litigation on the conditions listed hereinabove.

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

NOTE: Attachment is a map, which was too large to copy and include in minutes. Therefore, it has been filed with the Resolution in the Town Clerk's Office.

Item No. 8 Motion by Councilmember Jaworowicz, seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga, as a member of the Amherst-Cheektowaga-Tonawanda HOME Investment Partnership Program Consortium, the Town received an allocation of HOME Program funds during the 1995 and 1996 Program Years through the Town of Amherst for housing rehabilitation and a first-time home-buyers program, and

WHEREAS, additional funding is recommended for the first-time homebuyers program in order to meet the need generated by said program, and

WHEREAS, the Director of Community Development has recommended the Town request the Amherst-Cheektowaga-Tonawanda HOME Consortium to transfer funds in the amount of \$60,000.00 to the Town's first-time homebuyers program from the 1995 and 1996 housing rehabilitation programs, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby requests the Town of Amherst, as lead community for the Amherst-Cheektowaga-Tonawanda HOME Consortium, to transfer the sum of \$60,000.00 to the Town's First-Time Homebuyers Program from the housing rehabilitation program from the 1995 and 1996 program years.

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

Item No. 9 Motion by Councilmember Johnson, seconded by Councilmember Rogowski

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WHEREAS, Benderson 85-1 Trust is the owner of a shopping plaza located at the northeast corner of Union Road and George Urban Boulevard, more specifically known as 3825-3875 Union Road, in the Town of Cheektowaga, and

WHEREAS, Benderson Development Company, Inc. is the owner of a shopping plaza located on the southeast corner of Union Road at South Creek Drive, more particularly known as 3601-3637 Union Road, in the Town of Cheektowaga, and

WHEREAS, at present, there are no sidewalks along the George Urban Boulevard side of 3825-3875 Union Road on the easterly portion of 3601-3637 Union Road, and

WHEREAS, in the interest of pedestrian safety, it is necessary that the owners of these properties install sidewalks as soon as possible, NOW, THEREFORE, BE IT

RESOLVED hat this Town Board hereby formally requests Benderson 85-1 Trust and Benderson Development, Inc. to design and construct sidewalks along the George Urban Boulevard side of 3825-3875 Union Road and the south Creek Drive side of 3601-3637 Union Road on or before November 1, 1997, and BE IT FURTHER

RESOLVED in the event Benderson 85-1 Trust and Benderson Development Company, Inc. do not construct the sidewalks as requested above, this Town Board will take action under Section 200-a of the Town Law of the State of New York to construct such sidewalks and assess the expense of constructing such sidewalks against the properties involved, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Michael Yeomans, c/o Benderson 85-1 Trust and Benderson Development Company, Inc., 570 Delaware Avenue, Buffalo, New York 14202.

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

Item No. 10 Motion by Councilmember Rogowski, seconded by Councilmember Johnson

WHEREAS, Los-Green, Inc., as part of the acceptance of the Losson Green Estates Subdivision, Phase IX, and as a prerequisite to the construction of any buildings in a portion of such subdivision, has submitted to the Town for its acceptance a warranty deed for North Rushford Lane, and

WHEREAS, the Town Superintendent of Highways, in the attached letter, has recommended that such deed be accepted by the Town, and

WHEREAS, Los-Green, Inc. has also submitted a drainage easement and temporary drainage easement for such subdivision to the Town, and

WHEREAS, Los-Green, Inc. submitted a maintenance bond for the aforementioned highway; a performance bond to guarantee installation of street lighting; and a certified check to be held by the Town in escrow to guarantee storm sewer cleaning, NOW, THEREFORE, BE IT

RESOLVED that the aforementioned deed, easements, maintenance bond, performance bond and certified check be and hereby are accepted by this Town Board, and BE IT FURTHER

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

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

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**See next page(s) for attachments

Item No. 11a Special Events Approval - United Parcel Service
This item was withdrawn.

Item No. 11b Motion by Supervisor Gabryszak, seconded by Councilmember Johnson

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

WHEREAS, the Federation of German-American Societies has made application to hold its German-American Festival in Cheektowaga Town Park on August 30 and 31, 1997, and

WHEREAS, this Board has reviewed the application submitted by the Federation of German-American Societies, which application has been approved by the Police, Highway, Facilities and Youth and Recreation Service Departments, and has no objection to same, and

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

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Federation of German-American Societies for its German-American Societies for its German-American Festival to be held on August 30 and 31, 1997.

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

Item No. 12a Motion by Councilmember Jaworowicz, seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owners of the property located at 75 Pinehurst Avenue in the Town of Cheektowaga, and

WHEREAS, said owner has applied for a mortgage loan through Ford Consumer Finance Company, Inc., for the purpose of refinancing existing mortgage debt at a lower interest rate, and

WHEREAS, approval of the mortgage has been conditioned on the subordination of the Town's mortgage to that of Ford Consumer Finance Company, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Ford Consumer Finance Company, 2 Armstrong Road, Shelton, Connecticut, 06484 in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 75 Pinehurst Avenue, Cheektowaga, New York 14225.

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

Item No. 12b Motion by Councilmember Jaworowicz, seconded by Councilmember Blachowski

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

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

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

RESOLVED that the Supervisor be and hereby is authorized 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 1997 Program Year in an amount of up to \$150,000, which includes \$35,000 from Program Year 1997, \$40,000 from Program Year 1996, \$25,000 from Program Year 1995 and \$50,000 from Program Year 1994.

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

Item No. 12c Motion by Councilmember Jaworowicz, seconded by Councilmember Blachowski

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

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WHEREAS, activities utilizing Community Development funds have been programmed for the Villages of Depew and Sloan for the 1997 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 1997 Program Year.

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

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

WHEREAS, the New York State Department of Transportation is currently designing plans for the Reconstruction of Harlem Road, Route 240, between William Street and Clinton Street, including that portion beneath the New York State Thruway, identified as P.I.N. 5268.29.102, and having an anticipated letting date of May, 1998, and

WHEREAS, the drainage study for the southwest quadrant of the Town, originally prepared in 1988 and updated in 1995 by the consulting engineering firm of Nussbaumer & Clarke, Inc., has identified the Harlem Road right-of-way to be the most cost effective corridor beneath the New York State Thruway through which a major storm drainage outlet should be established to enable future construction of needed storm drainage improvements for residentially developed areas north of the New York State Thruway, and

WHEREAS, following several months of negotiations with the NYSDOT, the Town Engineer has advised this Town Board that the recommendation of the aforesaid drainage study to establish a major storm sewer outlet beneath the N.Y.S. Thruway within the Harlem Road right-of-way **Item No. 12d cont'd**

would best be accomplished through a Betterment Agreement, permitting the proposed storm sewer to be constructed in conjunction with the NYSDOT project, and be designed and coordinated by the NYSDOT Consultant, LaBella Associates, with the respective design fee and construction costs to be funded by the Town, NOW, THEREFORE, BE IT

RESOLVED that the proposal of LaBella Associates, P.C. dated July 9, 1997 as submitted to the Town Engineer be and hereby is approved and accepted for the provision of professional services associated with the design of subject storm sewer trunkline and coordination of contract specifications and permitting, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is hereby authorized and directed to sign said agreement with:

LaBella Associates, P.C.
300 State Street
Rochester, New York 14614

for professional consulting services, and BE IT FURTHER

RESOLVED that funding not to exceed \$56,000 for said professional services shall be chargeable to Capital Account No. 5819-8540-1104.

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

Item No. 13 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 vacant property located at 137 David Avenue, Cheektowaga, New York, SBL#102.21-7-26 and according to the Assessor's Office is owned by Mr. & Mrs. Carl A. Schultz, 137 David Avenue, Cheektowaga, New York 14225, and

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

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

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

Item No. 14a Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

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

	<u>EFFECTIVE</u>
<u>SANITATION DEPARTMENT</u>	
Walter Weber	6/27/97
<u>RECYCLING DEPARTMENT</u>	
Jason Jacks	7/4/97

Item No. 14a cont'd

<u>JUSTICE COURT</u>	
Lynn Marie Janiszewski	6/27/97
<u>FACILITIES DEPARTMENT</u>	
Richard Kernan	Immediately

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

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

BE IT RESOLVED that the following individuals be terminated from the Youth & Recreation Department:

Josh Backes
James Brydalski
Rachel Chimento
Dale Czubaj
Jennifer Dembinski
Shannon DiSanto
Sally Gill
Kellie Gallagher
Kim Goulding
Michael Huber
Lori Injaychock
Joe LaBarbara
Mike Murphy
Michell Rush
Kennth Sielski
Kelly Stewart
Jaclyn Toy

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Tom Wnuk

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

Item No. 15 Appointment to three (3) vacancies of Police Officers
This item was withdrawn.

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

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

EFFECTIVE

POLICE DEPARTMENT - \$5.00 per hour

Jennifer Lynn Wierzbicki XXXXXXXXXXXXXXX, Chktg, XXXXX 7/22/97

SANITATION DEPARTMENT - \$6.00 per hour

Peter Smith XXXXXXXXXXXXXXX, Chktg., XXXXX 7/22/97

Item No. 16 cont'd

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

Item No. 17 Motion by Councilmember Swiatek, 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 - \$6.00 per hour (0100-1625-1491)

Paul Pignatora XXXXXXXXXXXXXXX, Chktg. XXXXX 7/22/97

RECYCLING DEPARTMENT - \$6.00 per hour

John Skonecki XXXXXXXXXXXXXXX, Chktg. XXXXX 7/22/97

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

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

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

From Part-time to Seasonal

Laila Desjardins
Chris Mahalic

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Theatre - 7140.1651

From Program Coordinator VI to Program Coordinator VII - \$8.50

Thomas Kazmierczak

From Recreation Specialist III to Recreation Specialist V - \$6.00

Camille Kazmierczak

From Recreation Specialist to Recreation Specialist I - \$5.25

Joseph Bucheker
Tim Hinkley

From Recreation Specialist IV to Recreation Specialist V - \$6.25
7140.1651/7310.1804

Leanne Ventura

Bathhouse Attendants - 7180.190

From Basketchecker (Trainee) to Basketchecker - \$4.75

Jennifer Kreavy

Item No. 18 cont'd

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

NAYES: 0

ABSENT: 0

Item No. 19 Motion by Councilmember Blachowski, Seconded by Councilmember Jankowiak
Councilmember Johnson

WHEREAS, the Federal Bureau of Justice Assistance has awarded the Town of Cheektowaga a Neighborhood Strike Force Grant in the amount of \$79,941.00, and

WHEREAS, one of the components objectives of the Neighborhood Strike Force Grant is to develop and enhance a partnership between the Building Inspection Department, the Police Department and the community, and

WHEREAS, in order to attain this objective the Neighborhood Strike Force Grant requires the Supervising Building and Plumbing Inspector, together with the Police Department to:

1. Participate in a town-wide meeting to describe this project.
2. Meet with neighborhood taxpayers groups to discuss specific problems of crime, fear, disorder and neighborhood wellness.
3. Work with residents to identify problems and solutions and conduct "talk-and-walk" on-site inspections as needed.
4. Implement problem-solving techniques.
5. Assess results and report back to the neighborhoods, and

WHEREAS, such grant recognizes that the above activities must be carried out on a continual basis by the Supervising Building and Plumbing Inspector after regular working hours, and

WHEREAS, such grant provides for a maximum compensation of \$2,714.00 be paid to the Supervising Building and Plumbing Inspector for carrying out the above activities during the term of this grant, NOW, THEREFORE, BE IT

RESOLVED that the 1997 salary of the Supervising Building and Plumbing Inspector be increased by an amount up to \$2,714 and be paid in conformity with the requirements of the Neighborhood Strike Force Grant, effective as of May 6, 1997.

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

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ABSENT: 0

III. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Office of Disaster Preparedness - Quarterly Report - April to June, 1997
Received and Filed.

Item No. 21 Traffic Safety Commission - Minutes of Meeting - June 17, 1997
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 22 NYS Dept. of Trans. - Designation of Restricted Highway - Transit Rd between French Road and Broadway
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members; Highway Department; Cheektowaga Traffic Safety Commission
Received and Filed.

Item No. 23 Notice of Claim and Summons & Complaint - Henry Wanat as parent of Peter Wanat vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Youth & Recreational Services; W. Wielinski, Facilities Director; N. Rutkowski, Foreman-Facilities Dept.
Received and Filed.

Item No. 24a Notice of Claim - Bogdan S. Wisniewski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.
Received and Filed.

Item No. 24b Notice of Claim - Anders Maren vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.
Received and Filed.

Item No. 24c Notice of Claim - Robert Wisner vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation Dept.
Received and Filed.

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

V. SUSPENSION OF RULES

Motion by Supervisor Gabryszak, Seconded by Councilmember Blachowski to suspend the rules to include the following item, and the voting was as follows:

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 21, 1997**



Item No. 25 Motion by Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, it is in order that bids be advertised for furnishing all labor, tools, equipment, materials and incidentals required for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Project, General Construction Work, Mechanical Work and Electrical Work, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Cheektowaga/Recreation Center, Building Rehabilitation Project, General Construction Work, Mechanical Work and Electrical Work, said Notice to be published in the Cheektowaga Times, and BE IT FURTHER

RESOLVED that sealed bid proposals will be received on the 7th day of August, 1997 at 11:00 A.M. Local Time in the Town Hall Council Chambers at a public bid opening to be held for said purpose.

Item No. 25 cont'd

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 7th day of August, 1997 until 11:00 a.m., local time in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for the Town of Cheektowaga Recreation Center, Building Rehabilitation Project, General Construction Work, Mechanical Work and Electrical Work, complete, in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Information for Bidders, etc. prepared by Ronald C. Hosken, architect, for the said project and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications, Information for Bidders and bidding information may be examined at the above office and at the Architect's Office at 6645 Versailles Road, Lake View, New York 14085. Copies may be secured at the office of Ronald C. Hosken, architect, upon payment of a \$50.00 deposit for each set. Two checks, each for one-half the amount of deposit, shall be furnished, payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 calendar days after the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans, Specifications before the bid opening will also be classified as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications, may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to Richard M. Moleski, Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227 and marked "Proposal for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Project" , "General Construction Work, Mechanical Work or Electrical Work" as the bidder's interest may apply.

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

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 21, 1997**

No Bidder may withdraw his bid within 45 days after the actual date of the opening thereof, but may withdraw same any time prior to the scheduled date for opening of bids.

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

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

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

Item No. 25 cont'd

The work to be completed within the time frame stated in the bidders proposal. Start of work to begin within ten (10) days after the "Order of Commence Work" has been issued.

BY ORDER OF: TOWN OF CHEEKTOWAGA

Richard M. Moleski, Town Clerk

Dated: July 21, 1997

Published: July 24, 1997



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

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TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 21, 1997

Item No. 26 Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn the meeting in memory of Edward Miller, Sr., and Nick Poules.
Time Meeting Adjourned - 9:35 P.M.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 15
July 21, 1997**

TOWN OF CHEEKTOWAGA
MEETING NO. 16
AUGUST 4, 1997

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 4th day of August, 1997 at 7:00 o'clock P.M. there were:

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

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Planning Board Chairman; Thomas Rowan, Police Captain; Robert Kaczmarek, Supervising Accountant; William Pugh, Town Engineer; and Leonard Szymanski, Facilities Foreman.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss amending the Non-Residential Development Moratorium Ordinance. 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 amendment being as follows:

1. Resolved, that Section 1 of such Ordinance, which pertains to the length of such moratorium and the type of such moratorium, shall be amended to change the length of such moratorium from 320 days to 365.

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

II. RESOLUTIONS

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

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

GENERAL FUND

From:	0100-7310-4677	Catholic Charities	\$ 4,750.00
	0100-7310-4685	Youth Department-Y.E.S.	2,685.00
	0100-7310-4687	Child & Family Services	4,750.00
	0100-7140-4601	Aid to Youth	1,000.00
	0100-7310-4687	Child & Family Services	1,500.00
	0100-3120-1501	Captains	2,714.00
	0100-1415-3510	State Aid-Archive Grant	17,835.00
To:	0100-7310-4691	Developmentally Disabled Camp	\$ 4,750.00
	0100-7310-4261	Postage	2,685.00
	0100-7310-2501	Office Equipment	4,750.00
	0100-7140-4539	Softball	1,000.00
	0100-7310-4674	Teen Center	1,500.00
	0100-9501-9400	Inter Fund Transfer	2,714.00
	0100-1415-1600	Clerical Assistance	12,800.00
	0100-1415-4001	Contractual Services	250.00
	0100-1415-4500	Supplies & Materials	3,225.00
	0100-1415-4003	Travel Expenses	62.00
	0100-1415-8000	Employee Benefits	1,498.00

Item No. 3 cont'd.

MEETING NO. 16
AUGUST 4, 1997

PART TOWN FUND

From:	0800-1910-5031	Transfers In	\$ 2,714.00
To:	0800-3620-1100	Supervisor Building & Plumbing Inspection	\$ 2,714.00

SPECIAL DISTRICTS

From:	4000-8140-4543	Ditch & Creek Maintenance	\$ 6,000.00
To:	4000-8140-4581	Consulting Services	\$ 6,000.00

Upon roll call

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to August 1, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$201,755.45
HIGHWAY FUND	194,231.36
TRUST & AGENCY	6,637.86
PART TOWN FUND	1,518.58
RISK RETENTION FUND	6,508.59
CDBG HUD FUND	18,520.38
HUD HOUSING REHABILITATION FUND	11,813.33
SPECIAL DISTRICTS FUND	295,028.65
CAPITAL FUND	<u>140,961.90</u>
	\$876,976.10

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga is the owner of the War of 1812 Cemetery and owns the cannon located in such cemetery, AND

WHEREAS, by resolution dated January 4, 1994, this Town Board appointed a Board of Trustees to oversee the preservation of such cemetery, AND

WHEREAS, said Board of Trustees has noted that the cannon in such cemetery is in need of restoration, and has begun a campaign to raise moneys for its restoration, AND

WHEREAS, there is a need to create a Trust & Agency Account in the Town budget to accept donations for the restoration of this cannon, NOW, THEREFORE, BE IT

RESOLVED, that donations for the restoration of the War of 1812 Cemetery cannon shall be deposited into account number 0600-0898-0300, said moneys to be used solely for the restoration of the War of 1812 Cemetery cannon and, BE IT FURTHER

Item No. 5 cont'd.

MEETING NO. 16
AUGUST 4, 1997

RESOLVED, that this Town Board hereby accepts a \$25.00 donation from the Private Leonard Post for this cannon restoration, and directs that such moneys be deposited in the aforementioned Trust & Agency Account.

