

**TOWN OF CHEEKTOWAGA
MEETING NO. 7
APRIL 6, 1998**

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 6th day of April, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; Robert McCarthy, Coordinator of Employee Relations; Salvatore LaGreca, Planning Board Chairman; William Pugh, Town Engineer; Patricia Wojcik, Director of Senior Services Department; Robert Kaczmarek, Supervising Accountant; Bruce Chamberlin, Police Chief; James J. Kirisits, Town Attorney; Ronald Marten, Building and Plumbing Inspector; Kenneth Kopacz, Director of Youth and Recreational Services Department; James Burst, Sewer Maintenance Foreman; and Frank Max, Working Crew Chief in Sanitation/ Recycling 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:	0100-1910-4711	Contingency	\$12,500.00
To:	0100-1640-2502	Equipment	7,000.00
	0100-6510-4300	Veterans Affair Committee	3,500.00
	0100-7550-4376	Patriotic Commission	2,000.00

SPECIAL DISTRICT FUND

From:	1500-8160-9211	Bond Interest	\$18,500.00
To:	1500-8160-4475	Consultants	\$18,500.00

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Rogowski

Item No. 3 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to April 3, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 537,467.93
HIGHWAY FUND	334,635.98
TRUST & AGENCY	14,461.02
PART TOWN FUND	5,072.17
HUD CDBG FUND	1,145.50
HUD HOUSING REHABILITATION	6,288.00
RISK RETENTION FUND	69,261.04
SPECIAL DISTRICTS FUND	307,318.35
CAPITAL FUND	<u>113,723.24</u>
	\$1,389,373.23

Item No. 3 cont'd.

MEETING NO. 7
APRIL 6, 1998

Upon roll call. . . .

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

Item No. 4a Moved by Councilmember Johnson, seconded by Councilmember Swiatek

WHEREAS, Gerald Kaminski has made application and requested the Rezoning from R-Residential/NS-Neighborhood Services District for property located at 2476 Union Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 20, 1998 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call. . . .

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

AFFIDAVIT - NEXT PAGE

Item No. 4b Moved by Councilmember Johnson, seconded by Councilmember Swiatek

MEETING NO. 7
APRIL 6, 1998

WHEREAS, Benderson Development has made application and requested the Rezoning from M1-Light Manufacturing District to MS-Motor Services District for property located at 2285 Walden Avenue, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 20, 1998 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call. . . .

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

NAYES: 0

ABSENT: Councilmember Rogowski

AFFIDAVIT - NEXT PAGE

Item No. 5 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

MEETING NO. 7
APRIL 6, 1998

WHEREAS, by resolution dated March 16, 1998, this Town Board scheduled a public hearing on the repeal of the existing Noise Ordinance and the adoption of a new Noise Ordinance for April 20, 1998 at 7:00 P.M., AND

WHEREAS, revisions are currently being made to the new proposed Noise Ordinance, and it has been recommended that the public hearing be canceled until the Noise Ordinance is revised, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby cancels the public hearing scheduled for April 20, 1998 at 7:00 P.M. on the repeal of the existing Noise Ordinance and the adoption of a new Noise Ordinance and, BE IT FURTHER

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



CANCELLATION
OF
PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT, the public hearing scheduled for April 20, 1998 at 7:00 P.M. on the repeal of the existing Town of Cheektowaga Noise Ordinance and the adoption of a new Town of Cheektowaga Noise Ordinance is CANCELED.

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

Dated: April 6, 1998

Richard M. Moleski
Town Clerk



Upon roll call. . . .

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

AFFIDAVIT - NEXT PAGE

Item No. 6 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

MEETING NO. 7
APRIL 6, 1998

WHEREAS, Chapter 76 of the Code of the Town of Cheektowaga, also known as the Vehicle & Traffic Ordinance, was originally enacted in 1967 and has been amended piecemeal numerous times since 1967, AND

WHEREAS, such Vehicle & Traffic Ordinance is difficult to follow, contains some duplication and errors and has never been alphabetized, AND

WHEREAS, the Traffic Division of the Police Department has spent much time reviewing such ordinance and updating same, and has prepared a new Vehicle & Traffic Ordinance, AND

WHEREAS, this Board is interested in adopting this new and improved Vehicle & Traffic Ordinance and in repealing the existing Vehicle & Traffic Ordinance, AND

WHEREAS, a public hearing was held on the 16th day of March, 1998 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the repeal of the existing Vehicle & Traffic Ordinance and of adopting a new Vehicle and Traffic Ordinance, AND

WHEREAS, it is in the public interest to repeal the existing Vehicle & Traffic Ordinance and to adopt the new proposed Vehicle & Traffic Ordinance, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby repeals the existing Vehicle & Traffic Ordinance (Chapter 76 of the Code of the Town of Cheektowaga) and, BE IT FURTHER

RESOLVED, that this Town Board hereby adopts the new proposed Vehicle & Traffic Ordinance, a copy of which is on file in the Town Clerk's Office and, BE IT FURTHER

RESOLVED, that the repeal of the existing Vehicle & Traffic Ordinance shall take effect ten (10) days after publication; but such repeal and adoption shall take effect from the date of its 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 its passage and entry in the minutes.

Any part or parts of these amendments which are subject to approval under Section 1684 of the Vehicle & 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 and, BE IT FURTHER

RESOLVED, that these amendments shall apply to all of the Town of Cheektowaga, Erie County, New York outside of the villages of Depew and Sloan and, BE IT FURTHER

RESOLVED, that the Town Clerk shall enter the aforesaid repeal and adoption in the minutes of this Town Board meeting, and shall publish the attached Notice in the CHEEKTOWAGA TIMES.

Upon roll call. . . .

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

NAYES: 0

ABSENT: Councilmember Rogowski



NOTICE OF REPEAL OF VEHICLE & TRAFFIC ORDINANCE

AND ADOPTION OF NEW VEHICLE & TRAFFIC ORDINANCE

TAKE NOTICE, that the Town Board of the Town of Cheektowaga, Erie County, New York at its meeting held on April 6, 1998 repealed the existing Vehicle & Traffic Ordinance and adopted on new Vehicle & Traffic Ordinance.

A general description of the new Vehicle & Traffic Ordinance is as follows:
Item No. 6 cont'd.

The general description of the new Vehicle & Traffic Ordinance is as follows:

MEETING NO. 7
APRIL 6, 1998

The general purpose of the new Vehicle & Traffic Ordinance is to regulate the parking and movement of vehicles on public highways and public and private property in the Town of Cheektowaga.

The new Vehicle & Traffic Ordinance contains the following articles:

- Article I - General Provisions
- Article II - Traffic Regulations, including signals, speed limits, stop and yield intersections
- Article III - Off Street Parking
- Article IV - Parking, Standing and Stopping
- Article V - Schedules for various sections of the Vehicle and Traffic Ordinance.