Upon roll call

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

Item No. 6a Motion by Councilmember Johnson, Seconded by Councilmember Blachowski

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

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

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

WHEREAS, an application was submitted by James Busshart to rezone 2804 Union Road from C-Retail Business to MS-Motor Service, AND

WHEREAS, the applicant would construct a 1,020 square foot addition to the existing Mr. Oil Change facility to provide additional services to the public, AND

WHEREAS, the Advisory Committee, at its meeting held on June 4, 1997 rendered the determination shown on the attached memo dated June 5, 1997, AND

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

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 6b 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

MEETING NO. 16
AUGUST 4, 1997

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

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

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

WHEREAS, an application was submitted by the Bella Vista Group to rezone an 11.52 acre parcel of vacant land from RS-Residential Single Family District to RA-Residential Apartment District, AND

WHEREAS, the applicant proposes to construct seventy-seven (77) patio homes to be known as the Parwood Subdivision, AND

WHEREAS, various agencies were referred this project for comments; these agencies included the Village of Depew, Erie County Department of Environment and Planning and the New York State Department of Environmental Conservation, AND

WHEREAS, the applicant is preparing sewer use data for the Town of Cheektowaga, Erie County Department of Environment and Planning and the New York State Department of Environmental Conservation, for extension of the sanitary sewer from Sewer District No. 7 for approval in advance of construction of said sewer, AND

WHEREAS, the applicant has agreed to reconstruct a portion of Rehm Road in coordination with the Town of Cheektowaga and Village of Depew, AND

WHEREAS, the applicant will extend the water line and sanitary sewer to the subdivision through Town property and construct the storm water retention facility at such time as license agreements are signed between the applicant and Town, AND

WHEREAS, the applicant, as part of a storm water management plan, will construct a retention basin that would be incorporated into the Town's proposed golf course, AND

WHEREAS, the applicant is aware of the need for a number of variances from the Zoning Board of Appeals prior to construction, AND

WHEREAS, the Advisory Committee, at its meeting held on July 9, 1997 rendered the determination shown on the attached memo dated July 10, 1997, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7a Motion by Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, James L. Busshart has petitioned for the rezoning from C-Retail Business District to MS-Motor Service District of property owned by him and located at 2804 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

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AUGUST 4, 1997

WHEREAS, a public hearing on such petition was held before this Town Board on the 7th day of July, 1997 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; 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 based on commitments from the application 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 James L. Busshart for the rezoning from C-Retail Business District to MS-Motor Service 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 Ordinance of the Town of Cheektowaga be amended in accordance with the above.

Upon roll call

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

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*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7b Motion by Councilmember Blachowski, Seconded by Councilmember Johnson

WHEREAS, Bella Vista Group, Inc. has petitioned for the rezoning from RS-Residence Single District to RA-Apartment District of property owned by it and located at the terminus of Rehm Road (Parwood Subdivision), 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 before this Town Board on the 4th day of August, 1997 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law") and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

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

NOW, THEREFORE, BE IT RESOLVED, that the application of Bella Vista Group, Inc. for the rezoning from RS-Residence Single District to RA-Apartment 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, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 8 Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, this Town Board held a public hearing on July 21, 1997 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED as follows:

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AUGUST 4, 1997

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:

ARTICLE IV

Traffic Control Signals

76-40 Installation, maintenance and operation of traffic control signals.

Section 76-40 shall be amended by deleting the entire section and replacing same with the following:

Traffic control signals shall be installed and operated at the intersections and locations described:

Cayuga Road at Cleveland Drive (added 1-26-76)

Cayuga Road at Maryvale Drive (added 1-26-76)

Cayuga Creek Road at South Henry Street - John F. Kennedy School driveway (added 8-4-69)

Cleveland Drive at Beach Road

Cleveland Drive at Century Road (added 2-3-69)

Cleveland Drive at Cleveland Hill Hose Fire Co. and Merrymont Drive

Cleveland Drive at Highview Road, Highview Court (added 2-3-69)

Cleveland Drive at Oehman Boulevard and Lamarck Drive

Cleveland Drive at Ravenswood Terrace, Birkdale Road (7-1-68)

Cleveland Drive at Thruway Exit 50A Off Ramp (eastbound I-90) (8-5-74)

Clinton Street at Willowlawn Parkway

Como Park Boulevard at Borden Road

Dick Road at North Creek Drive

Dick Road at Barone Circle

Dingens Street at Alaska Street (8-4-69)

Dingens Street at Rossler Avenue (added 5-6-68)

Doat Street at Randolph Avenue - Villa Maria entrance

East Delavan Avenue at Andrews Avenue

French Road at Scrivner Drive

French Road at Borden Road (10-2-72)

Item No. 8 cont'd.

French Road (County Route No. 321) at Kelly Drive (added 8-20-73; amended 10-1-73; 4-7-75)

French Road at Southline Hose Fire Co. (8-12-72)

French Road at Boxwood Lane and Yvette Drive and in front of Fire Station on Boxwood Lane 318 feet south of French Road (added 11-17-69)

French Road at Towers

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Galleria Drive West Service Road at its intersection with Galleria Drive (5-7-90)
Galleria Drive East Service Road
Genesee Street at Andrews Avenue
George Urban Boulevard at Dick Road
George Urban Boulevard at Nagel Drive
George Urban Boulevard at Rosewood Terrace - Queen of Martyrs School
Kensington Avenue at Century Road
Kensington Avenue at Kenview Boulevard
Losson Road at Borden Road (3-18-68)
Losson Road at Towers Boulevard
Maryvale Drive at Beach Road
Maryvale Drive - entrance to Maryvale High School (added 2-3-69)
Nagel Drive at North and South Creek Drive Forks Hose Fire House (8-21-72)
Pine Ridge Road at Doat Street
Pine Ridge Road at East Delavan Avenue (5-6-68)
Pine Ridge Road at Rescue Hose Fire Co.
South Rossler Avenue at Griswold Street Doyle Hose Fire Co. No. 2
Union Road at Cheektowaga Central School Drive (north)
Union Road at Cheektowaga Central School Drive (south)
William Street - Doyle Hose Fire Co. No. 1
William Street at Cayuga Creek Road
William Street at Standard Parkway
William Street at Theodore Roosevelt School (added 2-3-69)
William Street at Cass Avenue, Mansion Avenue (added 2-3-69)
William Street at I-90 Eastbound Ramps
William Street at I-90 Westbound Ramps

Item No. 8 cont'd.

ARTICLE X

Parking, Standing and Stopping

Section 76-102 shall be amended by deleting therefrom the following:

A. No parking this side or one side parking

Ellwood Place	east side	from the north curbline of Beryl Drive to south curbline of Cedargrove Circle
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C. No parking here to corner

Reo Avenue	east side	from the north curb of Walden Avenue northerly to 9 Reo Avenue
Leonard Post Drive	west side	from north curb of Walden Avenue to 10 Leonard Post Drive

D. No standing here to corner

Hedwig Street	east side	from the north curbline of Walden Avenue to a point seventy-five (75) feet northerly therefrom
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F. Miscellaneous parking signs

Ridge Park Avenue	east side	from the north curb of Walden Avenue to No. 9 Ridge Park
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Section 76-103 shall be amended by deleting therefrom the following:

B. Standing Prohibited in Designated Areas

Donlon Drive	east side	from the south terminus to the north terminus
Idlebrook Drive	east side	from the south terminus to the north terminus
Windcrest Drive	east side	from the south terminus to the north terminus
Shirley Drive	east side	from the south terminus to the north terminus
Primrose Drive	east side	from the south terminus to the north terminus
Simsbury	east side	from the south terminus to the north terminus

Section 76-102 shall be amended by adding thereto the following:

B. No parking anytime

Allison Drive	north side	from the east curbline of Cedargrove Circle to a point three hundred (300) feet east
Brookhaven Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred fifty (350) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred seventy-five (175) feet south

Item No. 8 cont'd.

Donlon Drive	east side	from the south terminus to the north terminus
Ellwood Place	west side	from the north curbline of Beryl Drive to the south curbline of Cedargrove Circle
Elkhurst Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred twenty-five (325) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Idlebrook Drive	east side	from the south terminus to north terminus

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Kingswood Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred forty (340) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Pendlewood Drive	east side & south side	from the north curbline of Cedargrove Circle to the west curbline of Cedargrove Circle
Pendlewood Drive	east side	from the south curbline of Cedargrove Circle southerly to a point two hundred fifteen (215) feet south
Primrose Drive	east side	from the south terminus to the north terminus
Redwood Drive	north side	from the west curbline of Cedargrove Circle westerly to a point three hundred ten (310) feet west
Rockleigh Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred (300) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred eight (180) feet south
Sandstone Drive	east side & north side	from the south curbline of Maryvale Drive to the west curbline of Cedargrove Circle
Siberline Drive	east side	from the north curbline of Cedargrove Circle northerly to a point three hundred (300) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred eighty (180) feet south
Simpson Drive	south side	from the east curbline of Cedargrove Circle easterly to a point two hundred fifteen (215) feet east
Simpson Drive	south side & west side	from the west curbline of Cedargrove Circle to the south curbline of Windwood Court
Shelby Drive	east side	from the north curbline of Cedargrove Circle northeasterly to a point one hundred forty (140) feet east
Shelby Drive	west side	from the north curbline of Cedargrove Circle northeasterly to a point one hundred eighty (180) feet east
<u>Item No. 8 cont'd.</u>		
Sierra Drive	north side	from the east curbline of Cedargrove Circle easterly to a point three hundred fifteen (315) feet
Simsbury Drive	east side	from the south terminus to the north terminus
Shirley Drive	east side	from the south terminus to the north terminus
Starcrest Drive	east side	from the north curbline of Cedargrove Circle northerly to a point two hundred seventy-five (275) feet north and from the south curbline of Cedargrove Circle southerly to a point one hundred sixty-five (165) feet south
Windcrest Drive	east side	from the south terminus to the north terminus

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Windwood Court	south side,	from the west curbline of Cedargrove Circle on the south side, then around on the west side and around the north side, covering the outside of the court back to the west curbline of Cedargrove Circle.
Alexander Avenue	west side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Euclid Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Gualbert Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Haller Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Hedwig Avenue	east side	from the north curbline of Walden Avenue to a point seventy-five (75) feet north
Hoerner Avenue east side	from the north curbline of Walden Avenue to a point sixty (60) feet north	
Leonard Post Drive	west side	from the north curbline of Walden Avenue to a point one hundred ten (110) feet north
Randolph Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north
Reo Avenue	east side	from the north curbline of Walden Avenue to a point ninety (90) feet north
Ridge Park Avenue	east side	from the north curbline of Walden Avenue to a point seventy (70) feet north
Wanda Avenue	east side	from the north curbline of Walden Avenue to a point sixty (60) feet north

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.

Item No. 8 cont'd.

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, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0

MEETING NO. 16
AUGUST 4, 1997

AFFIDAVIT - NEXT PAGE

Item No. 9 Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz
Councilmember Blachowski

WHEREAS, this Town Board previously enacted a "Non-Residential Development Moratorium" for properties along Losson Road and William Street, AND

WHEREAS, during the term of such moratorium, the Town retained a planning consultant to review the zoning district classification of properties along such roadways, AND

WHEREAS, the Cheektowaga Planning Board has recommended that the planning consultant's report/study be accepted and has recommended approval of same, AND

WHEREAS, the Town is awaiting recommendations from the Environmental Advisory Committee on the proposed rezonings, AND

WHEREAS, review, comments and recommendations from the planning consultant and Cheektowaga Planning Board relating to resident's concerns and a revision to the rezoning are not completed yet, AND

WHEREAS, additional time is needed to complete review of the study and revisions, conduct a public hearing, etc., AND

MEETING NO. 16
AUGUST 4, 1997

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing was held on the 4th day of August, 1997 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 had an opportunity to be heard as to whether the "Non-Residential Development Moratorium" should be amended to extend same an additional 45 days, AND

WHEREAS, it is in the public interest to extend the Non-Residential Development Moratorium, NOW, THEREFORE, BE IT

RESOLVED, that the Non-Residential Development Moratorium Ordinance be and the same is hereby amended as follows:

RESOLVED, that Section 1 of such Ordinance, which pertains to the length of such moratorium and the type of moratorium shall be amended to change the length of such moratorium from 320 days to 365 days and, BE IT FURTHER

RESOLVED, that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on the 4th day of August, 1997; 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.

The aforementioned amendment to the "Non-Residential Development Moratorium Ordinance" shall take effect ten (10) days after such publication, but such amendment shall take effect from the date of their service as against a person served personally with a copy thereof certified by the Town Clerk under the corporate seal of the Town and showing the date of their passage and entry in the minutes.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, bids were duly received by this Town Board at a public bid opening held on July 23, 1997 for the purchase of ONE (1) NEW AND UNUSED 1998 MODEL, COMBINATION SEWER CLEANER MOUNTED ON A TRUCK CHASSIS on Town Owned vehicles 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 for the purchase of One (1) New and Unused 1998 Model, Combination Sewer Cleaner Mounted on a Truck Chassis be awarded to FOSTER'S EQUIPMENT INC., One Keuka Business Park, Suite #103, Penn Yann, New York 14527 at a total bid price of \$145,517.00; said bidder being the lowest responsible bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways, a copy of which is attached hereto and made a part hereof and, BE IT FURTHER

RESOLVED, that monies be charged to line item 5712-1440-9709.

Upon roll call

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

MEETING NO. 16
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ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, the Town Department of Youth and Recreational Services wishes to initiate a system which utilizes credit cards and debit cards for the payment of registration fees for programs and activities sponsored by such department, AND

WHEREAS, a Request for Proposals for Credit Card Services for the Department of Youth and Recreational Services has been prepared, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Requests for Proposals for Credit Card Services in the Cheektowaga Times AND, BE IT FURTHER

RESOLVED, that proposals will be accepted at the Town Clerk's Office until the close of business (4:30 P.M.) on August 20, 1997, after which time they will be referred to the Department of Youth and Recreational Services for review and recommendations.



NOTICE OF REQUESTS FOR PROPOSALS

Sealed proposals will be accepted by the Town Clerk of the Town of Cheektowaga until August 20, 1997 at 4:30 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the provisions of credit card services for the Town Department of Youth and Recreation Services.

MEETING NO. 16
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Request for Proposal documents may be obtained at the Town Clerk's Office during regular business hours.

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

Dated: August 4, 1997

Richard M. Moleski
Town Clerk

Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Building Inspections Department has voiced a concern that, despite the fact the Town Zoning Law prohibits the keeping of four or more dogs on any premises in the Town, the Town Clerk under State law, must issue dog licenses in such circumstances, AND

WHEREAS, amendments to Chapter 21 of the Code of the Town of Cheektowaga ("Dog Ordinance") have been drafted which would prohibit the Town Clerk from issuing dog licenses or purebred licenses where more than three dogs will be kept on any premises, AND

WHEREAS, amendments have also been proposed to increase the purebred license fee from \$25.00 to \$50.00, NOW, THEREFORE, BE IT

RESOLVED, that, in accordance with the provisions of the Town Law of the State of New York, a public hearing be held on the 18th day of August, 1997 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 shall be determined by the Town Board whether Chapter 21 of the Code of the Town of Cheektowaga ("Dog Ordinance") shall be amended as provided in 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 not less than ten (10) days prior to the date of such hearing.



MEETING NO. 16
AUGUST 4, 1997

NOTICE OF HEARING ON PROPOSAL TO AMEND DOG ORDINANCE

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 4th day of August, 1997, a public hearing will be held on August 18, 1997 at 7:00 p.m., 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 shall be determined by the Town Board whether Chapter 21 of the Code of the Town of Cheektowaga ("Dog Ordinance") shall be amended and changed as follows:

1. RESOLVED, that ARTICLE I, GENERAL REGULATIONS, shall be amended to add a new section, Section 21-2.2, entitled "Maximum number of dogs permitted on premises", which reads as follows:

Section 21-2.2. Maximum number of dogs permitted on premises.

- A. No person shall keep more than three (3) dogs six months of age or older on any premises in the Town of Cheektowaga.
- B. The Town Clerk shall not issue any dog license(s) in any instance where more than three (3) dogs six months of age or older will be kept on any premises in the Town of Cheektowaga.
- C. For the purposes of this section, premises shall be defined as an individual living unit/dwelling or individual business of manufacturing unit.
- D. The owner of each dog must reside on the premises where the dog is licensed.
- E. Exceptions

This law shall not apply to any person who, on the effective date of this law, has a valid dog license or purebred license for more than three (3) dogs, subject to the following conditions:

- 1. Such dog(s) are the owner's pets and are not for sale or in any way used for any business.

Item No. 12a cont'd.

2. In the event any of the dogs licensed dies, or is sold or transferred to another person, the owner cannot replace such dog and shall not be issued a license for any replacement dog unless the owner has three (3) or fewer dogs, inclusive of the replacement dog.

2. RESOLVED, that ARTICLE II, LICENSE FEES, Section 21-6.A, which relates to the enumeration of local fees, shall be amended to read as follows:

Section 21-6. Local fees enumerated

A. Pursuant to §110, Subdivision 4, of the Agricultural and Markets Law of the State of New York, an annual dog license fee of five dollars (\$5.) for each dog license issued by the Town of Cheektowaga, New York, will be added to the license fees established by §110, Subdivision 1 and 2, of the Agriculture and Markets Law, such fees being as follows:

Type of Dog	State Fee	Local Fee	Total Fee
Neutered and spayed	\$ 2.50	\$ 5.00	\$ 7.50
Unneutered and unspayed	7.50	5.00	12.50
Purebred	25.00	25.00	50.00

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

Dated: August 4, 1997

Richard M. Moleski
Town Clerk

MEETING NO. 16
AUGUST 4, 1997



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 30 of the Laws of 1996, which authorizes local municipalities to provide a retirement incentive for certain Town employees, AND

WHEREAS, Chapter 41 of the Laws of 1997 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 18th day of August, 1997 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. 97-3 of the Year 1997 entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 41 of the Laws of 1997 for the eligible employees of the Town of Cheektowaga" and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to published 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 18th day of August, 1997 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. 97-3

MEETING NO. 16
AUGUST 4, 1997

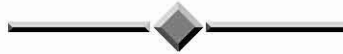
A Local Law enacting a retirement incentive program as authorized by
Chapter 41, Laws of 1997 for the eligible employees of the
Town of Cheektowaga

- Section 1. The Town of Cheektowaga hereby elects to provide all its eligible employees with a retirement incentive program authorized by Chapter 41, Laws of 1997.
- Section 2. The commencement date of the retirement incentive program shall be October 3, 1997.
- Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit shall be 90 days in length.
- Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.
- Section 5. This act shall take effect immediately.

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

Dated: August 4, 1997

Richard M. Moleski
Town Clerk



Item No. 12b cont'd.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) be held on August 18, 1997 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the advisability of adopting said amendments and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 7th day of August, 1997, said amendments being set forth in the Notice of Hearing.



NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on August 18, 1997 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE VIII

Stop and Yield Intersections

76-80. Stop intersections designated.

Section 76-80 shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Cedargrove Circle	North-South	Windwood Ct.	Eastbound	S.W. Corner

76.81. Yield intersections designated.

Section 76-81 shall be amended by deleting therefrom the following

MEETING NO. 16
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Cedargrove Circle	East-West	Shelby Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Shelby Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Elkhurst Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Elkhurst Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Sierra Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Sierra Drive	Southbound	N.W. Corner

Section 76-80 shall be amended by adding thereto the following

Cedargrove Circle	North-South	Simpson Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Simpson Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Allison Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Allison Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Sierra Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Sierra Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Trent Square	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Elkins Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Pendlewood Dr. N.	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Redwood Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Springfield Dr. N.	Westbound	N.E. Corner
Cedargrove Circle	North-South	Sandstone Dr.	Eastbound	S.W. Corner
Cedargrove Circle	East-West	Starcrest Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Starcrest Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Rockleigh Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Rockleigh Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Brookhaven Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Brookhaven Dr.	Southbound	N.W. Corner

Item No. 12c cont'd.