A copy of the complete texts of the repealed and new Vehicle & Traffic Ordinance is on file in the Town Clerk's Office in the Town Hall where the same may be examined during regular business hours.

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

Dated: April 6, 1998

Richard M. Moleski
Town Clerk



Upon roll call. . . .

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

AFFIDAVIT - NEXT PAGE

Item No. 7a Moved by Councilmember Jaworowicz, seconded by Councilmember Jankowiak

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the Replacement of Sidewalks in Various Locations in the Town of Cheektowaga by the Cheektowaga Highway Department.

MEETING NO. 7
APRIL 6, 1998

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 April 22, 1998.



NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

Sealed proposals will be received and considered by the Cheektowaga Town Board on Wednesday, April 22, 1998 at a public bid opening at 11:00 a.m., at the Town Hall located on Broadway, New York, for the Replacement of Sidewalks in Various Locations in the Town of Cheektowaga.

Specifications for sidewalks may be obtained at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday.

Each proposal must be accompanied by a certified check for a sum equal to five percent (5%) of the amount of the bid, payable to the Town of Cheektowaga, New York, or bond with sufficient sureties to be approved by the Attorney for the Town of Cheektowaga, New York.

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

Dated: April 6, 1998

Richard M. Moleski
Town Clerk
Town of Cheektowaga



Upon roll call. . . .

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

AFFIDAVIT - NEXT PAGE

Item No. 7b Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, there is need to replace sanitary sewer manhole castings and covers utilizing self-sealing covers and vented covers, AND

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

MEETING NO. 7
APRIL 6, 1998

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of manhole castings with self-sealing covers and manhole castings with vented type covers, notice to be published in the CHEEKTOWAGA TIMES AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 22nd day of April, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on April 22, 1998 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of Sanitary Manhole Frames and Covers for the Sewer Maintenance Department.

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

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

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

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

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

Dated: April 6, 1998

Richard M. Moleski
Town Clerk



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

AFFIDAVIT - NEXT PAGE

Item No. 8 Moved by Councilmember Jaworowicz, seconded by Supervisor Gabryszak

WHEREAS, by resolutions dated August 4, 1997, this Town Board issued environmental and rezoning approvals for the proposed Parwood Subdivision for the construction of 77 patio homes at the westerly terminus of Rehm Road in the Town, AND

WHEREAS, the developer of this proposed subdivision will be reconstructing and extending Rehm Road to service such subdivision, AND

MEETING NO. 7
APRIL 6, 1998

WHEREAS, the developer has submitted a proposed subdivision map for Parwood Subdivision to Town departments for their review and approval, AND

WHEREAS, the Town Highway Superintendent, and Town Engineer have reviewed such proposed subdivision and have recommended approval of same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned Parwood Patio Homes Subdivision and, BE IT FURTHER

RESOLVED, that the developer of this subdivision shall submit sanitary and storm sewer easements across this subdivision to the Town prior to acceptance of the public improvements.

Upon roll call. . . .

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

Item No. 9 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, the Public Improvement Permit Ordinance of the Town of Cheektowaga requires that all improvements which are to be dedicated to, and be maintained by the Town, be installed under a Public Improvement Permit, AND

WHEREAS, the Bella Vista Group, the developer of the Parwood Patio Homes Subdivision, has submitted a Public Improvement Permit Application, plans and specifications and application fee for the installation of public sanitary sewer facilities to serve the subject subdivision, AND

WHEREAS, the Town Engineer has reviewed the plans and specifications for conformance with Town requirements, and the design has been reviewed for approved by the Erie County Department of Environment and Planning (ECDEP), NOW, THEREFORE, BE IT

RESOLVED, that the Public Improvement Permit be and hereby is approved for the construction of the aforesaid sanitary sewer extension and, BE IT FURTHER

RESOLVED, that, based on the applicant's engagement of an engineering consultant for the provision of inspection, and required certification acceptable to the Town Engineer, and in accordance with the ECDEP permit requirements, the permit fee which is meant to reimburse the Town for inspection shall therefore be waived and, BE IT FURTHER

RESOLVED, that subdivision developer shall be responsible for the execution of easement documents for filing in the Erie County Clerk's Office prior to the acceptance of the related improvements.

Upon roll call. . . .

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

Item No. 10a Moved by Councilmember Johnson, seconded by Councilmember Swiatek

WHEREAS, pursuant to the Environment 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

MEETING NO. 7
APRIL 6, 1998

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, to construct a 13,100 square foot Adult Entertainment Complex on a 4.95 acre site at the southwest corner of Aero Drive and Rein Road, AND

WHEREAS, the proposal was referred to the Erie County Department of Environment and Planning and New York State Department of Environmental Conservation, AND

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation has determined that there are no apparent cultural resources but will require any excavations be inspected to ensure preservation of any artifacts should they be uncovered, AND

WHEREAS, upon recommendation of the Cheektowaga Traffic Safety Commission the driveway to Aero Drive was moved to form a four-way intersection with Scott Place to allow for safer traffic movements, AND

WHEREAS, the applicant will also install sidewalks on Aero Drive and Rein Road, and will also pipe as much of the drainage ditches along both frontages as is practical, AND

WHEREAS, the plan further reflects revisions requested such as additional landscaping, drainage modifications and enclosure of the dumpster, AND

WHEREAS, the Planning Board recommended approval of the site plan at their December 11, 1997 meeting, AND

WHEREAS, the Advisory Committee, at its meeting held on March 18, 1998 rendered the determination shown on the attached memo dated March 19, 1998, AND

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

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

Upon roll call. . . .

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

NAYES: 0

ABSENT: Councilmember Rogowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 10b Moved by Councilmember Johnson, seconded by Councilmember Swiatek

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

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

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

MEETING NO. 7
APRIL 6, 1998

WHEREAS, an application was submitted by Benderson Development Company, Incorporated to rezone 3458 Union Road from C-Retail Business to MS-Motor Service, AND

WHEREAS, the applicant is proposing to demolish the existing building and construct a new 10,752 square foot facility for tire and battery sales and services, AND

WHEREAS, the site plan has been revised, after meetings with Town Committees and adjacent residents, in a fashion that would provide additional screening for the residents to the north, AND

WHEREAS, the consultant for the project submitted Trip Generation Comparison data subsequent to the public hearing for the following Traffic Safety Commission meeting showing that this type of operation would generate considerably less traffic compared to retail or food service operations, AND

WHEREAS, the Planning Board, at its meeting of January 8, 1998, has recommended approval of the rezoning, AND

WHEREAS, the Advisory Committee, at its meeting held on February 25, 1998 rendered the determination shown on the attached memo dated February 27, 1998, AND

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

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

Upon roll call. . . .