Cedargrove Circle	East-West	Kingswood Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Kingswood Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Siberling Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Siberling Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Pendlewood Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Pendlewood Dr. S.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Elkhurst Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Elkhurst Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Shelby Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Shelby Drive	Southbound	N.W. Corner
Community Drive	East-West	Donlon Drive	Northbound	S.E. Corner
Community Drive	East-West	Donlon Drive	Southbound	N.W. Corner
Community Drive	East-West	Idlebrook Dr.	Northbound	S.E. Corner
Community Drive	East-West	Idlebrook Dr.	Southbound	N.W. Corner
Community Drive	East-West	Windcrest Dr.	Northbound	S.E. Corner
Community Drive	East-West	Windcrest Dr.	Southbound	N.W. Corner
Community Drive	East-West	Shirley Dr.	Northbound	S.E. Corner
Community Drive	East-West	Shirley Dr.	Southbound	N.W. Corner
Community Drive	East-West	Primrose Drive	Northbound	S.E. Corner
Community Drive	East-West	Primrose Drive	Southbound	N.W. Corner
Community Drive	East-West	Simsbury Drive	Northbound	S.E. Corner
Community Drive	East-West	Simsbury Drive	Southbound	N.W. Corner
Dale Road	East-West	Peppy Place	Southbound	N.W. Corner
Losson Road	East-West	North Rushford	Southbound	N.W. Corner
Crabapple Lane	East-West	North Rushford	Northbound	S.E. Corner
Glenwood Ct.	East-West	Fernwood Place	Southbound	N.W. Corner
Cedargrove Circle	North-South	Nugget Drive	Westbound	N.E. Corner

Section 76-81 Yield Intersections Designated

Section 76-81 shall be amended by adding thereto the following:

Cedargrove Circle	East-West	Drake Drive	Northbound	S.E. Corner
Cedargrove Circle	North-South	Windwood Ct. N.	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Springfield Drive S.	Westbound	N.E. Corner

MEETING NO. 16
AUGUST 4, 1997

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

Dated: August 4, 1997

Richard M. Moleski
Town Clerk



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, since the construction of the NYS Thruway ramps on William Street in the Town of Cheektowaga, there has been a large increase in the number of vehicles traveling along Losson Road and William Street, from Union Road to Harlem Road, AND

WHEREAS, this increased vehicular traffic has caused numerous problems and concerns amongst residents and businesses located on or near William Street and Losson Road, AND

WHEREAS, there is a serious need for a method to reduce the traffic congestion in this area of Town, AND

WHEREAS, discussion have been had with representatives of the Town of Lancaster and the NYS Department of Transportation to try to find alternate means to direct traffic away from Losson Road and William Street, but no solution has yet been found, AND

WHEREAS, the introduction of off- and on- ramps to the NYS Thruway on Broadway near Ludwig Avenue in the Town would provide needed traffic relief to reduce the traffic congestion on William Street and Losson Road, AND

WHEREAS, the NYS Thruway Authority has tentatively reviewed the construction of a partial interchange off of Broadway near Ludwig Avenue, and feels that it may be possible, and wishes to discuss same in more detail, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NYS Thruway Authority to thoroughly investigate the possibility of construction off- and on- ramps to the Thruway on Broadway near Ludwig Avenue, and to design and construct such ramps as soon as possible and, BE IT FURTHER

RESOLVED, that this Town Board memorializes the State legislature to provide sufficient funding in the State budget to enable the NYS Thruway authority to conduct its study, and to design and construct the necessary ramps to the Thruway on Broadway near Ludwig Avenue and, BE IT FURTHER

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

Upon roll call

MEETING NO. 16
AUGUST 4, 1997

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

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

WHEREAS, the Polish American Arts Festival Committee has made application to hold the Polish American Arts Festival from August 15-17, 1997 in Cheektowaga Town Park, AND

WHEREAS, the Board has reviewed the application submitted by the Polish American Arts Festival Committee, which application has been approved by the Building, Highway, Facilities, Youth and Recreation and Police Departments, 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.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Polish American Arts Festival Committee for their festival to be held on August 15-17, 1997.
Item No. 14 cont'd.

Upon roll call

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

Item No. 15 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, the Town is in need of a storm sewer pipeline easement across property owned by Bellevue Fire District No. 9 on Como Park Boulevard at Bennett Road to convey storm waters from a County right-of-way to Cayuga Creek, AND

WHEREAS, Bellevue Fire District No. 9 has offered a storm sewer easement to the Town, which easement is acceptable to the Town Engineer and Town Attorney, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned easement from Bellevue Fire District No. 9 and, BE IT FURTHER

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

Upon roll call

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

Item No. 16 Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, this Town Board previously enacted and adopted amendments to the Non-Residential Development Moratorium Ordinance, which ordinance directs all Town departments, agencies and authorities to withhold the issuance of any permits for the construction or expansion of non-residential structures along William Street and Losson Road in the Town, AND

WHEREAS, such Ordinance will be in effect until at least September 16, 1997, AND

MEETING NO. 16
AUGUST 4, 1997

WHEREAS, Section 3 of such Ordinance allows the Town Board, in certain circumstances, to vary or modify the application of the provisions of such Ordinance, AND

WHEREAS, George Ladas, the owner of property located at 1551 Harlem Road (corner of William Street), has requested this Town Board to vary the application of the provisions of this ordinance to his property so that he can expand and improve the property, AND

WHEREAS, the property at 1551 Harlem Road is identified in the William/Losson Corridor Study and its zoning maps as retaining its C-Retail Business District zoning classification, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby determines that it is consistent with the Town's comprehensive master plan and with the health, safety, morals and general welfare of the Town to exclude the above referenced property known as 1551 Harlem Road from the applicability of the Non-Residential Development Moratorium Ordinance.

Upon roll call

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

Item No. 17a 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 vacant property located at 47 Huth Road, Cheektowaga, New York, SBL #91.06-20-2 and according to the Assessors' Office is owned by Lynn H. Guille, 47 Huth Road, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

Item No. 17b 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 vacant property located at 3458 Union Road, Cheektowaga, New York, SBL #102.02-1-23 and according to the Assessor's Office is owned by Merle & Claudia Demerly, 3458 Union Road, Cheektowaga, New York 14225.

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

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



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER JAWOROWICZ TO AMEND THE ABOVE RESOLUTION, ITEM 17B, AND THE VOTING WAS AS FOLLOWS:

MEETING NO. 16
AUGUST 4, 1997

Upon roll call

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



AMENDED

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 3458 Union Road, Cheektowaga, New York, SBL #102.02-1-23 and according to the Assessor's Office is owned by Merle & Claudia Demerly, their successors and/or assigns, 3458 Union Road, Cheektowaga, New York 14225.

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

Item No. 17b cont'd.

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

Upon roll call

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

Item No. 17c Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on property located at 4600 Union Road, Cheektowaga, New York, SBL #91.08-10-3.1 and according to the Assessors' Office is owned by WNY District Inc., Wesleyan Church, 4600 Union Road, Cheektowaga, New York 14225-1852, AND

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

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

Upon roll call

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

Item No. 18 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)/attendants(s), and has recommended that the Town Board issue such licenses.

NOW, THEREFORE, BE IT RESOLVED, that the recommendations of the EMS Board concerning the licensing of new/renewal driver(s)/attendant(s) shown on the attached list be and

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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, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, the Town's Community Coalition Demonstration grant, (otherwise known as the Suburban Wellness Coalition) has received a grant in the amount of \$4,000.00 from the Erie County Department of Youth Services, AND

WHEREAS, the funds will be utilized to advance the moral, physical, mental and social well-being of the youth of Erie County, AND

WHEREAS, in order to access funds, an official agreement must be implemented, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be authorized to execute a 1997 Y.D.D.P. Reimbursement Agreement between the Town of Cheektowaga and the County of Erie.

Upon roll call

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

Item No. 19b Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the contract for the Interior Painting of Digesters @ Plant No. 5 was awarded by Town Board Resolution dated May 5, 1997 to E&M Star Painting Inc. in the amount of \$13,250.00, AND

WHEREAS, the Town Engineer has recommended the approval of Change Order No. 1 (Final) for the patching of the digester walls following sandblasting to improve the surface of the concrete walls prior to the application of paint as an addition to this contract, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 (Final) in the amount of \$1,200.00 as an addition to the contract of E&M Star Painting Inc., 12 Doe Haven Circle, Depew, New York 14043 be and hereby is approved and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 1 (Final) on behalf of this Town Board and, BE IT FURTHER

RESOLVED, that funding for Change Order No. 1 (Final) shall be chargeable to Account No. 5806-8135-1100.

Upon roll call

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

Item No. 19c Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, Rehm Road is a public highway owned and maintained partially by the Town of Cheektowaga ("Cheektowaga") and partially by the Village of Depew ("Depew"), AND

WHEREAS, the portion of Rehm Road between the westerly side of Patsy Lane and the westerly terminus of Rehm Road is in need of repair, AND

WHEREAS, the north side of this road is within the Town of Cheektowaga and Rehm Road Park, a Town facility, borders the south side of Rehm Road, AND

Item No. 19c cont'd.

WHEREAS, Bella Vista Group, Inc. ("BVG") has submitted a proposal to develop property west of the westerly terminus of Rehm Road for residential use, and proposes to construct an extension of Rehm Road, which will be publicly owned (from the existing terminus of Rehm Road westerly to its property) and a private extension from Rehm Road into its subdivision, AND

WHEREAS, BVG has committed to assisting Cheektowaga and Depew with the reconstruction of that portion of Rehm Road between the westerly portion of Patsy Lane and the existing westerly terminus of Rehm Road, by providing labor and equipment to perform the following referenced work:

- I. Survey and Stake Out work associated with the road construction and related drainage work.
- II. Clear and grub; strip topsoil, excavate existing road bed, haul excavated material, fine grade.
- III. Place road sub-base, and finish grade.
- IV. Install storm drainage, piping and underdrain and related appurtenances

and

WHEREAS, moneys have been budgeted in Town budget line item number 5307-5141-9370 to provide materials, including but not limited to geotextile fabric, stone, asphalt base, binder and top, pipe, chambers and receivers, to complete the necessary reconstruction of the aforementioned portion of the existing Rehm Road, AND

WHEREAS, Depew has agreed to enter into a municipal cooperation agreement with Cheektowaga and issue approvals to Cheektowaga and BVG to permit the reconstruction of the aforementioned portion of the existing Rehm Road, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes and directs the Highway Superintendent to utilize budgeted funds, not exceeding \$120,000, from budget line item number 5307-5141-9370 to purchase and provide materials necessary to reconstruct the aforementioned portion of the existing Rehm Road and, BE IT FURTHER

RESOLVED, that this Town Board hereby grants permission to BVG to perform all labor and supply all equipment necessary to reconstruction the aforementioned portion of the existing Rehm Road, and to construct at its sole expense the public extension of Rehm Road, subject to the following conditions:

(1) BVG supply the Town with proof of insurance covering the Town for BVG's operations in an amount of at least \$1,000,000,000.

(2) All work be done under the supervision of the Town Highway Superintendent as per the plans prepared by William Schutt & Associates following review and approval from the Town Engineer and Town Highway Superintendent and, BE IT FURTHER

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RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a municipal cooperation agreement with Depew to permit the reconstruction of the aforementioned portion of Rehm Road.

Upon roll call

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

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

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

Item No. 20 cont'd.

EFFECTIVE

JUSTICE COURT

Judith Szczesniak 07-01-97

MAIN PUMP STATION

Leroy Linker 07-18-97

Upon roll call

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

Item No. 21 Motion by Councilmember Swiatek, Seconded by Councilmember Rogowski

WHEREAS, by resolution, this Town Board appointed Dennis Krysztofowicz to the position of Real Property Appraiser Technician in the Assessor's Office on a provisional basis, pending the establishment of a valid Civil Service examination for said position, AND

WHEREAS, said Civil Service list has been established by the Erie County Department of Personnel, and Dennis Krysztofowicz is reachable for permanent appointment, NOW, THEREFORE, BE IT

RESOLVED, Dennis Krysztofowicz of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is permanently appointed to the position of Real Property Appraiser Technician in the Assessor's Office, effective July 16, 1997.

Upon roll call

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

Item No. 22a Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

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

EFFECTIVE

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SANITATION DEPARTMENT - \$6.00 per hour

Charles Cobb, Jr. XXXXXXXXXXXXXXXXXXXX, Cheek. XXXXX 08-05-97

Upon roll call

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

Item No. 22b Motion by Councilmember Swiatek, 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

RECYCLING DEPARTMENT - \$6.00 per hour

John Bratek XXXXXXXXXXXXXXXXXXXX, Sloan XXXXX 08-05-97

FACILITIES DEPARTMENT - \$6.00 per hour

Charles Egloff XXXXXXXXXXXXXXXXXXXX, Cheek., XXXXX 08-05-97

EMPLOYEE RELATIONS - \$5.75 per hour

Jill Zalikowski XXXXXXXXXXXXXXX Drive, Cheek., XXXXX 08-05-97

RECYCLING DEPARTMENT - \$6.00 per hour

Carl Gorney XXXXXXXXXXXXXXXXXXXX, Cheek., XXXXX 08-05-97

Lawrence Kwaczala XXXXXXXXXXXXXXXXXXXX, Cheek. XXXXX 08-05-97

Upon roll call

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

Item No. 23 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

From Camp JI-IK-DO-WAH-GAH (7310.1801) (effective August 10th) to Camp Aloha (7310.1802) at a salary classification for the week of August 11th-17th - (A), and revert to their hourly rate (B) in the Adapted Recreation Program (7310.1803), effective August 18th

Amy Zakrzewski

A. \$270.00

B. \$ 6.50

Tim Isch

A. \$255.00

B. 5.50

Stefanie Albano

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A. \$255.00
B. \$ 5.25

Howard Schnauffer

A. \$255.00
B. \$ 5.00

Tony Astran

A. \$255.00
B. \$ 4.75

Dan Shantler

A. \$255.00
B. \$ 5.00

Item No. 23 cont'd.

Kim Beneduce

A. \$255.00
B. \$ 5.00

Amie Godzich

A. \$255.00
B. \$ 4.75

Paula Panasiewicz

A. \$255.00
B. \$ 5.00

Melissa Gon

A. \$255.00
B. \$ 5.00

Upon roll call

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

Item No. 24 Motion by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

WHEREAS, by resolution dated May 19, 1997, This Town Board granted Christopher Rutledge, a participant in Reach Teams, an employment program at the University of Rochester, a ten (10) week internship with the Town of Cheektowaga Justice Court, AND

WHEREAS, Christopher Rutledge has requested an unpaid extension of said internship, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board authorizes Christopher Rutledge to extend his internship with the Justice Court, on an unpaid basis and not to exceed 30 hours per week, effective August 4, 1997 and, BE IT FURTHER

RESOLVED, that said extension shall terminate effective August 21, 1997.

Upon roll call

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

Item No. 25 Motion by Councilmember Jankowiak, Seconded by Councilmember Jaworowicz

WHEREAS, the New York State Coalition for the Aging ("NYS Coalition") is an organization formed to provide information, training and planning for matters relating to aging and the elderly, AND

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WHEREAS, the NYS Coalition meets four (4) times per year in Albany, New York to give presentations, lectures and receive input from all areas of New York State, AND

WHEREAS, the Long Range Planning Meetings for the NYS Coalition will be held on August 19-20, 1997 in Albany, New York, AND

WHEREAS, Patricia L. Wojcik, Director of the Cheektowaga Department of Senior Services, is the President of the Western New York Coalition on Aging ("WNY Coalition"), and has been requested to attend this conference, AND

WHEREAS, Ms. Wojcik has requested permission to attend this conference, AND

Item No. 25 cont'd.

WHEREAS, all expenses related to Ms. Wojcik's attendance at this conference will be paid by the NYS Coalition and the WNY Coalition, and there is no cost to the Town for same, NOW, THEREFORE, BE IT

RESOLVED, that Patricia L. Wojcik be and hereby is authorized to attend the aforementioned August 19-20, 1997 NYS Coalition Conference in Albany, New York.

Upon roll call

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

II. DEPARTMENT COMMUNICATIONS

Item No. 26 Building Permits
Received and Filed.

Item No. 27 Minutes of Cheektowaga Planning Board - July 10, 1997
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 28 Summons and Complaint: Patricia Reid vs Town of Cheektowaga, Fleming Companies and PBS Consultants
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Chief of Police and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29a Notice of Claim: Val Derenda vs 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. 29b Notice of Claim: Corinne Starr, as mother and natural guardian of Christopher Schweitzer vs 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. 29c Notice of Claim: Alan Hyde vs 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.



MEETING NO. 16
AUGUST 4, 1997

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

Upon roll call

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



IV. SUSPENSION OF RULES

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

WHEREAS, the Town Engineering and Sanitation/Recycling Departments are investigating the need for a grinding machine to be used by the Sanitation/Recycling Department to dispose of tree branches, brush and other compostible material, and needs to look at various models to determine which one will best suit its needs, AND

WHEREAS, Fecon, Inc. has offered to allow the Sanitation/Recycling Department to engage in a free trail use of one of its Willibald Organic Waste Processor (Model M2A 2500) machines for a period of up to one week, AND

WHEREAS, Fecon, Inc. will deliver this machine, at no cost, to the Sanitation/Recycling Department and will also pick same up after the trial period has ended, all at no cost to the Town, NOW, THEREFORE, BE IT

RESOLVED, that, based on the above referenced understandings, this Town Board hereby authorizes and directs the Assistant Town Engineer to make arrangements with Fecon, Inc., 10350 Evandale Drive, Evandale, Ohio for the free trail use of its Willibald Organic Waste Processor, Model M2A 2500 machine for a period not to exceed one week, said trial period to begin within the next month.

Upon roll call

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

Item No. 31 Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn this meeting in memory of Elmer Kamm, and Mark Kosmoski, 18 year old son of Edward Kosmoski, past Commander of Leonard Post and Democratic Committeeman. This meeting was adjourned at 8:55 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 18, 1997**

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 August, 1997 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Walter Domino, Engineering Department; Ronald Marten, Supervising Building and Plumbing Inspector; Robert Kaczmarek, Supervising Accountant; Robert McCarthy, Director of Employee Relations; Sal LaGreca, Planning Board Chairman; Bruce Chamberlin, Chief of Police; Leonard Szymanski, Foreman in Facilities Department.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to Chapter 21 of the Code of the Town of Cheektowaga, ("Dog Ordinance") 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:



1. RESOLVED, that ARTICLE I, GENERAL REGULATIONS, shall be amended to add a new section, Section 21-2.2, entitled "Maximum number of dogs permitted on premises", which reads as follows:

Section 21-2.2. Maximum number of dogs permitted on premises.