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

NAYES: 0

ABSENT: Councilmember Rogowski

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 11 Moved by Unanimous, seconded by Unanimous

WHEREAS, the Town of Cheektowaga is the owner of 164.99± acres of land located south of Genesee Street, east of Sonwil Drive and north and west of Rehm Road in the Town, AND

WHEREAS, most of this land was acquired in 1990 for the purpose of constructing an 18-hole public golf course, AND

WHEREAS, since 1990, the Town has entertained various proposals for the construction of a public golf course on this land, which were unsuccessful for one reason or another, AND

MEETING NO. 7
APRIL 6, 1998

WHEREAS, Commonwealth Sport Fund, LLC, a Delaware limited liability company ("Commonwealth") has approached the Town to construct and operate a public golf course on this land at its expense, AND

WHEREAS, Commonwealth has submitted a general proposal/memorandum of understanding with respect to its desire to construct and operate such golf course on Town-owned land, AND

WHEREAS, Commonwealth requires a tentative commitment from the Town wherein it would be declared to be a Designated Developer of this land for a period of time so that it can expend moneys to complete various due diligence studies, etc. to determine if it should proceed with a lease/agreement on this matter, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board sees this arrangement with Commonwealth to have the potential to be a partnership of public and private interests working for the betterment of the Town and its residents and, BE IT FURTHER

RESOLVED, that, based on the proposal/memorandum of understanding from Commonwealth, this Town Board hereby appoints Commonwealth as the Designated Developer of a golf course on the above referenced Town-owned land, said designation to continue until July 31, 1998 and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Memorandum of Understanding with respect to this matter and, BE IT FURTHER

RESOLVED, that, after completion of Commonwealth's due diligence review and finance packaging, it is this Town Board's intent to enter into a finalized lease/agreement with Commonwealth for this project on terms to be finalized at a later date.

Upon roll call. . . .

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

Item No. 12 Moved by Unanimous, seconded by Unanimous

WHEREAS, on Sunday, June 28, 1998, the Town of Cheektowaga will be sponsoring the 9th Annual Cheektowaga Volunteer Firefighters Recognition Day in Cheektowaga Town Park, AND

WHEREAS, former Councilmember Jacqueline A. Blachowski initiated Cheektowaga Volunteer Firefighters Recognition Day and each year organized such event in the Town, AND

WHEREAS, Jacqueline A. Blachowski has expressed an interest in helping the Town to organize the 9th Annual Cheektowaga Volunteer Firefighters Recognition Day, NOW, THEREFORE, BE IT

RESOLVED, that Jacqueline A. Blachowski be and hereby is appointed as the Chairperson of the 9th Annual Cheektowaga Volunteer Firefighters Recognition Day, and is authorized to organize such event with the cooperation from all departments and employees.

Item No. 12 cont'd.

Upon roll call. . . .

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

Item No. 13a Moved by Councilmember Johnson, seconded by Councilmember Mazur

WHEREAS, the Governor's Traffic Safety Committee has made National Highway Safety and Federal Highway Administration funds available to the County of Erie for the purpose of funding certain components of the Erie County Comprehensive Traffic Safety Plan for 1998, AND

MEETING NO. 7
APRIL 6, 1998

WHEREAS, the County of Erie is making \$5,000.00 of these moneys available to the Town of Cheektowaga for certain speed enforcement activities to be conducted by the Cheektowaga Police Department, AND

WHEREAS, the Cheektowaga Police Department, Traffic Division, has recommended that the Town enter into a contract with the County of Erie for these grant moneys, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the above referenced agreement with the County of Erie for the \$5,000 grant for speed enforcement.

Upon roll call. . . .

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

Item No. 13b Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town, in its 1998 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

WHEREAS, agreements between the Town and these cultural and not-for-profit organizations have been prepared and forwarded to such groups, AND

WHEREAS, the organizations listed below have completed and returned signed agreements and their accounting report from the 1997 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves agreements in the forms attached to this resolution, with the cultural and not-for-profit organizations listed below for the amounts listed and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreements with the following referenced cultural and not-for-profit organizations for the following respective amounts:

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Cultural Society	\$2,130.00
Cheektowaga Art Guild	\$ 915.00

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization out of the respective cultural group budget line item in the 1998 Town budget, subject to audit and approval of a properly signed Town voucher.

Item No. 13b cont'd.

Upon roll call. . . .

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

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 7
APRIL 6, 1998

Item No. 13c Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 22 Princeton Court, Cheektowaga, New York, AND

WHEREAS, the owners of said property have applied for a mortgage loan from Rochester Community Savings Bank for the purpose of refinancing their mortgage for a lower interest rate, AND

WHEREAS, Rochester Community Savings Bank has conditioned its approval of the owner's mortgage on the subordination of the Town's mortgage to that of Rochester Community Savings Bank, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Rochester Community Savings Bank, 45 Earhardt Drive, Williamsville, New York 14221 in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 22 Princeton Court, Cheektowaga, New York 14225.

Upon roll call. . . .

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

MEETING NO. 7
APRIL 6, 1998

and Mazur
NAYES: 0
ABSENT: Councilmember Rogowski

Item No. 14a Moved by Councilmember Mazur, seconded by Councilmember Jaworowicz
Councilmember Swiatek

BE IT RESOLVED, that the position of Assistant Building Inspector be and hereby is created in the Building and Plumbing Inspection Department, effective immediately.

Upon roll call. . . .

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

Item No. 14b Moved by Councilmember Mazur, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that three (3) positions of Senior Clerk-Typist (Promotional) be and hereby are created in the Justice Court effective immediately.

Upon roll call. . . .

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

Item No. 15 Moved by Councilmember Mazur, seconded by Councilmember Johnson

BE IT RESOLVED, that the hourly salary for the following Seasonal and Part-Time employees in the Sewer Maintenance Department be and hereby is adjusted to \$6.00, effective January 1, 1998:

Eric Czubaj	Aaron Vanderlip
Joseph Gruber	Tim Witt
Mark Klosko	Joe Abraham
Scott Klosko	Ryan Czubaj
Lou Mueller	Dave Klosko
Alan Ross	

Item No. 15 cont'd.

Upon roll call. . . .