- A. No person shall keep more than three (3) dogs six months of age or older on any premises in the Town of Cheektowaga.
- B. The Town Clerk shall not issue any dog license(s) in any instance where more than three (3) dogs six months of age or older will be kept on any premises in the Town of Cheektowaga.
- C. For the purposes of this section, premises shall be defined as an individual living unit/dwelling or individual business of manufacturing unit.
- D. The owner of each dog must reside on the premises where the dog is licensed.
- E. Exceptions

This law shall not apply to any person who, on the effective date of this law, has a valid dog license or purebred license for more than three (3) dogs, subject to the following conditions:

- 1. Such dog(s) are the owner's pets and are not for sale or in any way used for any business.

Item No. 2 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 18, 1997**

2. In the event any of the dogs licensed dies, or is sold or transferred to another person, the owner cannot replace such dog and shall not be issued a license for any replacement dog unless the owner has three (3) or fewer dogs, inclusive of the replacement dog.

2. RESOLVED, that ARTICLE II, LICENSE FEES, Section 21-6.A, which relates to the enumeration of local fees, shall be amended to read as follows:

Section 21-6. Local fees enumerated

A. Pursuant to §110, Subdivision 4, of the Agricultural and Markets Law of the State of New York, an annual dog license fee of five dollars (\$5.) for each dog license issued by the Town of Cheektowaga, New York, will be added to the license fees established by §110, Subdivision 1 and 2, of the Agriculture and Markets Law, such fees being as follows:

Type of Dog	State Fee	Local Fee	Total Fee
Neutered and spayed	\$ 2.50	\$ 5.00	\$ 7.50
Unneutered and unspayed	7.50	5.00	12.50
Purebred	25.00	25.00	50.00



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.

Item No. 3 This being the time and place advertised for a public hearing to consider the advisability of adopting Proposed Local Law No. 97-3 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. 97-3

A Local Law enacting a retirement incentive program as authorized by
Chapter 41, Laws of 1997 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 41, Laws of 1997.
- Section 2. The commencement date of the retirement incentive program shall be October 3, 1997.
- Section 3. The open period during which eligible employees may retire and receive the additional retirement benefit shall be 90 days in length.
- Section 4. The actuarial present value of the additional retirement benefits payable pursuant to the provisions of this local law shall be paid as one lump sum or in five annual installments. The amount of the annual payment shall be determined by the Actuary of the New York State and Local Employees' Retirement System, and it shall be paid by the Town of Cheektowaga for each employee who receives the retirement benefits payable under this local law.
- Section 5. This act shall take effect immediately.

Item No. 3 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 18, 1997**

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. See Item No. 7a for Decision.

Item No. 4 This being the time and place advertised for a public hearing to consider the advisability of adopting amendments to 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 VIII

Stop and Yield Intersections

76-80. Stop intersections designated.

Section 76-80 shall be amended by deleting therefrom the following:

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Cedargrove Circle	North-South	Windwood Ct.	Eastbound	S.W. Corner

76.81. Yield intersections designated.

Section 76-81 shall be amended by deleting therefrom the following

Cedargrove Circle	East-West	Shelby Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Shelby Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Elkhurst Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Elkhurst Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Sierra Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Sierra Drive	Southbound	N.W. Corner

Section 76-80 shall be amended by adding thereto the following

Cedargrove Circle	North-South	Simpson Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Simpson Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Allison Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Allison Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Sierra Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Sierra Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Trent Square	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Elkins Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Pendlewood Dr. N.	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Redwood Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Springfield Dr. N.	Westbound	N.E. Corner
Cedargrove Circle	North-South	Sandstone Dr.	Eastbound	S.W. Corner
Cedargrove Circle	East-West	Starcrest Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Starcrest Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Rockleigh Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Rockleigh Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Brookhaven Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Brookhaven Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Kingswood Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Kingswood Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Siberling Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Siberling Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Pendlewood Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Pendlewood Dr. S.	Southbound	N.W. Corner

Item No. 4 cont'd

Cedargrove Circle	East-West	Elkhurst Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Elkhurst Dr.	Southbound	N.W. Corner

**TOWN OF CHEEKTOWAGA
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Cedargrove Circle	East-West	Shelby Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Shelby Drive	Southbound	N.W. Corner
Community Drive	East-West	Donlon Drive	Northbound	S.E. Corner
Community Drive	East-West	Donlon Drive	Southbound	N.W. Corner
Community Drive	East-West	Idlebrook Dr.	Northbound	S.E. Corner
Community Drive	East-West	Idlebrook Dr.	Southbound	N.W. Corner
Community Drive	East-West	Windcrest Dr.	Northbound	S.E. Corner
Community Drive	East-West	Windcrest Dr.	Southbound	N.W. Corner
Community Drive	East-West	Shirley Dr.	Northbound	S.E. Corner
Community Drive	East-West	Shirley Dr.	Southbound	N.W. Corner
Community Drive	East-West	Primrose Drive	Northbound	S.E. Corner
Community Drive	East-West	Primrose Drive	Southbound	N.W. Corner
Community Drive	East-West	Simsbury Drive	Northbound	S.E. Corner
Community Drive	East-West	Simsbury Drive	Southbound	N.W. Corner
Dale Road	East-West	Peppy Place	Southbound	N.W. Corner
Losson Road	East-West	North Rushford	Southbound	N.W. Corner
Crabapple Lane	East-West	North Rushford	Northbound	S.E. Corner
Glenwood Ct.	East-West	Fernwood Place	Southbound	N.W. Corner
Cedargrove Circle	North-South	Nugget Drive	Westbound	N.E. Corner

Section 76-81 Yield Intersections Designated

Section 76-81 shall be amended by adding thereto the following:

Cedargrove Circle	East-West	Drake Drive	Northbound	S.E. Corner
Cedargrove Circle	North-South	Windwood Ct. N.	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Springfield Drive S.	Westbound	N.E. Corner



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. 5 Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

SPECIAL DISTRICTS FUND

FROM:	2500-8125-4141 Chemicals	\$ 9,800.00
	2500-8125-4163 Gas, Oil, Grease	4,400.00
	2500-8125-4475 Root Control	37,240.00
	2500-8125-4545 Telemetry	9,800.00
TO:	2500-8125-4543 Contracted Sewer Repair	\$61,240.00

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

NAYES: 0

ABSENT: 0

Item No. 6 Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to August 15, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$ 587,825.04
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HIGHWAY FUND	101,551.26
TRUST & AGENCY	11,313.23
PART TOWN FUND	4,543.46
RISK RETENTION FUND	54,401.05
DEBT SERVICE FUND	716,062.00
SPECIAL DISTRICTS FUND	598,377.33
CAPITAL FUND	177,933.70
	<u>\$2,252,007.07</u>

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

Item No. 7a Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, the New York State Legislature adopted, and the Governor signed into law, Chapter 41 of the Laws of 1997, which authorizes local municipalities to provide a retirement incentive for certain Town employees, and

WHEREAS, Chapter 41 of the Laws of 1997 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 18th day of August, 1997 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. 97-3 of the Year 1997, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 41 of the Laws of 1997, 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 interest to adopt such local law,
NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 3 of the Year 1997, entitled "A Local Law enacting a retirement incentive program as authorized by Chapter 41 of the Laws of 1997, for the eligible employees of the Town of Cheektowaga", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED that the Town Clerk shall file one (1) certified copy of this local law in his office, and one (1) certified copy with the Secretary of State and one (1) certified copy with the New York State and Local Law No. 3 of the Year 1997 shall take effect immediately.

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

**See next page(s) for attachments

Item No. 7b Rezone property located at 891-895 French Road (French Road Commons)
This resolution was withdrawn.

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

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WHEREAS, in 1996, the Town's Building Inspections Department and the Zoning and Petitions Committee identified a concern as to whether the zoning district classifications of properties along William Street and Losson Road in the town were appropriate and were compatible with adjacent uses, and

WHEREAS, the Zoning and Petitions Committee recommended that the Town take a hard look at the zoning district classifications along these highways and to make any changes deemed necessary, and

WHEREAS, in order to have the time to take to perform the necessary comprehensive zoning review of these areas and to stay improper development along these highways, this Town Board, on September 16, 1996, enacted a "Non-Residential Development Moratorium" along William Street and Losson Road, and

WHEREAS, thereafter and on October 7, 1996, this Town Board retained the professional planning services of URS Greiner, Inc. to assist the Town in reviewing what the proper zoning district classifications of properties along William Street and Losson Road should be, and

WHEREAS, this Town Board has extended the Non-Residential Development Moratorium to enable URS Greiner, Inc. to complete its review, and

WHEREAS, URS Greiner, Inc. has completed its review of the zoning district classifications of properties along William Street and Losson Road, and has prepared a document entitled "William/Losson Corridor Study", which study includes, but is not limited to the following:

- Regional Context Analysis
- Transportation Analysis
- Land Use Plan
- Zoning Recommendations
- Other Recommendations

and

WHEREAS, the Cheektowaga Planning Board reviewed the William/Losson Corridor Study and has recommended approval of such Study without any additions or deletions, including the recommendations in such Study to rezone certain properties, and

WHEREAS, the Erie County Department of Environment and Planning has reviewed the William/Losson Corridor Study and has stated that such Study provides a reasonable framework for developing rational, balanced land use recommendations which can then be incorporated into proposed changes to the zoning law; and has also reviewed the proposed rezonings and has stated that they are consistent with the Corridor Study's intent to develop a rational land use plan balancing all of the interests in the William/Losson Road corridor, and

WHEREAS, URS Greiner, Inc. reviewed the public comments and input received to date, and still feels that the rezonings recommended in the Study be made, and

WHEREAS, pursuant to Section 82-70 of the Town Code (Zoning Law), this Town Board may, from time to time, on its own motion or on a recommendation from the Planning Board, rezone properties within the Town, and

WHEREAS, this Town Board, based on the findings and recommendations made by URS Greiner, Inc. and the Cheektowaga Planning Board, by resolution dated April 21, 1997, directed that all necessary steps be taken to proceed with the rezoning changes recommended in such study, and

Item No. 8 cont'd

WHEREAS, upon further review of the Study, the Building Inspections Department noticed that property comprising part of the Williamstowne Apartments should have been recommended for rezoning from NS-Neighborhood Services District to RA-Apartment District; and URS Greiner has concurred with such finding and has amended its Study to include this property, and the Cheektowaga Planning Board has recommended that such property be so rezoned, NOW, THEREFORE, BE IT

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RESOLVED that a public hearing be held regarding the rezonings proposed by the aforementioned Town Board resolution dated April 21, 1997, and the aforementioned Williamstowne Apartments property; said hearing to be held on September 3, 1997 at 6:30 at the Cheektowaga Senior Citizens Center, 3349 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Legal Notice in the Cheektowaga Times, and to notify area residents of this rezoning in conformance with the provisions of the Zoning Law.

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

* **See next page(s) for attachments

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Sanitation Department is in need of two (2) 1997 Trucks with 14' Stake Body with Hoist and Hydraulic Liftgate, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of said vehicles for the Sanitation Department, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
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RESOLVED that sealed bids will be received by the Town of Cheektowaga on August 28, 1997 at 11:00 A.M., Eastern Daylight Savings Time, at which time they will be publicly opened and read.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on August 28, 1997 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of two (2) 1997 trucks with 14' stake body with hoist and hydraulic liftgate for the Sanitation Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Sanitation Department is in need of one (1) new twenty-five (25) cubic yard garbage packer mounted on an existing truck chassis, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of said vehicle for the Sanitation Department, said notice to be published in the Cheektowaga Times, and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
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RESOLVED that sealed bids will be received by the Town of Cheektowaga on August 28, 1997 at 11:00 A.M., Eastern Daylight Savings Time, at which time they will be publicly opened and read.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on August 28, 1997 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new twenty-five cubic yard refuse packer body mounted on an existing Town owned Peterbilt Model 320 truck chassis for the Sanitation Department.

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

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

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

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

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

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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 22, 1997 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

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/her address as it appears on the Town Assessment Roll.



NOTICE OF ADOPTION OF ORDER

OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA

TAKE NOTICE that, pursuant to a resolution adopted by the Town Board of the Town of Cheektowaga on August 18, 1997, YOU ARE HEREBY ORDERED to repair/replace the sidewalks in need of repair or replacement abutting the front of your property.

Such work must be completed on or before September 22, 1997.

In the event you choose not to perform this work before the specified date, be advised that the Town of Cheektowaga shall cause such work to be done, and will audit and pay the expense of doing such work and assess 50% of the expense thereof (including interest at the rate of 6.00%) against your property in two (2) annual installments; this amount will be added to your Town tax bills for the next (2) years and shall become a lien on your property. In the alternative, you may pay your share of the cost directly to the Town provided you do so within 30 days after you are billed for the amount you owe for the sidewalk repairs.

If the Town performs the work, it is estimated that your cost for sidewalk repair will be approximately \$26.00 per 20-square foot block of sidewalk, which amount is one-half of the estimated total cost per block.

If you choose to perform the work yourself or have a contractor perform such work, be advised that you will be responsible for paying 100% of the cost of the sidewalk work (the Town will not pay 50% of the cost).

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

Dated: June 16, 1997

RICHARD M. MOLESKI
Town Clerk

Item No. 10 cont'd

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

**See next page(s) for attachments

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

WHEREAS, the Town of Cheektowaga Employees Association ("TCEA") has requested permission to place a plaque measuring 24" by 18" on a stone in front of the TCEA Office on Town property in honor of Past Presidents Ed Kowal and Bill Gomolski, and

WHEREAS, this plaque would be erected and maintained at the sole expense of the TCEA, at no cost to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby authorizes the TCEA to erect the aforementioned plaque and stone in front of the TCEA Office in the circle near the flagpole.

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

NAYES: 0

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ABSENT: 0

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

WHEREAS, Eric Czubaj is a 1997 graduate of the John F. Kennedy High School, which is located at 305 Cayuga Creek Road in the Town of Cheektowaga, and

WHEREAS, while at John F. Kennedy High School, Eric Czubaj excelled in track and field, as well as in academics, and

WHEREAS, on June 7, 1997, Eric Czubaj won first place in the New York State Public High School Athletic Association 1600 Meter Class CD race, and

WHEREAS, Eric Czubaj was also awarded the John F. Kennedy Senior "Athlete of the Year" award and the United States Army Reserve "Scholar Athlete of the Year" award, and

WHEREAS, this Town Board wishes to honor Eric Czubaj for his hard work and determination, and for the recognition he has given his home town and community, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby gives Eric Czubaj an Award of Excellence for his achievements in both competitive sports and academics.

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

NAYES: 0

ABSENT: 0

Item No. 13a Motion by Supervisor Gabryszak, 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 Church World Service/CROP has made application to hold its CROP Walk on September 28, 1997 from 1:30 P.M. to 4:30 P.M. along Cleveland Drive, Union Road, Maryvale Drive and Harlem Road, and

WHEREAS, this Board has reviewed the application submitted by the Church World Service/CROP, 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:

Item No. 13a cont'd

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
3. Submittal of Security Plan
4. Submittal of Fire Prevention/Emergency Services Plan

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Federation of the Church World Service/CROP for its CROP Walk to be held on Sunday, September 28, 1997, and BE IT FURTHER

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

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

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

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

WHEREAS, the Buffalo Council of the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and the United Way of Buffalo & Erie County (United Way) have made application to hold their Labor Day Parade along Harlem Road from Walden Avenue to Cheektowaga Town Park on Monday September 1, 1997, 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
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 AFL-CIO and United Way for its Labor Day Parade to be held on Monday, September 1, 1997, 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.

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

Item No. 14a 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, special permits, etc. and renders its recommendation concerning the environmental significance of such application, and

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

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

WHEREAS, an application was submitted by Daryl Martin, Architect, as agent for George Ladas, to demolish the existing Seneca Texas Hots at 1551 Harlem Road, as well as, 2334, 2336 and 2340 William Street for the purpose of erecting a 3,200± restaurant with drive-thru, and

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WHEREAS, as a result of the proposal substantial landscaping would be installed and the number of curb cuts would be reduced, and

WHEREAS, the Advisory Committee, at its meeting held on May 7, 1997 rendered the determination shown on the attached memo May 8, 1997, and

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

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

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

**See next page(s) for attachments

Item No. 14b Issue Negative Declaration regarding 20+ acres of Land on South Side of French Rd.
This item was withdrawn.

Item No. 15 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 vacant property located at 550 Cayuga Road, Cheektowaga, New York, SBL#81.17-2-27.11 and according to the Assessor's Office is owned by 580 Cayuga Inc., 3409 Broadway, Cheektowaga, New York 14227, and

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

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

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

Item No. 16a Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the New York State Department of Transportation proposes the May, 1998 letting for the reconstruction of Genesee Street from the Buffalo City Line to Cayuga/Dick Roads identified as PIN 5463.01.102, and

WHEREAS, as part of said highway reconstruction project, there is a need to perform adjustments and modifications to Sanitary Sewer Districts No. 4 and No. 5 facilities located within the State highway right-of-way, NOW, THEREFORE, BE IT

RESOLVED that this Town Board, in its capacity as the Board of Managers for Sanitary Sewer Districts No. 4 and No. 5 hereby grants permission to the NYSDOT to perform the necessary modifications to sanitary sewer facilities 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 system, and BE IT FURTHER

RESOLVED that all costs associated with the relocation and modification to sewer district 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.

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

Item No. 16b Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the contract for the Interior Painting of Digesters at Plant No. 5 was awarded by Town Board Resolution dated May 5, 1996 to E & M Star Painting, Inc. in the amount of \$13,250.00, and

WHEREAS, the Town Engineer has advised that work under the aforesaid contract has been completed in accordance with the contract requirements, NOW, THEREFORE, BE IT

Item No. 16b cont'd

RESOLVED that the Town Board be and hereby accepts the completed project, the Interior Painting of Digesters at Plant No. 5, and directs the Supervisor to sign the final contract acceptance documents with E & M Star Painting, Inc., 12 Doe Haven Circle, Depew, New York 14043.

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

Item No. 17 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, there is a continuing need for the services of an erosion control specialist related to on-going drainage improvements to drainage systems tributary to Scajaquada Creek, Slate Bottom Creek, Ellicott Creek and Cayuga Creek, and

WHEREAS, all of said ditch/creek improvements will be performed using the 1997 Equipment & Operators Public Works Projects Bid, NOW, THEREFORE, BE IT

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RESOLVED that the Town Engineer is hereby authorized to continue utilizing 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) per hour for said services, and BE IT FURTHER

RESOLVED that payment for said services, in an amount not to exceed \$6,000 shall be made only where authorized by the Town Engineer, chargeable to Account No. 4000-8140-4581 for work on various creeks and tributaries throughout the Town.