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

Item No. 16 Moved by Supervisor Gabryszak, seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following Part-Time/Seasonal Youth and Recreation employees be transferred as indicated:

Hockey - 7140.1639/Soccer - 7140.1636
From Recreation Attendant IV to Recreation Attendant V - \$6.15

Lynn Butts

Rink Personnel - 7140.1611
From Recreation Leader I to Recreation Leader II - \$6.40

Cheryl Stucke

MEETING NO. 7
APRIL 6, 1998

Hockey - 7140.1639/Rink Personnel (In-Line) - 7140.1611
From Recreation Attendant IV to Recreation Attendant V - \$6.15

Eugene Pytlewski

BE IT RESOLVED, that the following employees be upgraded and transferred from Part-Time to Seasonal, effective immediately:

Rink Personnel (In-Line) - 7140.1611
From Recreation Attendant IV to Recreation Attendant V - \$6.15

Jacques Desjardins

Recreation Supervisors (Sport Camp) - 7140.1613
From Recreation Leader III to Recreation Leader V - \$7.15

Peter Odrobina

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

Steve Ciemcioch

From Recreation Attendant II to Recreation Attendant III - \$5.65

Jason Wheeler

Youth Conservation Corps - 7310-1811

From Program Coordinator to Program Coordinator I - \$11.30

Jack Hornung

From Education Coordinator to Education Coordinator I - \$11.30

Roger Newhouse

Soccer- 7310.1636
From Recreation Attendant IX to Recreation Leader VIII - \$7.90

Tony Pierino

Item No. 16 cont'd.

Upon roll call. . . .

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

NAYES: 0

ABSENT: Councilmember Rogowski

Item No. 17 Grant Leave of Absence to General Mechanic in Facilities Department
This item was withdrawn.

Item No. 18 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson

WHEREAS, the term of Diana Koczon-Seifert as member of the Board of Ethics expired on August 15, 1997, AND

WHEREAS, Ms. Koczon-Seifert has expressed an interest in continuing to serve on the Board of Ethics, NOW, THEREFORE, BE IT

RESOLVED, that Diana Koczon-Seifert be and hereby is reappointed to the Board of Ethics for a term expiring on August 15, 2002.

Upon roll call. . . .

MEETING NO. 7
APRIL 6, 1998

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

Item No. 19a Appointment to Fill Vacancy in Position of Senior Engineer Assistant in the Engineering Department
This item was withdrawn.

Item No. 19b Appointment to Fill Position of Assistant Building Inspector in Building and Plumbing Inspector Department
This item was withdrawn.

Item No. 19c Moved by Councilmember Mazur, seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Account-Clerk Typist (Promotional) in the Police Department, AND

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

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

WHEREAS, Cynthia Carleton, currently employed as a Clerk-Typist in the Police Department, appears on said Civil Service list and is eligible for said promotion, NOW, THEREFORE, BE IT

RESOLVED, that Cynthia Carleton of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Account-Clerk Typist in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective April 7, 1998.

Upon roll call. . . .

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

Item No. 19d Moved by Councilmember Mazur, seconded by Councilmember Johnson

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

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

WHEREAS, Bernard Kotarski, currently serving in said position on a temporary basis, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that the Bernard Kotarski ofXXXXXXXXXXXXXXXXXXXXXXXXXXXX, Holland, New York XXXXX be and hereby is appointed to the permanent position of Traffic Maintenance Worker in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective April 7, 1998.

Upon roll call. . . .

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

Item No. 19e Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

MEETING NO. 7
APRIL 6, 1998

WHEREAS, a temporary vacancy exists in the position of Senior Clerk in the Police Department, AND

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

WHEREAS, Audrey Owens, currently employed as a Part-Time Clerk in the Police Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, , that Audrey Owens of XXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of temporary Senior Clerk in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective April 7, 1998.

Upon roll call. . . .

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

Item No. 20a Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

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

Lacrosse - 7140.1625
Recreation Leader I - \$6.15

Brian Anken XXXXXXXXXXXXXXXXXXXX XXXXX

Recreation Supervisors (Sports Camp) - 7140.1613
Recreation Attendant IV - \$5.90

Teri-Ann Duszynski XXXXXXXXXXXXXXXXXXXX XXXXX

Item No. 20a cont'd.

Soccer - 7140.1636
Recreation Attendant IV - \$5.90

Mary Murphy XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Recreation Attendant III - \$5.40

Sharon Wasielewski XXXXXXXXXXXXXXXXXXXX XXXXX

Recreation Attendant I - \$5.15

Ben Stein XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXX
Shaun Rozenwicz XXXXXXXXXXXXXXXXXXXX XXXXX

Upon roll call. . . .

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

Item No. 20b Moved by Councilmember Mazur, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following individuals be and hereby are hired as Part-Time employees in the various departments listed, not to exceed 19 hours on a weekly basis, in compliance

MEETING NO. 7
APRIL 6, 1998

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

Justice Court - \$6.00 per hour (Clerical) 0100-1110-1492

Jamie Holtz	XXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
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Facilities Department - \$6.00 per hour (Laborer) 0100-7110-1491

Andrea Voelker	XXXXXXXXXXXXXXXXXXXXXXXXXX	
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Upon roll call. . . .

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

Item No. 20c Moved by Councilmember Mazur, 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:

Recycling Department - \$6.00 per hour (Laborer)

David E. Rozak	XXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
William J. Kotarski	XXXXXXXXXXXXXXXXXXXXXXXXXX	"
Walter R. Burgett	XXXXXXXXXXXXXXXXXXXXXXXXXX	"
John Balbuzoski	XXXXXXXXXXXXXXXXXXXXXXXXXX	"

Facilities Department - \$6.00 per hour (Laborer) 0100-7110-1496

Daryl Pischka	XXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Kevin Rydzynski	XXXXXXXXXXXXXXXXXXXXXXXXXX	"
James Robinson	XXXXXXXXXXXXXXXXXXXXXXXXXX	"
Steven Cody	XXXXXXXXXXXXXXXXXXXXXXXXXX	"
Gordon Hagmier	XXXXXXXXXXXXXXXXXXXXXXXXXX	"
Jeffrey Helmbrecht	XXXXXXXXXXXXXXXXXXXXXXXXXX	"

Item No. 20c cont'd.

Upon roll call. . . .

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

Item No. 21a Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Federal Bureau of Investigation, through its Crimes Against Children Coordinators is holding a symposium titled: Crimes Against Children Matters; On-line Child Pornography/Child Sexual Exploitation. This symposium will be held in Newark, New Jersey, April 29 - May 1, 1998.

WHEREAS, Chief Chamberlin is requesting authorization to send Capt. Thomas Rowan to this symposium. The purpose of this symposium is to provide a forum for discussing the on-line child pornography crime problem; inform the attendees of the scope of the problem; advise state and local law enforcement agencies of the federal resources available to combat matters and advise state and local law enforcement agencies of the FBI's national Innocent Images initiative. The FBI will be covering all expenses except travel. The Police Department will be responsible for transportation amounting to approximately \$100.00, NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Capt. Rowan to this symposium, and that the time he spends there be authorized as normal duty time. Expenses will be charged to line 0100-3120.4085.

Upon roll call. . . .

MEETING NO. 7
APRIL 6, 1998

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

Item No. 21b Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, D.A.R.E. Jr. High Training is being offered in Richmond, Virginia, April 20-23, 1998.