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

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

BE IT RESOLVED that the following seasonal employee be and hereby is terminated as listed:

<u>SEWER DEPARTMENT</u>	<u>EFFECTIVE</u>
Joseph Gruber	Immediately

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

Item No. 19 Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak 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. 19 cont'd

<u>RECYCLING DEPARTMENT - \$6.00 per hour</u>	<u>EFFECTIVE</u>
Marvin Rowland XXXXXXXXXXXX, Chktg., XXXXX	8/19/97
Jason Sasiadek XXXXXXXXXXXXXXXXXXXX., Chktg. XXXXX	"
Donald Pieczynski XXXXXXXXXXXXXXXX, Chktg., XXXXX	"

<u>TAX OFFICE - \$6.25</u>	
Cathleen Gottfired XXXXXXXXXXXXXXXXXXXX, Chktg., XXXXX	8/18/97

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

Item No. 20a Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

**TOWN OF CHEEKTOWAGA
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WHEREAS, the International Association of Chief's Of Police has offered a Less-Lethal Force Options: Concepts & Consideration in the De-Escalation Philosophy from August 11-12, 1997. This training took place at the South Brunswick Police Headquarters in Monmouth, NJ, and

WHEREAS, Chief Chamberlin received authorization to send Sgt. Gerald Jankowski to this training. The Erie County Tactical Task Force is sponsoring Sgt. Jankowski to attend this training through a recently awarded New York State grant they were awarded. The Police Department will be responsible for meals and lodging amounting to approximately \$132.00, and

WHEREAS, upon receiving this training, Sgt. Jankowski will be instructing the Department's S.W.A.T. Team, as well as, other tactical teams throughout Erie County, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin has been authorized to send Sgt. Jankowski to this training, and BE IT FURTHER

RESOLVED that Chief Chamberlin received prior authorization from Councilmembers prior to this date, and BE IT FURTHER

RESOLVED that the time spent at this training be authorized as normal duty time. The expenses will be charged to line 0100-3120-4085.

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

Item No. 20b Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, a seminar on Pedestrian/Bicycle Accident Investigation will be held from September 15-19, 1997 in Hamilton, Ontario, and

WHEREAS, such seminar will emphasize human factors of vehicle driver and pedestrian accidents and how they interact in traffic, and

WHEREAS, Sgt. David Przepiora of the Cheektowaga Police Department Traffic Division has requested permission to attend this seminar, and

WHEREAS, it will be advantageous to the Town to have Sgt. Przepiora attend this seminar because, over the past five years, there have been an average of 39 pedestrian accidents per year in the Town, and the Town will acquire additional information on how to investigate and handle these accidents, NOW, THEREFORE, BE IT

RESOLVED that Sgt. David Przepiora be and hereby is authorized to attend the aforementioned seminar and to take a Town vehicle to and from such seminar, and BE IT FURTHER

RESOLVED that expenses for registration, hotel, gas, tolls, etc. associated with Sgt. Przepiora's attendance at this seminar shall be appropriated from budget line items numbers 0100-3120-4093 and 0100-3120-4085 in an amount not to exceed \$500.00.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Supervisor's Statement of Funds - June, 1997
Received and Filed.

Item No. 22 Final Report for 1996-97 Local Government Records Management Improvement
Fund Microfilming Grant
Received and Filed.

**TOWN OF CHEEKTOWAGA
MEETING NO. 17
August 18, 1997**

IV. GENERAL COMMUNICATIONS

- Item No. 23a** Notice of Claim - Walter Kubisty vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation Department/
Received and Filed.
- Item No. 23b** Notice of Claim - Christine Ryan vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Youth & Recreational Services
Received and Filed.
- Item No. 24** Notice of Petition - Ludington Enterprises vs Town of Cheektowaga and Town Assessor and Board of Assessment Review
Received and Filed.
- Item No. 25** Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski to adjourn in memory of Josephine Sisti, mother of Tony Sisti, Democratic Committee.
Time Meeting Adjourned: 9:00 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 18
SEPTEMBER 2, 1997

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of September, 1997 at 7:00 o'clock P.M. there were:

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

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Planning Board Chairman; John Schaller, Assistant Chief of Police; Robert Kaczmarek, Supervising Accountant; William Pugh, Town Engineer; and Patricia Wojcik, Director of Senior Services Department.

I. RESOLUTIONS

Item No. 2 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

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

GENERAL FUND

From:	0100-1450-1799	Election Inspectors	\$5,000.00
	0100-1450-4191	Election-Miscellaneous	500.00
To:	0100-1410-4001	Office Supplies	\$5,000.00
	0100-1410-2201	Office Equipment	500.00

Upon roll call

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to August 29, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$270,689.79
HIGHWAY FUND	42,485.45
TRUST & AGENCY	6,848.58
PART TOWN FUND	4,039.99
HUD CDBG FUND	11,593.74
HUD HOUSING REHABILITATION FUND	3,945.00
RISK RETENTION FUND	7,310.67
DEBT SERVICE FUND	150,000.00
SPECIAL DISTRICTS FUND	383,652.41
CAPITAL FUND	<u>180,367.83</u>
	1,060,933.46

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 4 Issue Negative Declaration Regarding 20± Acres of Land on South Side of French Road

MEETING NO. 18
SEPTEMBER 2, 1997

This item was withdrawn.

Item No. 5a Decision on Rezoning of Property Located at 891-895 French Road (Known as French Commons)
This item was withdrawn.

Item No. 5b Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, this Town Board held a public hearing on August 18, 1997 at 7:00 P.M. to consider the advisability of adoption of proposed amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic) said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1.

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

ARTICLE VIII

Stop and Yield Intersections

76-81. Yield intersections designated.

<u>Street</u>	<u>Direction</u>	<u>Entrance Street</u>	<u>Traffic Stops</u>	<u>Sign Location</u>
Section 76-81 shall be amended by deleting therefrom the following				
Cedargrove Circle	East-West	Shelby Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Shelby Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Elkhurst Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Elkhurst Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Sierra Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Sierra Drive	Southbound	N.W. Corner

Section 76-80 shall be amended by adding thereto the following

Cedargrove Circle	East-West	Drake Drive	Northbound	S.E. Corner
Cedargrove Circle	North-South	Simpson Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Simpson Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Allison Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Allison Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Sierra Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Sierra Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Trent Square	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Elkins Drive	Westbound	N.E. Corner
Cedargrove Circle	North-South	Pendlewood Dr. N.	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Redwood Drive	Eastbound	S.W. Corner
Cedargrove Circle	North-South	Springfield Dr. N.	Westbound	N.E. Corner
Cedargrove Circle	North-South	Sandstone Dr.	Eastbound	S.W. Corner
Cedargrove Circle	East-West	Starcrest Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Starcrest Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Rockleigh Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Rockleigh Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Brookhaven Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Brookhaven Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Kingswood Drive	Northbound	S.E. Corner

Item No. 5 b cont'd.

Cedargrove Circle	East-West	Kingswood Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Siberling Drive	Northbound	S.E. Corner

MEETING NO. 18
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Cedargrove Circle	East-West	Siberling Drive	Southbound	N.W. Corner
Cedargrove Circle	East-West	Pendlewood Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Pendlewood Dr. S.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Elkhurst Dr.	Northbound	S.E. Corner
Cedargrove Circle	East-West	Elkhurst Dr.	Southbound	N.W. Corner
Cedargrove Circle	East-West	Shelby Drive	Northbound	S.E. Corner
Cedargrove Circle	East-West	Shelby Drive	Southbound	N.W. Corner
Community Drive	East-West	Donlon Drive	Northbound	S.E. Corner
Community Drive	East-West	Donlon Drive	Southbound	N.W. Corner
Community Drive	East-West	Idlebrook Dr.	Northbound	S.E. Corner
Community Drive	East-West	Idlebrook Dr.	Southbound	N.W. Corner
Community Drive	East-West	Windcrest Dr.	Northbound	S.E. Corner
Community Drive	East-West	Windcrest Dr.	Southbound	N.W. Corner
Community Drive	East-West	Shirley Dr.	Northbound	S.E. Corner
Community Drive	East-West	Shirley Dr.	Southbound	N.W. Corner
Community Drive	East-West	Primrose Drive	Northbound	S.E. Corner
Community Drive	East-West	Primrose Drive	Southbound	N.W. Corner
Community Drive	East-West	Simsbury Drive	Northbound	S.E. Corner
Community Drive	East-West	Simsbury Drive	Southbound	N.W. Corner
Dale Road	East-West	Peppy Place	Southbound	N.W. Corner
Losson Road	East-West	North Rushford	Southbound	N.W. Corner
Crabapple Lane	East-West	North Rushford	Northbound	S.E. Corner
Glenwood Ct.	East-West	Fernwood Place	Southbound	N.W. Corner
Cedargrove Circle	North-South	Nugget Drive	Westbound	N.E. Corner

Section 76-81 Yield Intersections Designated

Section 76-81 shall be amended by adding thereto the following:

Cedargrove Circle	North-South	Springfield Drive S.	Westbound	N.E. Corner
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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, Councilmembers Jaworowicz, Rogowski, Blachowski, Johnson, Swiatek, and Jankowiak
 NAYES: 0
 ABSENT: 0

AFFIIDAVIT - NEXT PAGE

Item No. 6a Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

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.

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

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on September 17, 1997.



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 quantities of motor oils, lubricants, anti-freeze, unleaded gasoline and diesel fuel, etc. for use by various departments of the Town of Cheektowaga at a public opening to be held in the Council Chambers at the Cheektowaga Town Hall on September 17th, 1997 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 QUANTITIES OF MOTOR OILS, LUBRICANTS, ANTI-FREEZE, UNLEADED GASOLINE AND DIESEL FUEL".

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

Richard M. Moleski
Town Clerk

Dated: September 2, 1997
Published: September 4, 1997



Upon roll call

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

AFFIDAVIT

Item No. 6b Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

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.

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

MEETING NO. 18
SEPTEMBER 2, 1997

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on September 17, 1997.



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 TIRES AND TUBES 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 September 17th, 1997 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 TIRES AND TUBES'.

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

Richard M. Moleski
Town Clerk

Dated: September 2, 1997

Published: September 4, 1997



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT

Item No. 7 Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga in an effort to reduce taxes is considering to self-insure its groups dental and vision care for Town employees, AND

WHEREAS, the accounting firm of Deloitte and Touche, LLP has recommended that the Town investigate this process for the Town with possible savings of 30-50 percent of current premiums, AND

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SEPTEMBER 2, 1997

WHEREAS, the Town's insurance advisors, Holfoth 'Risk Management have prepared the Request for Proposal (RFP) for "Group Dental & Vision Care - Self Claims Administrative Services" for the program to begin October 15, 1997, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga hereby authorizes Holfoth Risk Management to finalize the RFP and distribute same to qualified administrators and, BE IT FURTHER

RESOLVED, that all proposals be forwarded directly to Holfoth Risk Management, 3075 Southwestern Boulevard, Suite 202, Orchard Park, New York 14127-1287 for compilation and certification and, BE IT FURTHER

RESOLVED, that all proposals must be received no later than noon on September 22, 1997 at the office of Holfoth Risk Management.



- DRAFT -

Re: Town of Cheektowaga
Group Dental & Vision Care
Self-insured Claims Administration

Dear _____:

Enclosed is a Request For Proposals for claims administration quotes on behalf of a self-insurance program for the Town's Dental and Vision Care employee benefit plans. The Town plans to implement the program on 10/15/97 for the Police Department and a small group of management employees. Other employee groups are expected to be added as their collective bargaining agreements renew.

Proposals are to be received in our office no later than noon on 9/22/97. If you will not be able to meet this time schedule, please let us know as soon as possible.

Any questions regarding this RFP should be directed to the Holfoth Risk Management Division of Aldrich & Cox, Inc.

Very truly yours,



Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 8 Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

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. 8 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

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

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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 October 5, 1997, 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

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 this address as it appears on the Town Assessment roll.

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 9a Moved by Councilmember Blachowski, seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on vacant property located at 24 Atwood Place, Cheektowaga, New York, SBL #90.84-2-53 and according to the Assessors' Office is owned by Baha Kufash, 24 Atwood Drive, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

Item No. 9b Moved by Councilmember Blachowski, seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on vacant property located on East Delavan and Marne, Cheektowaga, New York, SBL #90.76-4-30 and according to the Assessors' Office is owned by Andrew Pyszczynski, 200 North Elcamino Real #194, Ocean Side, California 92054, AND

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

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

Upon roll call

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

Item No. 9c Moved by Councilmember Blachowski, seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on vacant property located at 1937-1941 Harlem Road, Cheektowaga, New York, SBL #113.01-1-3 and according to the Assessors' Office is owned by H & S Auto Parts Inc., 1939 Harlem Road, Cheektowaga, New York 14212, AND

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

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

Upon roll call

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

Item No. 9d Moved by Councilmember Blachowski, seconded by Councilmember Jaworowicz

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated high weeds and accumulated debris on vacant property located at 101 Southgate Road, Cheektowaga, New York, SBL #90.08-7-20 and according to the Assessors' Office is owned by Charmette D. Miller, 101 Southgate Road, Buffalo, New York 14215, AND

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

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

Upon roll call

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

Item No. 10 Moved 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 Airlanes Junior Football field in Stiglmeier Park on Sunday, September 28, 1997 from 11:00 A.M. to 7:00 P.M. to hold its 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 the Airlanes Junior Football Field and adjoining areas for its annual Punt, Pass and Kick Competition on September 28, 1997 from 11:00 A.M. to 7:00 P.M. 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, Rogowski, Blachowski,
Johnson, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0

Item No. 11 Moved 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)/attendants(s), and has recommended that the Town Board issue such licenses.

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

Item No. 11 cont'd.

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, Rogowski, Blachowski,
Johnson, Swiatek, and Jankowiak
NAYES: 0
ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

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Item No. 12 Moved by Councilmember Jaworowicz, seconded by Councilmember Blachowski

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owners of the property located at 85 Seminole Parkway in the Town of Cheektowaga, AND

WHEREAS, said owner has applied for a mortgage loan through National Finance Corporation for the purpose of refinancing existing mortgage debt at a lower interest rate, AND

WHEREAS, approval of the mortgage has been conditioned on the subordination of the Town's mortgage to that of National Finance Corporation, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement with National Finance Corporation, 21 Corporate Drive, Clifton Park, New

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York 12065, in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 85 Seminole Parkway, Cheektowaga, New York 14225.

Upon roll call

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

Item No. 13 Moved by Councilmember Swiatek, seconded by Councilmember Jankowiak

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

EFFECTIVE

JUSTICE COURT

Jamie Sacilowski 8/13/97

FACILITIES DEPARTMENT

Jarrett Sinclair 9/02/97
Justin Keating "

RECYCLING DEPARTMENT

Garrett Dorr 9/02/97
Gregory Patterson "
Thomas Porto "
Jeffrey Speaker "
John Paluszynski "
Eric Ziarnowski "
Mike Sonnenfeld "

Upon roll call

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

Item No. 14 Moved by Councilmember Swiatek, seconded by Councilmember Jankowiak

WHEREAS, by Town Board resolution, school crossing guards in Tier 1 Retirement System were allowed to retire on the stipulation that they be afforded the option to immediately be rehired, AND

Item No. 14 cont'd.

WHEREAS, under Section 212 of the New York State and Local Retirement System, this action is allowed provided the rehired employee does not make over \$13,500 annually, NOW, THEREFORE, BE IT

RESOLVED, that the following school crossing guard be and hereby is rehired, effective as follows:

Julia Grupp 8/25/97

Upon roll call

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

MEETING NO. 18
SEPTEMBER 2, 1997



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER ROGOWSKI TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 15, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

NAYES: 0

ABSENT: 0



Item No. 15 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be transferred/upgraded to reflect the September 1st minimum wage increase:

Part-Time

Adapted Recreation Program - 7310.1803

Counselor I - \$5.15

Amie Godzich
Tracey Malczewski
Kelly Williams

Counselor II - \$5.40

Mindy Kieser
Breanne Blachura
Laura Zlotek (7310.1803 Adapted Rec../7310.1814 Maryvale After School)

Counselor III - \$5.65

Dana Abendschein
Stephanie Albano
Dan Quigley

Counselor IV - \$5.90

Amy Conner
Tim Isch
Sarah Miga

Item No. 15 cont'd.

Counselor I - \$6.15

Samantha Schanne

Seasonal

(The following employees will revert to their part-time status effective October 27th)

Activity Director I - \$6.90

Bridget Olear
Amy Zakrzewski

Assistant Program Coordinator X - (Nurse) - \$9.65

Barbara Walters

Program Coordinator I - \$12.15

Deborah Ann Fleetwood

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Activity Director II - \$7.15

Victor Nosal
Trevor Stowell
Magdalena Wnuk

Part-Time

Adapted Recreation - 7310.1803 - Counselor III - \$5.40/Theater Workshop - 7140.1651/Administrative Interns - 7310.1804 - Recreation Attendant II - \$5.40

Anne Perdziak

Part-Time

Rink Personnel - 7140.1611

Recreation Attendant I - \$5.15

Jay Napieralski (transfer from 7140.1648)

Recreation Attendant III - \$5.65

Michael Barnhard (transfer from 7180.1903)
Darryl Lindell (transfer from 7180.1903)
Greg Bean

Recreation Leader II - \$6.40

Matthew Bean

Recreation Attendant III - \$5.65

Lynne Butts

New Programs - 7140.1813

Recreation Attendants - 7140.1614 (Teen Center)

Recreation Attendant II - \$5.40

Jason Wheeler

Recreation Attendant II - \$5.65

Steve Ciemcioch

Recreation Leader II - \$6.65

Peter Odrobina

Recreation Attendants - 7140.1614

(Transfer from 7140.1645)

Recreation Attendant II - \$5.40

Mindy Greenauer (Holiday Programs)
Lisa Santomaggio (TGIF/Rec Club)

Item No. 15 cont'd.

Recreation Attendant III - \$5.65

Craig Mahalic (Teen Center)

Part-Time

Stephanie King (Holiday Programs)
Scott Syroczyński (Holiday Programs)

Recreation Attendants - 7140.1614

(Transfer from 7140.1648)

Supervisor I - \$6.40

Jodi Napier (Teen Center)

Recreation Attendant I - \$5.15

Kari Kowalski (Holiday Programs)
Rebecca Miller (TGIF/Rec Club)
Jill Zarazinski (Teen Center)

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Recreation Attendant II - \$5.40
Cory Walter (Holiday Programs)

Recreation Instructor III - \$5.90 (7140.1613/7140.1614)
Jill Matuszewski (Teen Center)

Recreation Attendants - 7140.1614
(Transfer from 7140.1631)

Supervisor I - \$6.40
Dawn Smith (TGIF/Rec Club)

Recreation Attendant I - \$5.15
Lori Burdzy (TGIF/Rec Club)
Jason Peters (TGIF)

Recreation Attendant II - \$5.40 (7140.1614/7140.1814)
Jamie Lynn Hoffman (Rec Club/Maryvale After School Program)

Recreation Attendant III - \$5.65
Tammy Schumacher (Rec Club)

Recreation Attendants - 7140.1614
(Transfer from 7140.1632)

Supervisor I - \$6.40
Dawn Zilbauer (Rec Club/Travel Club)

Recreation Attendant I - \$5.15
Michael Cercone (TGIF/Rec Club)
Denise Jarvis (TGIF)
Daniel Widomski (TGIF/Rec Club)

Recreation Attendant II - \$5.40
Jeff Brych (TGIF)

Recreation Attendant III - \$5.65
George Hunger (Rec Club/Travel Club)
Chris Maciok (TGIF)

Recreation Attendant IV - \$5.90 - 7140.1614/7140.1664
Jennifer Garrison (TGIF/Rec Club/Wee Three)

Item No. 15 cont'd.
Seasonal

Arts and Crafts - 7140.1613

Supervisor III - \$6.90 - 7140.1613/Recreation Attendant IV - \$5.90 - 7140.1664
Camille Russell (Arts and Crafts/Wee Three)

Part-Time

Recreation Attendant I - \$5.15
(Transfer from 7140.1648)
Joy Schnettler

Part-Time

Pre-K - 7140.1664

Recreation Attendant VI - \$6.40 - 7140.1664/Recreation Attendant IV - \$5.90 - 7140.1630
Cheryl Ostempowski

Recreation Attendant III - \$6.90
Constance Stewart

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Senior Recreation Supervisor VII - \$8.40

Michelle Junkel
Mary Beth Seivert

Senior Recreation Supervisor VI - \$8.10 - 7140.1664 (Pre-K)/Senior Recreation Supervisor VII - \$8.40 - 7140.1612 (Aerobics)

Laila Desjardins

Gymnastics - 7140.1630

Recreation Attendant I - \$5.15

Erica D'Amico

Recreation Attendant III - \$5.65

Kim Arnold

Recreation Attendant IV - \$5.90

Eileen Skowronski
Robin Thompson

Recreation Supervisor VII - \$7.90

Cheryl Skowronski

Part-Time

Aerobics - 7140.1612

Recreation Instructor VII - \$6.90

Leslie Reeb

Upon roll call

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



MOTION BY COUNCILMEMBER ROGOWSKI, SECONDED BY SUPERVISOR GABRYSZAK TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTIONS, ITEMS 16A AND 16B, AND THE VOTING WAS AS FOLLOWS:



Item No. 16a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be hired as part-time employees in the Youth and Recreation Department, effective September 1, 1997:

Item No. 16a cont'd.