WHEREAS, Chief Chamberlin is requesting authorization to send D.A.R.E. Officer Michael Pilat to this training. Currently Officer Pilat is on a waiting list to attend, in the event that he does not make this class another one will be scheduled. At this time, an exact date is unknown. The Police Department will be responsible for lodging and transportation amounting to approximately \$460.00, NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Officer Pilat to this training, and that the time he spends there be authorized as normal duty time. Expenses will be charged to line 0100-3120-4006 and 0100-3120-4085.

Upon roll call. . . .

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

Item No. 22 Moved by Councilmember Johnson , seconded by Councilmember Jankowiak

WHEREAS, by resolution dated September 15, 1997, this Town Board retained the services of Arthur J. Giacalone, Esq. to assist the Town with the review of the Buffalo Crushed Stone, Inc. ("BCS") rezoning and SEQRA applications at a cost not to exceed \$3,500.00 without further Town Board authorization, AND

Item No. 22 cont'd.

WHEREAS, moneys appropriated pursuant to such resolution have now been expended, and it has been recommended by the Town Attorney's Office that the Town continue to retain the services of Arthur J. Giacalone until this matter has been completed due to the specialized area of law involved and the fact that Mr. Giacalone has the necessary expertise in this area of law, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby agrees to continue the retention of Arthur J. Giacalone, Esq. as per the terms of his letter dated August 15, 1997, to assist the Town with the review of the BCS rezoning and SEQRA applications, for an amount not to exceed \$5,000.00 without further Town Board authorization and, BE IT FURTHER

RESOLVED, that such moneys shall be appropriated from budget line item 0100-1420-4501, with audit and approval of vouchers by the Town Attorney's Office and, BE IT FURTHER

RESOLVED, that the Supervising Accountant be and hereby is directed to transfer \$5,000.00 into the aforementioned budget line item for this purpose.

Upon roll call. . . .

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Building Permits
Received and Filed.

MEETING NO. 7
APRIL 6, 1998

Item No. 24a Supervisor's Statement of Funds- January 1998
Received and Filed.

Item No. 24b Supervisor's Statement of Funds - February 1998
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 25a Notice of Claim: Marjorie E. Schallmo vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25b Notice of Claim: Jeffrey Zagrabski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25c Notice of Claim: Robert W. Cook vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25d Notice of Claim: Michael E. Ziolkowski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25e Notice of Claim: John A. Weinberg vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Police Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 25f Notice of Claim: Joseph R. Metros vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.



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

Upon roll call. . . .

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

NAYES: 0

ABSENT: Councilmember Rogowski



IV. SUSPENSION OF RULES

Item No. 26 Moved by Councilmember Swiatek, seconded by Councilmember Johnson

MEETING NO. 7
APRIL 6, 1998

WHEREAS, Buffalo Anderson Associates has petitioned for the rezoning from C-Retail Business District to MS-Motor Service District of property owned by it and located at 3458 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 16th day of March, 1998 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 Buffalo Anderson Associates 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, Johnson, Swiatek, Jankowiak, and Mazur
NAYES: 0
ABSENT: Councilmember Rogowski

AFFIDAVIT - NEXT PAGE

Item No. 27 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, by resolution dated March 16, 1998 this Town Board issued a Negative Declaration under SEQRA for the proposed expansion of the Walden Galleria, AND

WHEREAS, the Pyramid Company of Buffalo ("Pyramid") agreed to work with the Town to accelerate planned New York State Department of Transportation improvements of Union Road from George Urban Boulevard to Como Park Boulevard (PIN 5131.23) as part of the expansion of Walden Galleria, AND

WHEREAS, by letter dated April 3, 1998, Pyramid Management Group, Inc. requested the DOT to move the commencement date for the above referenced DOT project back to 1999 from 2001, AND

WHEREAS, this Board feels it is important to expedite this Union Road improvements project, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the DOT to move its Union Road improvements project (PIN 5131.23) up to the year 1999 and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to DOT Regional Director Robert L. Russell, Governor Pataki, Assemblyman Paul Tokasz and Senator William Stachowski.

Upon roll call. . . .

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

Item No. 28 Moved by Councilmember Johnson, seconded by Councilmember Swiatek

WHEREAS, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, the Environmental Advisory Committee ("EAC") reviews various applications for building

MEETING NO. 7
APRIL 6, 1998

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 John Militello to construct a 15,000 square foot warehouse/office on a 2.09 acre parcel known as 493 Kennedy Road,

WHEREAS, after meetings with the EAC and Planning Board, the applicant submitted a revised plan with additional landscaping and on-site stormwater retention basis, AND

WHEREAS, a private sanitary sewer traverses the site and the proposed building will be built atop this sewer, AND

WHEREAS, the applicants engineer has designed the foundation so as not to disturb the sewer, AND

WHEREAS, the applicant has submitted a letter indemnifying the Town in the event of litigation concerning the sewer, AND

WHEREAS, the Planning Board has recommended approval of the site plan at their meeting of February 25, 1998, AND

WHEREAS, the Advisory Committee, at its meeting held on February 25, 1998 rendered the determination shown on the attached memo dated February 27, 1998, AND

Item No. 28 cont'd.

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

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

Upon roll call. . . .

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

NAYES: 0

ABSENT: Councilmember Rogowski

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 7
APRIL 6, 1998

Item No. 29 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson to adjourn this meeting. This meeting was adjourned at 8:15 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

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 20th day of April, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Walter Domino, Assistant 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 Conway, Assessor; Frank Max, General Crew Chief-Sanitation Department; Mark Wagner, Working Crew Chief-Facilities Department; Pat Wojcik, Director-Senior Citizens.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to repeal the Existing Noise Ordinance and Adoption of New Noise Ordinance.
This public hearing was cancelled at the Town Board Meeting of April 6, 1998. For further information, see Item No. 5 of above mentioned meeting.

II. RESOLUTIONS

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

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

GENERAL FUND

FROM:	0100-7110-1376 Senior Clerk Typist Parks	\$20,000.00
	0100-9501-9211 Bond Interest	\$10,000.00
	0100-1010-1361 Clerk Steno	3,150.00
TO:	0100-7110-1374 Clerk Typist Facilities	\$20,000.00
	0100-1355-1391 Part Time Clerical	\$10,000.00
	0100-1010-1391 Part Time Clerical	3,150.00

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to April 17, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 537,084.09
HIGHWAY FUND	220,433.61

Item No. 4 cont'd

TRUST & AGENCY	\$13,995.20
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**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

PART TOWN FUND	3,915.47
HUD CDBG FUND	863.00
HUD HOUSING REHABILITATION	22,902.00
RISK RETENTION FUND	44,314.11
SPECIAL DISTRICTS FUND	838,914.70
CAPITAL FUND	<u>196,887.33</u>
	\$1,879,309.51

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

Item No. 5a 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, Multi-Purpose Sports Floor Work contract on March 19, 1998 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, Sport Court of NY/CT has submitted the bid of \$50,350.00 for the Multi-Purpose Sports Floor 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, Multi-Purpose Sports Floor Work contract to Sport Court of NY/CT, 540 West Boston Post Road, Mamaroneck, New York 10543 in the amount of \$50,350.00, and BE IT FURTHER

RESOLVED that funds for said action are available from Capital Improvement Account #5709-7110-9704.

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

Item No. 5b 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, Lobby Floor Work contract on March 19, 1998 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, Cambridge Floors, Inc. has submitted the low bid of \$28,250.00 for the Lobby Floor 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, Lobby Floor Work contract to Cambridge Floors, Inc., 10 Windsong Court, East Amherst, New York 14051 in the amount of \$28,250.00, and BE IT FURTHER

Item No. 5b cont'd

RESOLVED that funds for said action are available from Capital Improvement Account #5709-7110-9704.

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

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

Item No. 6 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Topsoil for this 1998 season (regular, shredded and screened).

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

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid item at 11:00 AM on April 29, 1998.



NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Wednesday, April 29, 1998 at a public bid opening at 11:00 AM at the Town Hall located on Broadway and Union Roads, Cheektowaga, NY for the purpose of furnishing TOPSOIL for use by various departments in the Town of Cheektowaga.

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

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

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

DATED: April 20, 1998



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

AFFIDAVIT - NEXT PAGE

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

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

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 Gerald Kaminski to rezone from R-Residence District to NS-Neighborhood Service District a portion of a parcel known as 2476 Union Road, and

WHEREAS, the existing house will be converted to a beauty salon with parking located at the rear of the building, and

WHEREAS, the rezoning does not include the rear 362± feet of the lot, which will remain residential, and

WHEREAS, in order to improve traffic movements for the new business and an existing business located to the south, the two (2) businesses will share a common driveway at Union Road and will have cross-access between the rear parking lots, and

WHEREAS, the Advisory Committee, at its meeting held on March 18, 1998 rendered the determination shown on the attached memo dated March 19, 1998, and

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

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 7b S.E.Q.R. - 2285 Walden Avenue
This item was withdrawn.

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

WHEREAS, by resolution dated January 16, 1996 the Cheektowaga Town Board approved an agreement with the County of Erie for the removal of snow and ice from certain County roads for the years 1995-96 through 1999-2000, and

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998

WHEREAS, the County of Erie has forwarded the Town a revised/corrected agreement to more accurately reflect the mileage of certain County roads, and

WHEREAS, the Town Superintendent of Highways has recommended that the Town execute the revised/corrected agreement to more accurately reflect the mileage of certain County roads, and

WHEREAS, the Town Superintendent of Highways has recommended that the Town execute the revised/corrected agreement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the revised/corrected snow and ice removal agreement with the County of Erie for years 1995-96 through 1999-2000.

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

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

WHEREAS, the Town's kennel can house a maximum of 12 unlicensed stray dogs, and

WHEREAS, sometimes such kennel is insufficient and/or inappropriate for the housing of all unclaimed stray dogs, who await adoption or humane euthanasia, and

WHEREAS, the Dog Control Officer of the Town has recommended that the Town enter into a contract with the Erie County Society for the Prevention of Cruelty to Animals (SPCA), covering the possible adoption of unlicensed and unclaimed stray dogs, as well as, the humane euthanization of same, and

WHEREAS, the SPCA has appropriate facilities and licensed personnel to assist the Town in the adoption of unlicensed and unclaimed stray dogs or the humane euthanization of such dogs, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves of the agreement between the Town and the SPCA for the housing, adoption, euthanizing and disposal of unlicensed and unclaimed stray dogs at the following fees for services rendered:

1. an admission fee of \$10.00 per dog,
2. an euthanasia fee of 7.50 per dog, and
3. a crematory and disposal fee of \$7.50 per dog,

and BE IT FURTHER

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

Item No. 8b cont'd

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

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

TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998

WHEREAS, the Town of Cheektowaga need two (2) easements from the owners of properties adjacent to the New York State Thruway to install drainage pipes for the Harlem Road Storm Sewer Project, and

WHEREAS, the owners of these properties, Dale S. Czubaj and Linda L. Czubaj have, in turn, requested an easement from the town for ingress/egress to the rear of their property through Aris Avenue, a paper street, and

WHEREAS, the Town Engineer and Town Attorney's Office have prepared the paperwork/easement documents on this matter, NOW, THEREFORE, BE IT

WHEREAS, that the Supervisor be and hereby is authorized and directed to execute the easement document granting Mr. And Mrs. Czubaj ingress/egress rights over the Aris Avenue paper street, and BE IT FURTHER

RESOLVED that the Town Board accepts the above mentioned two (2) easements from Mr. and Mrs. Czubaj, and BE IT FURTHER

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

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

Item No. 8d Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

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

WHEREAS, activities utilizing Community Development funds have been programmed for the Villages of Depew and Sloan for the 1998 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 1998 Program Year.

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

Item No. 9a Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, abandoned structure at 101 Southgate Road, Cheektowaga, New York, SBL# 90.80-7-20 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the

Item No. 9a cont'd

Assessor's Office is owned by Charmette D. Miller, 101 Southgate Road, Buffalo, New York 14215-1840, and

WHEREAS, these conditions require that the Town of Cheektowaga Housing and Neighborhood Preservation Office take immediate steps to safeguard and secure the west side door opening and secure and safeguard the south side door opening at this vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

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

Item No. 9b Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located on 86 Woodell Avenue, Cheektowaga, New York, SBL #102.45-1-23 and according to the Assessor's Office is owned by Arnold Reimer, 74 Kingston Place Lower, Buffalo, New York 14210, and

WHEREAS, these conditions require that some positive steps be taken to rectify same by removing the 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 debris be removed by the Town and all costs incurred be assessed against the property hereinbefore described.

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

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

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

EFFECTIVE

SUPERVISOR'S OFFICE

Tracy A. Cone

Immediately

POLICE DEPARTMENT

Heather Larivey

2//16/98

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

Item No. 11a Motion by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Senior Engineer Assistant in the Engineering Department, and

Item No. 11a cont'd

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

WHEREAS, such job title is in the competitive class of Civil Service and there currently exists no valid Civil Service list for the title of Senior Engineer Assistant, and

WHEREAS, Mark Christel, currently a part-time employee in the Engineering Department, bid on said vacancy was interviewed and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that Mark Christel of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Senior Engineer Assistant in the Engineering

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

Department, on a provisional basis, pending the establishment of a valid Civil Service list for said position and in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective April 21, 1998.