Rink Personnel - 7140.1611

Recreation Attendant I - \$5.15

Brian Pane XXXXXXXXXXXXXXXX XXXXX

Recreation Attendant II - \$5.40

Glenn Au XXXXXXXXXXXXXXXX XXXXX

Recreation Attendant III - \$5.65

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James Brydalski	XXXXXXXXXXXXXX	XXXXX
<u>Recreation</u>		
Thomas Goff	XXXXXXXXXXXXXX	XXXXX
Thomas Wasielewski	XXXXXXXXXXXXXX	XXXXX

Adapted Recreation Program - 7310.1803

<u>Counselor I - \$5.15</u>		
Melissa Cratsenberg	XXXXXXXXXXXXXXXXXXXXXX	XXXXX

Recreation Attendants - 7140.1614

<u>Recreation Attendant I - \$5.15</u>		
Anthony Hunger (TGIF)	XXXXXXXXXXXXXX	XXXXX

<u>Recreation Attendant II - \$5.40</u>		
Jill Sieczkarek	XXXXXXXXXXXXXXXXXXXXXX	XXXXX

Upon roll call

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

Item No. 16b Moved by Councilmember Swiatek, seconded by Councilmember Jankowiak

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

EFFECTIVE

JUSTICE COURT - Clerk - \$6.00 per hour

Stephanie Lewandowski	XXXXXXXXXXXXXX, Cheektowaga	XXXXX	9/04/97
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Item No. 16b cont'd.

POLICE DEPARTMENT - Matron - \$10.42 per hour

Gail Augustyn	XXXXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	9/14/97
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FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Florian Urbanski	XXXXXXXX, Depew	XXXXX	Immediately
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Upon roll call

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

Item No. 17 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

WHEREAS, Hornell Police Department in conjunction with Eastern Police Canine Association is hosting the 9th Annual Working K-9 Seminar, September 7-12, 1997 at Hornell, New York.

WHEREAS, Chief Chamberlin is requesting authorization to send K-9 Officer Daniel Smith and Gringo to this training. Officer Smith has once again been requested to attend this seminar as an instructor. All lodging and meal expenses for this training will be covered by the Hornell Police Department. The K-9 Police Vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

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RESOLVED, that Officer Smith is authorized to attend this training, and that the time spent there is normal duty time.

Upon roll call

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

DEPARTMENTAL COMMUNICATIONS

Item No. 18 Building Permits
Received and Filed.

Item No. 19 Supervisor's Statement of Funds - July 1997
Received and Filed.

GENERAL COMMUNICATIONS

Item No. 20 Summons and Complaint: Nancy Albanesi vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Chief of Police; Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 21a Notice of Claim: Dean D'Angelo/Doro's Dry Cleaners, Inc. vs 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. 21b Notice of Claim: Diane M. Swiatek vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Engineering Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 21c Notice of Claim: Lois Thiell vs 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. 21d Notice of Claim: Rosann Wacker vs 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. 21e Notice of Claim: Joseph Bosiacki vs 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. 22a Notice of Petition: Air Cargo-Buffalo vs Town of Cheektowaga, the Assessor and the
Board of Assessment Review
Received and Filed.

Item No. 22b Notice of Petition: Avis Rent-A-Car System, Inc. vs the Board of Assessment Review
and the Assessor

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Received and Filed.

- Item No. 22c Notice of Petition: Bridgestone/Firestone, Inc. vs the Assessor and Board of Assessment Review
Received and Filed.
- Item No. 22d Notice of Petition: Buffalo Inn Associates, c/o Richfield Hospitality Services, Inc. vs the Assessor, Board of Assessment Review and the Town of Cheektowaga
Received and Filed.
- Item No. 22e Notice of Petition: Burt Rigid Box, Inc. vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22f Notice of Petition: C & L Parts Corp. vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22g Notice of Petition: Calspan Corporation vs the Assessor, the Board of Assessment Review and the Town of Cheektowaga
Received and Filed.
- Item No. 22h Notice of Petition: Conway Transportation Services vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22i Notice of Petition: Cook Moving Systems, Inc. vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22j Notice of Petition: Dayton Hudson Corp. vs the Board of Assessment Review, the Assessor and the Town of Cheektowaga
Received and Filed.
- Item No. 22k Notice of Petition: Flanigan's Furniture Showrooms vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22l Notice of Petition: First Lancer Court Apartments vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22m Notice of Petition: Friendly Ice Cream Corporation vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22n Notice of Petition: W.W. Grainger, Inc. vs the Assessor and Board of Assessment Review
Received and Filed.
- Item No. 22o Notice of Petition: Jerald Horowitz, et. al vs the Assessor and the Town of Cheektowaga
Received and Filed.

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- Item No. 22p Notice of Petition: IPCF Properties, Inc. vs the Assessor, the Board of Assessment Review, the Town of Cheektowaga, County of Erie, New York and the Maryvale School District
Received and Filed.
- Item No. 22q Notice of Petition: Lennar Northeast Partners L.P. vs Town of Cheektowaga
Received and Filed.
- Item No. 22r Notice of Petition: May Department Stores Company, d/b/a Kaufmann's Department Store vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22s Notice of Petition: May Department Stores Company, d/b/a Lord & Taylor vs the Assessor and the Board of Assessment Review
Received and Filed.
- Item No. 22t Notice of Petition: New Penn Motor Express, Inc. vs the Assessor and the Town of Cheektowaga
Received and Filed.
- Item No. 22u Notice of Petition: New York State Electric & Gas Corporation vs the Board of Assessment Review
Received and Filed.
- Item No. 22v Notice of Petition: Niagara Frontier Transportation Authority vs the Assessor and the Town of Cheektowaga
Received and Filed.
- Item No. 22w 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. 22x Notice of Petition: Reimann & Georger, Inc. vs the Town of Cheektowaga, the Assessor and Cheektowaga Central School District
Received and Filed.
- Item No. 22y Notice of Petition: Try-It Distributing Co., Inc. and Kelview Inc. vs the Assessor, Board of Assessment Review and the Town of Cheektowaga
Received and Filed.
- Item No. 22z Notice of Petition: Wal-Mart Stores, Inc. vs the Board of Assessment Review, the Assessor and the Town of Cheektowaga
Received and Filed.



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

Upon roll call

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

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NAYES: 0
ABSENT: 0



Item No. 23a Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, The Randall Benderson 1993-1 Trust is proposing the development of property located at 3960 Union Road in the Town for a retail business, AND

WHEREAS, as part of the process for the review of this project, the Town required the developer to convey easements to the Town for a sanitary sewer pipeline and appurtenances and a sidewalk, AND

WHEREAS, the developer has prepared and submitted such easements to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves and accepts the aforementioned easement subject to approval of form and content by the Town Engineer and Town Attorney and, BE IT FURTHER

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

Upon roll call

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

Item No. 23b Moved by Councilmember Rogowski, seconded by Councilmember Johnson

WHEREAS, David Gordon, owner of Creekside Banquet & Picnic Grove, 2669 Union Road, Cheektowaga, New York, is in the process of redeveloping such property, AND

WHEREAS, as part of such property redevelopment, David Gordon has offered to donate a shelter measuring approximately 60 feet by 40 feet to the Town, AND

WHEREAS, the Town Highway Superintendent has stated that he can utilize such shelter for the storage of equipment, etc., NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the offer of David Gordon to donate the above referenced shelter structure to the Town and, BE IT FURTHER

RESOLVED, that the Town Highway Superintendent is hereby authorized to utilize his employees and equipment to enter 2669 Union Road to dismantle such shelter and transport same to the Highway Department site and to utilize whatever materials from the shelter for Highway Department use.

Upon roll call

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

Item No. 24 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, the Town is the owner of an irregularly-shaped parcel of land on the southwest corner of George Urban Boulevard and Union Road in the Town, AND

WHEREAS, an adjoining landowner, Randall Benderson 1993-1 Trust, has expressed an interest in leasing such land from the Town for \$1,000.00 per year, for 25 years, with renewed options, AND

WHEREAS, said proposed lease would not interfere with the Town's storm sewer pipeline which is located below said land, AND

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WHEREAS, the Town Attorney's Office and the Town Engineer have reviewed such lease agreement and have no objection thereto, AND

WHEREAS, this Board is agreeable to leasing Randall Benderson 1993-1 Trust the aforementioned land pursuant to the terms contained in the attached Lease, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Lease Agreement with Randall Benderson 1993-1 Trust, and, BE IT FURTHER

RESOLVED, that such lease shall be subject to a permissive referendum pursuant to Section 64(2) of the Town Law of the State of New York and, BE IT FURTHER

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



NOTICE OF ADOPTION
OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that at a regular meeting held on the 2nd day of September, 1997, the Town Board of the Town of Cheektowaga duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Article 7 of the Town Law of the State of New York.

Item No. 24 cont'd.

Resolution authorizing the lease of a vacant parcel of Town property on the southwest corner of George Urban Boulevard and Union Road, said property being 80 feet wide by approximately 325 feet deep. Such property shall be used for a parking lot for a retail building and for ingress to and egress from adjoining property.

Dated: September 2, 1997

Richard M. Moleski
Town Clerk
Town of Cheektowaga



Upon roll call

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

AFFIDAVIT - NEXT PAGE

MEETING NO. 18
SEPTEMBER 2, 1997

Item No. 25 Moved by Councilmember Johnson, seconded by Councilmember Rogowski
Councilmember Jankowiak

WHEREAS, the Erie County Department of Public Works ("ECDPW") is in the process of reconstructing Borden Road and, in addition to such project, it will be replacing/improving three traffic signals along such highway in the Town of Cheektowaga at the Town's request, AND

WHEREAS, Federal CMAQ funding was secured by the ECDPW for this signal replacement and coordination project, AND

WHEREAS, by resolution dated May 5, 1997, this Town Board committed to paying the local share, up to \$70,000 for such traffic signal project, AND

WHEREAS, the ECDPW has notified the Town that State Marchiselli funds have been obtained to reduce the Town's local share for this signal replacement project to the \$20,000 - \$30,000 range, AND

WHEREAS, the ECDPW has also notified the Town that it is attempting to obtain the services of a contractor to lay loops and conduits in connection with this signal replacement project beginning September 9, 1997 to coordinate with the improvements to the County highway, and needs an approval/commitment from the Town whereby the Town will agree to reimburse it for approximately \$14,000 to do such work, AND

WHEREAS, said reimbursement money to be paid to the ECDPW will be part of the Town's local share, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby commits to the ECDPW that it will reimburse the ECDPW up to \$14,000 out of budget line item number 5704-1400-9606 for costs incurred by the ECDPW for paying a contractor to lay loops and conduits in connection with the above mentioned signal replacement project and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Earl E. Dubin, Traffic Engineer for the ECDPW, 95 Franklin Street, Buffalo, New York 14202.

Upon roll call

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

NAYES: 0

ABSENT: 0

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Item No. 26 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson to adjourn this meeting in memory of Jim Smith, Traffic Consultant. This meeting was adjourned at 7:40 P.M.

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
September 15, 1997**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 15th day of September, 1997 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; William Pugh, Town Engineer; Ronald Marten, Supervising Building and Plumbing Inspector, Robert McCarthy, Director of Employee Relations; Sal LaGreca, Planning Board Chairman; Bruce Chamberlin, Chief of Police; William Wielinski, Facilities Director; Pat Wojcik, Director of Senior Services; William Conway, Sole Assessor.

I. RESOLUTIONS

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

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

GENERAL FUND

FROM: 0100-7110-1499 Park Rangers	\$ 9,132.00
0100-6250-4721 Job Training Program	20,000.00
TO: 0100-1625-1491 Part Town Laborers	\$ 9,132.00
0100-6250-1951 1997 Summer Youth Programs	20,000.00

COMMUNITY DEVELOPMENT

FROM: 0700-1095-0704 Contingency	\$10,109.92
0700-1096-0704 Contingency	830.11
TO: 0700-1095-0679 Summer Day Camp	\$10,109.92
0700-1096-0679 Summer Day Camp	830.11

PART TOWN FUND

FROM: 0800-3610-2770 Permits & Inspections	\$3,500.00
TO: 0800-3620-4581 Consulting Fees	\$3,500.00

SPECIAL DISTRICTS FUND

FROM: 1500-8160-9131 Bond Principal	\$3,500.00
TO: 1500-8160-4475 Consultants	\$3,500.00



Item No. 2 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
September 15, 1997**

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

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



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

GENERAL FUND

FROM: 0100-7110-1499 Park Rangers	\$ 9,132.00
0100-6250-4721 Job Training Program	20,000.00
TO: 0100-1625-1491 Part Town Laborers	\$ 9,132.00
0100-6250-1951 1997 Summer Youth Programs	20,000.00

COMMUNITY DEVELOPMENT

FROM: 0700-1095-0704 Contingency	\$10,109.92
0700-1096-0704 Contingency	830.11
TO: 0700-1095-0679 Summer Day Camp	\$10,109.92
0700-1096-0679 Summer Day Camp	830.11

SPECIAL DISTRICTS FUND

FROM: 1500-8160-9131 Bond Principal	\$3,500.00
TO: 1500-8160-4475 Consultants	\$3,500.00

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to September 12, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$233,806.07
HIGHWAY FUND	42,046.52
TRUST & AGENCY	23,373.95
PART TOWN FUND	3,526.07
HUD CDBG FUND	25,940.03
HUD HOUSING REHABILITATION FUND	8,070.00
RISK RETENTION FUND	18,564.42
SPECIAL DISTRICTS FUND	502,265.80
CAPITAL FUND	<u>81,253.72</u>
	\$938,846.58

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

Item No. 4a Negative Declaration for S.E.Q.R. - 20± acres of land on South side of French Road
 This item was withdrawn.

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
September 15, 1997**

Item No. 4b 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 any recommendations submitted to it by the Advisory Committee, and

WHEREAS, an application was submitted by MBR Limited Partnership to construct a two-story 21,000 square foot office building at the southeast corner of French Road and Slate Drive, and

WHEREAS, the site is unique in that a portion of the site is unusable because of Slate Bottom Creek occupying a portion of the site and required setbacks from the creek for any construction, and

WHEREAS, the residents of houses to the south of the site expressed concern that their privacy would be lost, the building would be too visible and vehicle would be close to the property line, and

WHEREAS, the Town Engineer has agreed to recommend to the Town Board a reduction in the building setback from Slate Bottom Creek in order to allow for moving the building northward and providing an additional landscaped buffer along the south property line contiguous with the residences, and

WHEREAS, the architect for the project, in the interest of compromise, revised the plan to provide a buffer of at least 25 feet with 4 foot landscaped berms and trees, plus drainage along adjoining properties, and

WHEREAS, a solid fence, acceptable to the residents, will be erected along the south property line, and

WHEREAS, the Traffic Safety Commission and others were critical of certain aspects of the parking arrangement and traffic movement scheme, and

WHEREAS, the architect is revising the traffic/parking plan by angling the south drive towards French Road, moving the north driveway to a location acceptable to the Traffic Safety Commission, and will incorporate other recommendations of the Traffic Safety Commission, and

WHEREAS, other revisions were made to the plans including providing drain tiles along the south property line, moving the dumpster north away from houses, eliminating all windows along the south wall of the building, constructing the building with brick veneer in earth tones, maintaining the stair tower 67 feet and main building 72 feet from the south property line, reducing the height of the building by 1.5 feet and providing lighting that will not be intrusive on residences, and

WHEREAS, a number of trees on the site will be saved and there will be a net increase in trees, including the planting of trees in the landscaped buffer, and

WHEREAS, the applicant is committing to HVAC or other air handling units of a quiet design and construction activity of hours of operation that will be limited so as not to disturb residents in the evening and through the night, and

WHEREAS, an easement along Slate Bottom Creek will be provided to the Town along with the property maintenance/snow removal commitment, and

Item No. 4b cont'd

WHEREAS, the Advisory Committee, at its meeting held on August 27, 1997 rendered the determination shown on the attached memo August 28, 1997, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
September 15, 1997**

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

RESOLVED that this Town Board hereby issues a "Negative Declaration" for the purposes of SEQRA subject to the following condition:

1. The Traffic Safety Commission ("TSC") must complete review of the project and recommendations by the TSC must be adhered to.

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

**See next page(s) for attachments

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

WHEREAS, Buffalo Crushed Stone, Inc. ("BSC") has applied to the Town of Cheektowaga to rezone 140.5± acres of land adjacent to the Buffalo Crushed Stone Quarry, 500 Como Park Boulevard, from R-Residential District (38.57± acres), NS-Neighborhood Service District (14.97± acres), and M1-Light Manufacturing District (87.01± acres) to AG-Special Aggregates District for expansion of the quarry, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
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WHEREAS, under SEQRA, the Town has solicited other involved and interested agencies and has requested that it be lead agency for environmental review of this action, and

WHEREAS, by letter dated September 8, 1997, the N.Y.S. Department of Environmental Conservation ("DEC") has agreed to allow the Town to act as lead agency "for the preparation of the [Draft Environmental Impact Statement] DEIS to address the zoning reclassification", and has requested that the Town "agree to transfer lead agency back to Region 9, if and when the zoning classification DEIS is accepted", and

WHEREAS, the Town is in agreement with the DEC's letter, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby declares itself to be lead agency for the aforementioned BCS rezoning application, in accord with the aforementioned letter of the DEC.

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

Item No. 6 Decision on Rezoning - 891-895 French Road (French Road Commons)
This item was withdrawn.