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

Item No. 11b Motion by Councilmember Mazur, Seconded by Councilmember Swiatek
Councilmember Johnson

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

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

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

WHEREAS, the Civil Service eligible list for the position of Assistant Building Inspector was canvassed, and

WHEREAS, Mark Radecki, currently employed as a part-time Housing Inspector, appears on said Civil Service list, was interviewed and meets all the necessary requirements for said position, NOW, THEREFORE, BE IT

RESOLVED that Mark Radecki of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Assistant Building Inspector in the Building and Plumbing Inspection Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective April 21, 1998.

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

Item No. 12 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following Youth and Recreation employees be and hereby are transferred as indicated:

ADMINISTRATIVE INTERNS - 7310.1804

From Recreation Attendant to Recreation Attendant VI - \$6.40
Noreen Brezowski
(seasonal)

Item No. 12 cont'd

From Part-time to Seasonal
Susan Switalski

Item No. 13a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individual be hired as part-time employee in the Youth and Recreation Department, effective immediately:

VOLLEYBALL - 7140.1627

Recreation Attendant I - \$5.15

Jeffrey Kosicki XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

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

Item No. 13b Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

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

SANITATION DEPARTMENT - \$6.00 per hour

Jason Sasiadek XXXXXXXXXXXXXXXXXXXX, XXXXX Immediately

MAIN PUMP STATION - \$6.00 per hour

Todd Kopcinski XXXXXXXXXXXXXXXXXXXX, XXXXX Immediately

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

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

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:

FACILITIES DEPARTMENT - \$6.00 PER HOUR (0100-7110-1491)

David Szczepanek	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Jarrett Sinclair	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Mathew Starr	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Michael Papero	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Richard Gramza, Sr.	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately

COUNCIL OFFICE - \$6.00 PER HOUR (CLERICAL)

Lisa Ann Zakrzewski XXXXXXXXXXXXXXXXXXXXXXXXXXXX 4/13/98

SEWER MAINTENANCE DEPARTMENT - \$6.00 PER HOUR

Phil Tasillo XXXXXXXXXXXXXXXXXXXXXXXXXXXX Immediately

Item No. 14 cont'd

RECYCLING DEPARTMENT - \$6.00 PER HOUR

Marvin Rowland	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Robert Zielinski	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Richard Abramowski	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Michael Manuella	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Nicholas Astyk	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Tony Pawlowski	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Nicholas Jakubczak	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Donald Karl	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
John Paluszynski	XXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Patrick McCloskey	XXXXXXXXXXXXXXXXXXXXX	Immediately

and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

RESOLVED that Suzanne M. Sanscainte, a part-time employee in the Building and Plumbing Department be and hereby is transferred to a seasonal employee in the same department effective immediately, and BE IT FURTHER

RESOLVED that the resolution dated April 6, 1998 appointing Gordon Hagmier as a seasonal employee in the Facilities Department be and hereby is amended to establish the salary at \$7.00 per hour.

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

Item No. 15 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Erie County Tactical Task Force is sponsoring a Tactical Training Course at the O.P.P. Tactical Training Site in Barry, Ontario Canada on May 13-14, 1998, and

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send S.W.A.T. Team member Sgt. Larry Bauer and P/O William Nagel to this specialized training. These officers will be trained to properly and safely conduct live fire training in a tire house. The Erie County Tactical Task Force will be responsible for lodging and tuition expenses. The Police Department will be responsible for transportation amounting to approximately \$50.00. A Police Department vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send the above officers to this training, and that the time spent there be authorized as normal duty time. Travel expenses will be charged to line 0100-3120-4085.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 16a Minutes of Cheektowaga Planning Board Meeting - March 12, 1998
Received and Filed.

Item No. 16b Cheektowaga Traffic Safety Commission - March 17, 1998
Received and Filed.

Item No. 17 Quarterly report - Office of Emergency Services
Received and Filed.

IV. SUSPENSION OF RULES

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

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

Item No. 18a Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Gerald Kaminski has petitioned for the rezoning from R-Residential District to NS-Neighborhood Services District of property owned by him and located at 2476 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 20, 1998**

WHEREAS, a public hearing on such petition was held before this Town Board on the 20th day of April, 1998 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 Gerald Kaminski for the rezoning from R-Residential District to NS-Neighborhood Services District of the property specified in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 18b Decision on Rezoning - 2275-2285 Walden Avenue
This item was withdrawn.

Item No. 19 Motion by Councilmember Mazur, Seconded by Councilmember Rogowski to adjourn the meeting.
Time Meeting was Adjourned: 7:35 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 9
MAY 4, 1998

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 May, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

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

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:	0100-7110-1422	General Mechanics	\$ 610.74
	0100-7270-3089	State Aid	2,000.00
To:	0100-9010-8157	TCEA Health & Welfare	\$ 610.74
	0100-7270-4392	Citizens Patrol Program	2,000.00

HIGHWAY FUND

From:	0300-9501-9211	Bond Interest	\$ 500.00
To:	0300-9010-8157	TCEA Health & Welfare	\$ 500.00

SPECIAL DISTRICTS FUND

From:	1500-8173-4431	Equipment Repairs	\$ 9,000.00
	1500-8173-4194	Advertisements	8,000.00
	1500-1910-2799	Appropriated Fund Balance	889.26
To:	1500-8160-2501	Miscellaneous Equipment	\$17,000.00
	1500-8160-8157	TCEA Health & Welfare	889.26

Upon roll call

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

Item No. 3 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

MEETING NO. 9
MAY 4, 1998

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to May 1, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 548,621.46
HIGHWAY FUND	295,107.02
TRUST & AGENCY	14,812.31
PART TOWN FUND	11,741.78
HUD CDBG FUND	48,120.88
HUD HOUSING REHABILITATION	21,594.00
RISK RETENTION FUND	49,195.35
SPECIAL DISTRICTS FUND	335,597.10
CAPITAL FUND	9,718.00
	<u>\$1,354,507.90</u>

Upon roll call

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

Item No. 4a Moved by Councilmember Swiatek, seconded by Councilmember Johnson

WHEREAS, Marc C. Mussachio for Mussachio Architects, as agent for Paul and Dolores Meyer, owners of the property, has made application and requested the rezoning of property located at 125 Concord Drive, from R-Residential District to C-Retail Business District, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 18, 1998 at 6:30 P.M. o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 4b Moved by Councilmember Swiatek, seconded by Councilmember Johnson

MEETING NO. 9
MAY 4, 1998

WHEREAS, Living Opportunities of DePaul has made application and requested the rezoning of property located at 2248 Old Union Road, from M1-Light Manufacturing District to CF-Community Facilities, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 18, 1998 at 6:30 P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 4c Moved by Councilmember Swiatek, seconded by Councilmember Johnson