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

WHEREAS, the Building Inspections Department has voiced a concern that, despite the fact the Town Zoning Law prohibits the keeping of four or more dogs on any premises in the Town, the Town Clerk under State Law, must issue dog licenses in such circumstances, and

WHEREAS, amendments to Chapter 21 of the Code of the Town of Cheektowaga ("Dog Ordinance") have been drafted which would prohibit the Town Clerk from issuing dog licenses or purebred licenses where more than three dogs will be kept on any premises, and

WHEREAS, amendments have also been proposed to increase the purebred license fee from \$25 to \$50, and

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing was held on the 18th day of August, 1997 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 had an opportunity to be heard as to whether Chapter 21 of the Code of the Town of Cheektowaga ("Dog Ordinance") should be amended, and

WHEREAS, it is in the public interest to amend the Dog Ordinance, NOW, THEREFORE, BE IT

RESOLVED that Chapter 21 of the Code of the Town of Cheektowaga be and hereby is amended and changed as follows:

1. RESOLVED that ARTICLE I, GENERAL REGULATIONS, shall be amended to add a new section, Section 21-2.2, entitled "Maximum number of dogs permitted on premises", which reads as follows:

Section 21-2.2. Maximum number of dogs permitted on premise

A. No person shall keep more than three (3) dogs six months of age or older on any premises in the Town of Cheektowaga

Item No. 7 cont'd

B. The Town Clerk shall not issue any dog license(s) in any instance where more than three (3) dogs six months of age or older will be kept on any premises in the Town of Cheektowaga.

C. For the purposes of this section, premises shall be defined as an individual living unit/dwelling or individual business or manufacturing unit.

**TOWN OF CHEEKTOWAGA
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D. The owner of each dog must reside on the premises where the dog is licensed.

E. Exceptions

This law shall not apply to any person, who on the effective date of this law, has a valid dog license or purebred license for more than three (3) dogs, subject to the following conditions:

1. Such dog(s) are the owner's pets and are not for sale or in any way use for any business
2. In the event any of the dogs licensed dies, or is sold or transferred to another person, the owner cannot replace such dog and shall not be issued a license for any replacement dog unless the owner has three (3) or few dogs, inclusive of the replacement dog.

2. RESOLVED that ARTICLE II, LICENSE FEES, Section 21-6.A, which relates to the enumeration of local fees, shall be amended to read as follows:

Section 21-6. Local fees enumerated

A. Pursuant to §, Subdivision 4, of the Agricultural and Markets Law of the State of New York, an annual dog license fee of five dollars (\$5.) for each dog license and \$25.00 for each purebred license issued by the Town of Cheektowaga, New York, will be added to the license fees established by §, Subdivisions 1 and 2, of the Agriculture and Markets Law, such fees being as follows:

Type of Dog	State Fee	Local Fee	Total Fee
Neutered and spayed	\$2.50	\$5.00	\$7.50
Unneutered and unspayed	\$10.50	\$5.00	\$15.50
Purebred License (would allow licensing of up to 3 dogs per premises under Dog Ordinance; or up to 10 dogs by State Law, if grandfathered)	\$25.00	\$25.00	\$50.00

and BE IT FURTHER

RESOLVED that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on September 15, 1997 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 the affidavit of such publication shall be filed with the Town Clerk.



Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski
Councilmember Jankowiak

to amend the above resolution to delete Section 21-6, and the voting was as follows:

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

NAYES: 0

ABSENT: 0

Item No. 7 cont'd

Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Building Inspections Department has voiced a concern that, despite the fact the Town Zoning Law prohibits the keeping of four or more dogs on any premises in the Town, the Town Clerk under State Law, must issue dog licenses in such circumstances, and

WHEREAS, amendments to Chapter 21 of the Code of the Town of Cheektowaga ("Dog Ordinance") have been drafted which would prohibit the Town Clerk from issuing dog licenses or purebred licenses where more than three dogs will be kept on any premises, and

**TOWN OF CHEEKTOWAGA
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WHEREAS, amendments have also been proposed to increase the purebred license fee from \$25 to \$50, and

WHEREAS, in accordance with the provisions of the Town Law of the State of New York, a public hearing was held on the 18th day of August, 1997 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 had an opportunity to be heard as to whether Chapter 21 of the Code of the Town of Cheektowaga ("Dog Ordinance") should be amended, and

WHEREAS, it is in the public interest to amend the Dog Ordinance, NOW, THEREFORE, BE IT

RESOLVED that Chapter 21 of the Code of the Town of Cheektowaga be and hereby is amended and changed as follows:

1. RESOLVED that ARTICLE I, GENERAL REGULATIONS, shall be amended to add a new section, Section 21-2.2, entitled "Maximum number of dogs permitted on premises", which reads as follows:

Section 21-2.2. Maximum number of dogs permitted on premise

- A. No person shall keep more than three (3) dogs six months of age or older on any premises in the Town of Cheektowaga
- B. The Town Clerk shall not issue any dog license(s) in any instance where more than three (3) dogs six months of age or older will be kept on any premises in the Town of Cheektowaga.
- C. For the purposes of this section, premises shall be defined as an individual living unit/dwelling or individual business or manufacturing unit.
- D. The owner of each dog must reside on the premises where the dog is licensed.
- E. Exceptions

This law shall not apply to any person, who on the effective date of this law, has a valid dog license or purebred license for more than three (3) dogs, subject to the following conditions:

- 1. Such dog(s) are the owner's pets and are not for sale or in any way use for any business
- 2. In the event any of the dogs licensed dies, or is sold or transferred to another person, the owner cannot replace such dog and shall not be issued a license for any replacement dog unless the owner has three (3) or few dogs, inclusive of the replacement dog.

and BE IT FURTHER

RESOLVED that a copy of this resolution be entered in the minutes of the meeting of the Town Board of the Town of Cheektowaga held on September 15, 1997 and that a certified copy thereof be published in the CHEEKTOWAGA TIMES, a newspaper published in the Town of

Item No. 7 cont'd

Cheektowaga and having a general circulation therein, and the affidavit of such publication shall be filed with the Town Clerk.

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

AFFIDAVIT - NEXT PAGE

TOWN OF CHEEKTOWAGA
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Item No. 8 Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, on August 27, 1979, the Town of Cheektowaga adopted Chapter 23A of the Code of the Town of Cheektowaga ("Environmental Impact Review Ordinance"), and

WHEREAS, due to various changes in the State Environmental Quality Review Act regulations, the Supervising Building and Plumbing Inspector has recommended that certain provisions of such Environmental Impact Review Ordinance be amended, 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 6th day of October, 1997 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 it shall be determined by the Town Board whether the "Environmental Impact Review Ordinance" of the Town of Cheektowaga shall be amended as provided in the attached Notice of Hearing, and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
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RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the Cheektowaga Times, a newspaper published in the Town of Cheektowaga and having a general circulation therein, not less than ten (10) days prior to the date of such 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 15th day of September, 1997, a public hearing will be held on the 6th day of October, 1997 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 Chapter 23A of the Code of the Town of Cheektowaga ("Environmental Impact Review Ordinance") shall be amended and changed. A brief synopsis of the proposed changes is as follows:

1. Various technical changes to reflect changes in the State Environmental Quality Review Act ("SEQRA") (i.e., time frames, referenced sections from SEQRA);
2. Adding the Zoning Inspector as a member of the Town Environmental Advisory Committee;
3. Revising the application fee sections to authorize the Town Board to establish an Environmental Impact Review Fee Schedule for various stages of environmental review.

A complete copy of the proposed changes is available in the Town Clerk's Office where the same may be viewed during regular business hours (Monday through Friday, 9:00 A.M. to 4:30 P.M.)

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

Dated: September 15, 1997

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Cheektowaga Town Clerk received sealed bid proposals for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Project, General Construction Work on August 7, 1997 at 11:00 a.m., and

WHEREAS, Ronald C. Hosken, Architect and Facilities Director, William L. Wielinski have reviewed said bid proposals for compliance with the terms set forth in the plans and specifications, and

WHEREAS, the Hadala Corporation has submitted the low bid of \$95,600.00 for the General Construction Contract and meets the terms as stated in the project plans and specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards the Town of Cheektowaga/Recreation Center Building Rehabilitation Project, General Construction Work contract to The Hadala Corporation, 325 Grote Street, Buffalo, New York, 14207 in the amount of \$95,600.00 and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
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RESOLVED that funds for said action are available from Capital Improvement Account #5709.7110.9704.

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

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

WHEREAS, the Cheektowaga Town Clerk received sealed bid proposals for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Project, Electrical Construction Work on August 7, 1997 at 11:00 a.m., and

WHEREAS, Ronald C. Hosken, Architect and Facilities Director, William L. Wielinski have reviewed said bid proposals for compliance with the terms set forth in the plans and specifications, and

WHEREAS, Frey Electric has submitted the low bid of \$33,560.00 for the Electrical Construction Work contract and meets the terms as stated in the project plans and specifications, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby awards the Town of Cheektowaga/Recreation Center Building Rehabilitation Project, Electrical Construction Work contract to Frey Electric, 1300 Military Rd., Buffalo, New York 14202 in the amount of \$33,560.00, and BE IT FURTHER

RESOLVED that funds for said action are available from Capital Improvement Account #5709.7110.9704.

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

Item No. 9c Motion by Councilmember Jankowiak, Seconded by Councilmember Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) new 25 cubic yard refuse packer body mounted on an existing Town owned truck chassis for the Sanitation and Recycling Department, which bids were duly received and opened at a public bid opening called for that purpose, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, and

Item No. 9c cont'd

WHEREAS, said Town Engineer has submitted the same, which is hereto attached and made a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of one (1) 25 cubic yard refuse packer body mounted on an existing Town owned truck chassis be awarded to Roberts Equipment, Inc., 829 Sheridan Drive, Tonawanda, NY 14150 or their bid in the amount of \$32,323.00 for a Leach 2R11-25 refuse packer body mounted on the Town owned Peterbilt 320 chassis complete, said bid being the lowest evaluated bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that funds are available in Account #5304-1910-9399 for this purpose.

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

**See next page(s) for attachments

**TOWN OF CHEEKTOWAGA
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September 15, 1997**

Item No. 10 Motion by Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, bids were opened on the 7th day of August, 1997 to furnish all labor, tools, equipment, materials and incidentals for the Town of Cheektowaga/Recreation Center Building Rehabilitation Project Mechanical Work, and

WHEREAS, additional work needed to be added to this project; therefore, the Town's consultant recommended that these bids be rejected, and that the project be re-bid, NOW, THEREFORE, BE IT

RESOLVED that bids opened on August 7, 1997 for the Recreation Center Building Rehabilitation Project, Mechanical Work be and hereby are rejected, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Mechanical Work for the Town of Cheektowaga/Recreation Center Building Rehabilitation Project, and BE IT FURTHER

RESOLVED that sealed bid proposals will be received on the 2nd day of October, 1997 at 11:00 A.M., Local Time in the Town Hall Council Chambers, Town of Cheektowaga, New York, at a public bid opening to be held for said purpose.

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
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NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 2nd day of October, 1997 until 11:00 a.m., local time in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for the Town of Cheektowaga Recreation Center, Building Rehabilitation Project, Mechanical Work complete, in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Information for Bidders, etc. prepared by Ronald C. Hosken, architect, for the said project and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications, Information for Bidders and bidding information may be examined at the above office and at the Architect's Office at 6645 Versailles Road, Lake View, New York 14085. Copies may be secured at the office of Ronald C. Hosken, architect, upon payment of a \$50.00 deposit for each set. Two checks, each for one-half the amount of deposit, shall be furnished, payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 calendar days after the award of the Contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half the deposit. Material suppliers and anyone returning the Plans, Specifications before the bid opening will also be classified as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications, may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to Richard M. Moleski, Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227 and marked "Proposal for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Project, Mechanical Work" as the bidder's interest may apply.

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

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

Item No. 10 cont'd

No Bidder may withdraw his bid within 45 days after the actual date of the opening thereof, but may withdraw same any time prior to the scheduled date for opening of bids.

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

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

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

The work to be completed within the time frame stated in the bidders proposal. Start of work to begin within ten (10) days after the "Order of Commence Work" has been issued.

BY ORDER OF: TOWN OF CHEEKTOWAGA

TOWN OF CHEEKTOWAGA
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September 15, 1997

Richard M. Moleski, Town Clerk

Dated: September 15, 1997

Published: September 18, 1997



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

AFFIDAVIT - NEXT PAGE

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

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

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

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

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

**See next page(s) for attachments

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
September 15, 1997**

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

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

WHEREAS, the Leukemia Society Team in Training (Diana Kozlowski) has made application to hold a fundraising event in Cheektowaga Town Board on September 27 and 28, 1997, and

WHEREAS, this Board has reviewed the application submitted by Diane Kozlowski, which application has been approved by the Facilities and Youth and Recreation Services Departments, 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
3. Submittal of Security Plan
4. Submittal of Fire Prevention/Emergency Services Plan

NOW, THEREFORE, BE IT

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
September 15, 1997**

RESOLVED that this Town Board hereby approves the aforementioned application of the Leukemia Society Team in Training (Diane Kozlowski) for its fundraiser to be held on September 27 and 28, 1997 in Town Park.

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

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

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 TOPS Club, Inc. has made application to hold a Walk for Heart and Sole on September 27, 1997 in Cheektowaga Park, and

WHEREAS, this Board has reviewed the application submitted by the TOPS Club, Inc., which application has been approved by the Facilities Department, and has no objection to same, and

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

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
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 TOPS Club, Inc. for its Walk for Heart and Sole to be held on September 27, 1997 in Cheektowaga Town Park.

Item No. 12b cont'd

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

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

WHEREAS, a municipality may designate a site for development or redevelopment for the prevention and/or elimination of blight in such proposed project area, that is, to prevent or eliminate a predominance of buildings and structures which are deteriorated or unfit or unsafe for use or occupancy, or to prevent or eliminate a predominance of economically unproductive lands, buildings or structures, and

WHEREAS, a proposed redevelopment project area may be considered for inclusion in the annual Overall Economic Development Plan (OEDP) of the Erie County Industrial Development Agency (ECIDA), and

WHEREAS, certain areas within the Town of Cheektowaga are in need of development and/or redevelopment, specifically, a site located off of Broadway at or near the New York State Thruway underpass, as well as a site located in the area of the Greater Buffalo International Airport, but not including any property owned by the Niagara Frontier Transportation Authority and/or land comprising the Pfohl Brothers Landfill Site, NOW, THEREFORE, BE IT

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
September 15, 1997**

RESOLVED that the aforesaid sites are designated as survey areas for such studies as may be necessary to determine the feasibility of a redevelopment project within the survey areas, and BE IT FURTHER

RESOLVED that the Town Engineer prepare area maps and/or such other descriptions of the aforesaid redevelopment areas as may be required by ECIDA.

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

Item No. 14 Motion by Councilmember Blachowski, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga has received notification of an unsafe abandoned structure at 22 Gruner Road, Cheektowaga, New York, SBL# 113.01-1-5 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 Robert M. Schultz, 1939 Harlem Road, Buffalo, New York 14212, and

WHEREAS, these conditions require that the Town of Cheektowaga Building Inspections Department take immediate steps to safeguard and secure the south side garage door, first floor west side and east side broken windows in the vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that all openings in this structure were boarded over and secured on September 9, 1997 and all costs incurred will be assessed against the property hereinbefore described.

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

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

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

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

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

RESOLVED that the Town of Cheektowaga enter into the attached Agreement which commenced January 1, 1997 and terminates December 31, 1997 with the County of Erie concerning its STOP-DWI Program, and BE IT FURTHER

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

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

**See next page(s) for attachments

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

WHEREAS, the Town of Cheektowaga has received 3rd year approval from the U.S. Department of Health and Human Services Center for Substance Abuse Prevention to fund the Suburban Wellness Community Coalition program, and

WHEREAS, said grant has provided funds for the establishment of contracts for evaluation services, a management information system and development of a workplace assistance center, and

WHEREAS, the grant identifies Nowak and Associates, 146 Park Forest Drive., Williamsville, New York as the Evaluation Consultant, Central Referral Services, Inc., 24th Floor, City Hall as the Management Information Consultant and the Cheektowaga Chamber of Commerce, 2875 Union Road as the Workplace Assistance Center, NOW, THEREFORE, BE IT

RESOLVED that under the terms and conditions of grant number SPO7663, the Supervisor be authorized to execute agreement with the parties listed below, effective for the period of October 1, 1997 through September 30, 1998 with total costs covered by line item 0100-7321-4000:

Nowak and Associates	\$60,000
Central Referral Services, Inc.	\$15,000
Cheektowaga Chamber of Commerce	\$18,720

and BE IT FURTHER

RESOLVED that prior to the 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 on same.

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

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NAYES: 0
ABSENT: 0

Item No. 15c Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

WHEREAS, the Town has previously amended its 1994 and 1995 Community Development Block Grant Program Statement to incorporate a new program entitled "Big Brother/Big Sister", and

WHEREAS, the purpose of said program is to link youth from broken or dysfunctional families with trained volunteers to serve as positive role-models and to establish meaningful one-to-one relationships, and

WHEREAS, Be-A-Friend, Inc. located at 1300 Elmwood Avenue, Buffalo, NY 14222 provides and has submitted a proposal to the Town for such services, and

WHEREAS, the Youth and Recreation Department has recommended the services of said agency and the Community Development Block Grant program, NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is authorized to execute an Agreement for an amount not to exceed \$30,000 with the Be-A-Friend, Inc. for Services contained in said agency's proposal.

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

Item No. 15d Motion by Councilmember Jaworowicz, Seconded by Councilmember Blachowski

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 housing rehabilitation loans to the owner of the properties located at 1143 Walden Avenue in an amount not to exceed \$29,000 and at 770 South Huth Road in an amount not to exceed \$30,000, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreements, and any other necessary related documents, with the owner of 1143 Walden Avenue, Cheektowaga, New York, for a housing rehabilitation loan not to exceed \$29,000 with the owner of 770 South Huth Road, Cheektowaga, New York for a housing rehabilitation loan not to exceed \$30,000.

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

Item No. 15e Motion by Councilmember Jankowiak, Seconded by Councilmember Rogowski

WHEREAS, on or about May 10, 1988, the Town entered into a Solid Waste Disposal Agreement with Occidental Chemical Corporation, now known as American Ref-Fuel Company of Niagara, for the disposal of mixed municipal solid waste at the Energy From Waste Facility in Niagara Falls, New York, and

WHEREAS, the Town has retained the firm of Deloitte & Touche, LLP to perform certain professional accounting and auditing services in connection with the aforesaid Solid Waste

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Disposal Agreement, including, but not limited to, inspecting and analyzing various records of American Ref-Fuel, and

WHEREAS, American Ref-Fuel will disclose "certain financial and other confidential proprietary information" to the Town and its accountants, provided the Town first signs a Confidentiality Agreement, NOW, THEREFORE, BE IT

RESOLVED that, on behalf of the Town of Cheektowaga, the Supervisor be and he hereby is authorized and directed to sign a Confidentiality Agreement with American Ref-Fuel Company of Niagara.

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

Item No. 15f Motion by Supervisor Gabryszak, Seconded by Councilmember Blachowski

WHEREAS, the Town has created and is the owner of facilities employed in the sale and distribution of water to consumers in Water Districts Number 8 and 10, as well as, extensions to former Water District No. 9, namely: Strasmer Road, Como Park Boulevard, Transit Road, Messer Avenue, Losson Road (west extension), Lynnette Court, Freemont Avenue and Losson Road (east extension), and

WHEREAS, by Chapter 303 of the Laws of 1975, the State Legislature authorized the conveyance of "the water line now located in Water District No. 9" by the Town to the Erie County Water Authority, and

Item No. 15f cont'd

WHEREAS, the aforesaid enabling legislation was implemented by the dissolution of Water District No. 9, after the sale by the Town of all the water lines, appurtenances, meters and other property of the District to the Erie County Water Authority, and

WHEREAS, on February 5, 1996, this Town Board authorized the execution of a Lease Management Agreement with the Erie County Water Authority "for Water Districts Nos. 9 and 10", and

WHEREAS, the aforesaid Lease Management Agreement, dated February 6, 1996, should be amended by (a) the inclusion of Town of Cheektowaga Water District No. 8, (b) the deletion of Water District No. 9 and (c) the inclusion of all the extensions to (former) Water District No. 9, NOW, THEREFORE, BE IT

RESOLVED that this Town Board approves of the amendment of the term or definition of "District" in the Lease Management Agreement, dated February 6, 1996 between the Town and the Erie County Water Authority; and BE IT FURTHER

RESOLVED that the Supervisor be and he hereby is authorized and directed to sign an appropriate "Amendment to Lease Management Agreement" with the Erie County Water Authority.

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

Item No. 15g 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 (Summit) Construction Company, Inc. in the amount of \$1,663,000, and

WHEREAS, Foit-Albert Associates, Project Architect, and the Town Engineer have advised that work under the aforesaid contract has been completed in accordance with the contract requirements, NOW, THEREFORE, BE IT

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RESOLVED that the Town Board be and hereby accepts the completed project, Contract "A", General Construction, and directs the Supervisor to sign the final contract acceptance documents with Nichter (Summit) Construction Company, Inc., 344 Vulcan Street, Buffalo, New York 14207.

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



Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski to dispense with the reading of the names for Items 16A and 16B, and the voting was as follows:

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



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

BE IT RESOLVED that the following Youth and Recreation employees be terminated, effective immediately (seasonal/part-time):

Joel Astyk	Kristopher Kubiak
Richard Gorzynski	Caroline Lewis
Lynn Kopra	Stacey Lubacz
Kimberly Mahoney	Melissa Luczkowiak
Erin O'Brien	Dina Mantione
Nick Buczek	Shawn Mertz
Eric Corcoran	Natalie Michalski
Neil Czerniejewski	Michael Miszewski
David De Fields	Kelly Moriarity
Paul Gasiewicz	Sarah Newhouse
Donna Griese	Juliette Nowak
Kellie Henning	Sean O'Brien
Anthony Kaliz III	Jennifer Odrobina
Jeffrey Kosicki	Tanis Phillips
Christopher Kubala	Linda Piesczynski
John Kulesz	Nicholas Pijanowski
Erica Meyers	Kristy-Lynn Przepiora
Robert Pantling	Mark Przybysz
Paul Ray	Scott Przybysz
Erik Reinheimer	Jenny Radka
David Schiess	Nichole Ritzenhaler
Kim Schneider	Mary Beth Rokitka
Norm Smith	Maria Scarozza
David Stoklosa	Andrea Solecki
Rob Swiatkowski	Miranda Serafini
Kristy Szprygada	Jennifer Strobele
Mary Szymanski	Amanda Suriani
Karol Szymczak	Catherine Taber
Mark Walter	Justin Tricoli
Sarah Tapia	Caitlan Vanderbush
Penny Armitage	Christina Zabrabski
Jeffrey Bartel	Javette Adams
Adam Conner	Kathryn Astran
Erika Felicetta	Kim Beneduce

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Amy Garbac z	Maureen Brezowski
Samantha Garcea	Natalie Brucz
Sean Glascott	Suzanne Brucz
Kimberly Granich	Jaclyn Campbell
Erik Hansen	Stacey Getz
Kurt Hansen	Karen Getz
Lynn Marie Kawczynski	Melissa Gon
Eric Kazukiewicz	Nicole Kozma
Sarah Kazukiewicz	Amy Marie Kasianowicz
Richard Kenyan	Robert Proel
Christina Klaffka	Timothy Ahrens
Tamara Krawczyk	Danielle Drzymala
Jennifer Kreavy	Allison Montroy
Katherine Lewis	Paula Panasiewicz
Dana Manos	Leanne Fisher
Jennifer Popiela	Julie Stumm
Jennifer Borkowski	Lisa Robida
Anthony Astran	Krista Sacco
Sarah Kosicki	Howard Schnauffer
Kerrie Rich	Dan Shantler
Cheryl Wazny	Sara Sinclair
Ian Wienclawski	Douglas Stoklosa
Janet Nowak	Susan Stoklosa
Julie Stetter	Renee Szarzynski
Michelle Taylor	Masoud Toloue
Tracy Liegl	Kevin Tomaka
Christina Indelicato	Melissa Tweedy

Item No. 16a cont'd

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

Item No. 16b Motion by Councilmember Swiatek, Seconded by Councilmember Rogowski

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

<u>RECYCLING DEPARTMENT</u>	<u>EFFECTIVE</u>
Erik Binkowski	09/15/97
John Skonecki	"
Andrew Cianflone	"
 <u>POLICE DEPARTMENT</u>	
Sandra Vallon	09/13/97
Denille Kazmierczak	09/05/97
 <u>FACILITIES DEPARTMENT</u>	
David Michalski	09/15/97
Adam Nagy	"
Brian Kaczmarek	"
Jason Ozolins	"
Eric Ozolins	"

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

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

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BE IT RESOLVED that the following individuals be hired as part-time employees in the Youth and Recreation Department effective immediately:

Lifeguards - 7180.1903

Lifeguard - \$5.50

Julie Isch

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Pre-K - 7140.1664

Recreation Attendant I - \$5.15

Joelle Stapleton

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Hockey - 7140.1639

Recreation Attendant III - \$5.65

Eugene Pytlewski

XXXXXXXXXXXXXXXXXXXXXXXXXXXX

AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Blachowski,
Johnson, Swiatek and Jankowiak
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/upgraded as indicated (effective September 15th);

Part-time

Tennis - 7140.1642

Recreation Supervisor III - \$6.90

Alan Jachimiak

Hockey - 7140.1639

Recreation Attendant IV - \$5.90

Lynne Butts

Rink Personnel - 7140.1611

Recreation Leader I - \$6.15

Cheryl Stucke

Recreation Attendant IV - \$5.90

Jacques Desjardins

Theater Workshop - 7140.1651

Recreation Attendant I - \$5.25 (effective September 1, 1997)

Courtney Hoerner

Jillian Pytlewski (Theatre Workshop - 7140.1651/Rink Personnel-7140.1611)

Pre-K - 7140.1664

Seasonal

Recreation Instructor VII - \$6.90

Constance Stewart

Part-Time

Senior Recreation Supervisor VI - \$8.15

Laila Desjardins

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Recreation Leader II - \$6.40
Joy Donnelly-Smith

Basketball - 7140.1654

Recreation Attendant VI - \$6.40
Lori Lacey

Volleyball- 7140.1627

Recreation Supervisor III - \$6.90
Cindy Pietz

Part-time

Pools

Beach and Pool Supervisors - 7180.1902

Head Lifeguard II - \$8.40
Jacqueline Houser

Item No. 18 cont'd

Lifebuards - 7180.1903

Lifebuard - \$5.75
Timothy Isch

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

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

BE IT RESOLVED that the hourly salaries of the following individuals be and hereby are established and set forth as follows, pursuant to the Federal Minimum Wage Guidelines, effective September 1, 1997:

POLICE DEPARTMENT - \$5.15 per hour

Elizabeth Manos
Jennifer Wieczbicki
Linda Wneck

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

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

WHEREAS, environmental and engineering advisors for the Pfohl Brothers Landfill Site Steering Committee (PRP Committee) are meeting for the purpose of finalizing a necessary 95% Design Report for submission to the New York State Department of Environmental Conservation (DEC); and

WHEREAS, a suitable surface water management plan should be incorporated into the said 95% Design Report, and an O & M manual acceptable to the Town for use in connection with the 95% Design Report should be developed, and

WHEREAS, it is important that environmental and engineering specialists for the Town to communicate with and/or attend any and all meetings relating to the finalization of the 95% Design

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Report, and also, if necessary or warranted, to submit technical comments to DEC in connection with such 95% Design Report, NOW, THEREFORE, BE IT

RESOLVED that AIG Environmental Management, Inc., be and it hereby is authorized to perform the aforesaid professional technical consulting services for the Town, and BE IT FURTHER

RESOLVED that the professional fee of AIG Environmental Management, Inc, not exceed \$2,500.00 plus out-of-pocket expenditures, without further authorization, and BE IT FURTHER

RESOLVED that any and all amounts, as herein authorized, be paid from 1500-8160-4475.

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

Item No. 20b Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, Buffalo Crushed Stone, Inc. ("BCS") has applied to the Town of Cheektowaga to rezone 140.5± acres of land adjacent to the Buffalo Crushed Stone Quarry, 500 Como Park Boulevard, from R-Residential District (38.57± acres), NS-Neighborhood Services District (14.97± acres) and M1-Light Manufacturing District (87.01± acres) to AG-Special Aggregates District and for SEQRA review for expansion of the quarry, and

WHEREAS, the Town has been established as lead agency for the SEQRA review for this rezoning, and

WHEREAS, as part of the environmental review for this rezoning, BCS has submitted voluminous material and studies on geology, wetlands, ecology, land use and zoning, traffic, noise, blasting, adjacent landfills, etc., and

WHEREAS, much of the information contained in these studies is very technical and assistance is needed to properly review same, and

WHEREAS, URS Greiner, engineering and zoning consultants, has submitted a proposal to provide the Town with the necessary technical assistance to review the aforementioned BCS rezoning application, and

WHEREAS, Arthur J. Gioacalone, Esq. has submitted a proposal to provide legal consulting services for the review of this rezoning and SEQRA application, and

WHEREAS, URS Greiner and Arthur J. Giacalone has the expertise needed by the Town in the areas of zoning and SEQRA to properly review BSC's applications, and

WHEREAS, the Town Environmental Advisory Committee and the Town Attorney's Office have recommended that the Town retain the above mentioned consultants to assist the Town with the technical review of BSC's applications, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby retains the services of URS Greiner, 282 Delaware Avenue, Buffalo, New York 14202 as per the attached letter to assist the Town with the review of the BCS rezoning application and SEQRA review at a cost not to exceed \$3,500.00 without further Town Board authorization; said moneys to be charged to appropriate account number, with audit and approval of vouchers to be done by the Building Inspections Department, and BE IT FURTHER

RESOLVED that this Town Board hereby retains the services of Arthur J. Giacalone, Esq. as per the attached letter to assist the Town with the review of the BCS rezoning and SEQRA applications at a cost not to exceed \$3,500.00 without further Town Board authorization; said moneys to be appropriated from budget line item 0100-1420-4501, with audit and approval of vouchers by the Town Attorney's Office.

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

**See next page(s) for attachments

Item No. 21a 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 14-17, 1997, 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 mandate for "in service" training, NOW, THEREFORE, BE IT

RESOLVED that Matthew D. Kawczynski and Edward J. Saternus' registration fee of \$40.00 each; lodging costs of \$105.00 each, and a combined travel cost not to exceed \$20.00 for attending such seminar, and such expenses be charged to account number 0800-3620-4088, and that a town vehicle be provided for transportation to and from such seminar.

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

Item No. 21b Motion by Councilmember Swiatek, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Assessors' Association is conducting a seminar on Assessment Administration in Kiamesha Lake, New York on October 5th thru October 8, 1997, and

WHEREAS, said seminar is administered by the New York State Board of Real Property Services for Assessors to obtain continuing education credits, and

WHEREAS, expenses are not to exceed \$800.00 and reimbursement of part of the expenses will be made by the New York State Board of Real Property Services, NOW, THEREFORE, BE IT

RESOLVED that William R. Conway, Assessor, be and hereby is authorized to attend said seminar on October 5th thru October 8, 1997, and BE IT FURTHER

RESOLVED that the registration fee and all other reasonable expenses, not to exceed \$800.00, incurred by William R. Conway be paid by the Town from budget line account #0100-1910-4082.

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

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Item No. 21c Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Town Sewer Maintenance Department operates and maintains eleven (11) sanitary sewer pump stations which are inspected and serviced on a daily basis, and

WHEREAS, it is necessary to provide technical training to Sewer Maintenance Department Staff responsible for performing preventative maintenance and troubleshooting to ensure uninterrupted operation of said wastewater pumping facilities, and

WHEREAS, ITT Flygt Corp., a pump and controls manufacturer whose equipment is installed in numerous Town facilities is conducting schooling in Rochester, New York on October 7, 8 and 9 to provide the technical skills necessary to effectively and efficiently maintain pumping facilities, which schooling is provided at no cost, and

Item No. 21c cont'd

WHEREAS, the Sewer Maintenance General Foreman and Town Engineer have recommended that Michael Ganje, Sr. Sewage Maintenance Worker, be authorized to attend the aforementioned pump training school, NOW, THEREFORE, BE IT

RESOLVED that Mr. Ganje be and hereby is authorized to attend the ITT Flygt Corp. Pump School in Rochester, New York and to utilize a Town vehicle to travel to and from said training site and that the reasonable cost of lodging and meals in an amount not to exceed \$400.00 shall be chargeable to Budget Item No. 2500-8125-4087.

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

Item No. 21d Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, the Erie County Department of Environment and Planning, Environmental Compliance Services, is holding a seminar entitled 'Municipal Guidelines for Household Hazardous Waste Collection on September 22, 1997 at the Center for Tomorrow on the University of Buffalo Amherst Campus, and

WHEREAS, this seminar will provide the information necessary for the Town to initiate a household hazardous waste collection program which is eligible for partial state cost reimbursement, and

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

WHEREAS, it would be valuable to the Town to have the Town Disaster Coordinator attend this seminar, NOW, THEREFORE, BE IT

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

RESOLVED that the registration fee for such seminar, \$35.00, shall be appropriated from budget line item number 0100-1220-4008.

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

Item No. 21e Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek

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WHEREAS, Chief Bruce Chamberlin holds a seat on the advisory board the National Law Enforcement & Technology Center (NLETC). They will be holding a meeting on October 15-16, 1997 in Utica, NY, and

WHEREAS, Chief Chamberlin is requesting authorization to attend this meeting. This advisory board is comprised of about 20 people from police and correction agencies. The Board reviews various technology applications for policing and correction purposes, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to attend this board meeting. Chief Chamberlin's expenses will be covered by the NLETC with no expense to the Town.

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

Item No. 21f Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, Chief Bruce Chamberlin has been invited to be part of an advisory board developed by the Community Oriented Policing Office (COPS), Department of Justice. This meeting will take place in Austin, Texas on September 23-24, 1997, and

WHEREAS, this advisory board will be comprised of 25 police chiefs and academics from around the country along with Elizabeth Watson, a visiting fellow with the COPS office. This board will lead a government effort to reform and improvement police leadership in terms of direction and how future funding is applied. This will make considerable training available to our police department free of charge, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to attend this meeting. The Department of Justice will cover all expenses with no cost to the Town.

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

Item No. 21g Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, the Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLEN) Regional Information Sharing Conference on "Narcotics Investigation" will be held September 29 - October 2, 1997 in Ocean City, MD., and

WHEREAS, Chief Chamberlin is requesting authorization to send Det. Harry Bollman to this conference. This conference is designed for sworn law enforcement professionals or analysts who are involved in any aspect of narcotic investigation. The conference will feature discussions addressing federal, state and local law enforcement perspectives on the narcotics issue and ways of combating this continuing problem. The Police Department will be responsible for transportation amounting to approximately \$150.00. Detective Bollman will use a Police Department vehicle for transportation to and from this conference, NOW, THEREFORE, BE IT

RESOLVED that Detective Bollman is authorized to attend this conference and that the time he spends there be authorized as normal duty time. The expenses will be charged to line 0100-3120-4085.

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 22a Minutes of Cheektowaga Planning Board - August 14, 1997
Received and Filed.

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Item No. 22b Minutes of Cheektowaga Traffic Safety Commission - July 15, 1997
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 23 Letter from Sonia Dusza of North Tonawanda regarding Neighborhood Preservation and Wellness Program
Received and Filed.

Item No. 24 Summons & Complaint - Niagara Frontier Transportation Authority (Regarding Assessment)
Received and Filed.

Item No. 25a Notice of Claim - Fred Leo vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police.
Received and Filed.

Item No. 25b Notice of Claim - James Migliore vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sanitation Department
Received and Filed.

Item No. 25c Notice of Claim - Philip Sciolino vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department
Received and Filed.

Item No. 26a Notice of Petition - Conbow's Airport Lanes vs the Assessor and the Board of Assessment Review
Received and Filed.

Item No. 26b Notice of Petition - Buffalo Contractor's Equipment & Supplies, Inc. vs the Assessor and the Board of Assessment Review
Received and Filed.

Item No. 26c Notice of Petition - Fred Calandra & Salvatore Calandra vs the Assessor and the Board of Assessment Review
Received and Filed.

Item No. 26d Notice of Petition - Calypso Development of WNY, Inc. vs the Assessor and the Board of Assessment Review
Received and Filed.

Item No. 26e Notice of Petition - Concourse Center LLC vs the Assessor and the Board of Assessment Review
Received and Filed.

Item No. 26f Notice of Petition - Edwards Partnership vs the Assessor and the Board of Assessment Review
Received and Filed.

**TOWN OF CHEEKTOWAGA
MEETING NO. 19
September 15, 1997**

Item No. 26g Notice of Petition - Prime Hospitality Corp. vs the Assessor and the Board of Assessment Review
Received and Filed.

IV. SUSPENSION OF RULES

Motion by Councilmember Johnson, Seconded by Councilmember Swiatek to suspend the rules to include the following two (2) items and the voting was as follows:

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



Item No. 27 Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

WHEREAS, Jeffrey P. Mucciarelli/Gabe's Collision Service, Inc. has made application and requested the rezoning from CM-General Commercial District to MS-Motor Service District for property located 3700-3706 Genesee Street, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on October 6, 1997 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

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**TOWN OF CHEEKTOWAGA
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Item No. 28 Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

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

EFFECTIVE

SANITATION DEPARTMENT - Laborer - \$6.00 per hour

Timothy Kosiba	XXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX	Immediately
Erik Buehler	XXXXXXXXXXXXXXXX, Cheektowaga, NY XXXXX	Immediately

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

NAYES: 0

ABSENT: 0

Item No. 29 Motion by Councilmember Rogowski, Seconded by Unanimous to adjourn the meeting in memory of Jim Badowski, employee of the Town of Cheektowaga.
Time Meeting Adjourned: 8:30 P.M.

RICHARD M. MOLESKI
Town Clerk