MEETING NO. 9
MAY 4, 1998

WHEREAS, Theodore R. Kubiak has made application and requested the rezoning of property located at 2498 Union Road, from NS & R - Neighborhood Service and Residential to NS-Neighborhood Services District, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 18, 1998 at 6:30 P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 5a Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

WHEREAS, bids were received and opened by the Town Clerk at a bid opening on April 29, 1998 for the replacement of existing sidewalks in the Town, AND

MEETING NO. 9
MAY 4, 1998

WHEREAS, said bids were received and tabulated and an award was made by this Town Board to C & C Contractors, Inc., 971 Ransom Road, Lancaster, New York 14086 being the lowest responsible bidder, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the replacement of sidewalks for the year 1998, be awarded to C & C Contractors, Inc., 971 Ransom Road, Lancaster, New York 14086 being the lowest responsible bidder at a total of \$99,350.00 with the award being made at the following unit prices:

Item 1	4" thick sidewalk	\$ 2.85
Item 2	6" thick sidewalk	0.00
Item 3	Excess fill or excavation	7.50
Item 4	4" diameter P.V.C. underdrain	2.50
Item 5	6" sidewalk reinforced 6x6x10	3.00
Item 6	Landscaping beyond Item 1	22.50
Item 7	Fine asphalt mix beyond Item 1	10.00
Item 8	6" reinforced driveway apron	3.00
Item 9	Root Cutting	5.00
Item 10	Traffic Control	0.00

RESOLVED, that the Supervisor on behalf of this Town Board, sign the agreement with said contractor for the construction of area sidewalks and the related work and, BE IT FURTHER

RESOLVED, that funding for this work is to be made under Bond Resolution of the Town of Cheektowaga, New York adapted August 6, 1990, authorizing the reconstruction of various sidewalks within said Town, line item 5503-5141-9507.

Upon roll call

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

Item No. 5b Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by the Town Board at a bid opening on April 29, 1998, for Topsoil for use by the Town of Cheektowaga, as a result of advertising thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bid for Topsoil be awarded to Tom Greenauer Development, Inc., P.O. Box 250, Springbrook, New York 14140-0250 for regular, screened or shredded as per specifications and picked up by Town of Cheektowaga vehicles, AND

BE IT FURTHER RESOLVED, that payment of topsoil be charged to the line item 0300-5110-4186.

Upon roll call

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

Item No. 5c Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of manhole frames with self-sealing covers and manhole frames with vented covers, which bids were duly received and opened at the April 22, 1998 public bid opening, AND

MEETING NO. 9
MAY 4, 1998

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

WHEREAS, bids were reviewed by Allan Blachowski, Principal Engineer, and it is recommended that the award be made to the lowest responsible bidder meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of manhole frames and covers be and hereby is awarded to:

Syracuse Casting Sales Corp.
P.O. Box 1821
Cicero, New York 13039

<u>ITEM</u>	<u>QUANTITY</u>	<u>DELIVERED UNIT BID PRICE</u>
Frame with 24" diameter self-sealing cover (set)	25 50 75 100	\$133.79 \$128.70 \$128.70 \$124.50
Frame with 24" diameter vented cover (set)	25 50 75 100	\$132.50 \$127.50 \$127.50 \$124.50

Upon roll call

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

Item No. 6a Moved by Councilmember Johnson, seconded by Councilmember Swiatek

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

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

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

WHEREAS, an application was submitted by Carmina Silvestri Architects to construct a 7,000 square foot child day care facility at the end of Kelly Drive, AND

WHEREAS, the project will include landscaping along the building foundation and trees along Kelly Drive, AND

WHEREAS, the owner of the plaza has agreed to ensure sidewalk access to Kelly Park along the plaza day care facility frontage and to better delineate the existing driveways, AND

WHEREAS, a fenced playground will be established at the rear of the building for the children with barriers to prevent motor vehicles from accessing that area, AND

Item No. 6a cont'd.

WHEREAS, the Advisory Committee, at its meeting held on April 22, 1998 rendered the determination shown on the attached memo dated April 24, 1998, AND

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

MEETING NO. 9
MAY 4, 1998

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

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 6b Moved by Councilmember Johnson, seconded by Councilmember Swiatek

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

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

MEETING NO. 9
MAY 4, 1998

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 F.J. Wailand Associates to construct a 16,800 square foot carpet showroom/office/warehouse on a 7 acre parcel of vacant land at 2260 Union Road at Old Union Road, AND

WHEREAS, the owner has agreed to provide a drainage/conservation easement at the rear of the site and has further agreed to allow the property owner to the south to utilize this easement for drainage purposes, AND

WHEREAS, the owner has agreed to install public sidewalks along Union Road/Old Union Road should the New York State Department of Transportation ("NYSDOT") fail to install walks within one (1) year of the carpet showroom opening, AND

WHEREAS, the site plan shows the preservation of as many trees as possible in accordance with Town regulations, AND

WHEREAS, the Advisory Committee, at its meeting held on April 22, 1998 rendered the determination shown on the attached memo dated April 22, 1998, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7 Moved by Councilmember Johnson, seconded by Unanimous

WHEREAS, Buffalo Crushed Stone, Inc. ("BCS") has submitted an application to the New York State Department of Environmental Conservation ("DEC") to renew its mining permit for property located at 500 Como Park Boulevard in the Town of Cheektowaga ("Cheektowaga Quarry"), AND

WHEREAS, the existing mining permit and permit renewal application for the Cheektowaga Quarry have been reviewed by various Town departments and committees, AND

MEETING NO. 9
MAY 4, 1998

WHEREAS, such mining permit and renewal application state that mining is permitted not only on the property which is currently being quarried, but also on adjacent properties owned by BCS, AND

WHEREAS, under the Town of Cheektowaga Zoning Law, AG-Special Aggregates District zoning is required in order for quarrying or excavation of gravel or stone to be permitted on the property, AND

WHEREAS, lands adjacent to the existing lands currently being quarried are not zoned AG-Special Aggregates District, but instead are zoned R-Residence District, NS-Neighborhood Services District, C-Retail Business District and M1-Light Manufacturing District, C-Retail Business District; and, as such, mining/quarrying are not permitted on this property, AND

WHEREAS, the Cheektowaga Conservation Advisory Council ("CCAC") has reviewed the mining permit renewal application submitted by BCS for the Cheektowaga Quarry and has submitted the attached memo containing its comments on such application, AND

WHEREAS, the Town of Cheektowaga, through its Building Inspections Department, has forwarded the DEC the Scoping Documents for the proposed "expansion" of the Cheektowaga Quarry, as well as copies of complaints and comments received by the Town with respect to the Cheektowaga Quarry, and has asked the DEC to consider all these items before acting on the BCS mining permit renewal application, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the DEC to not renew those portions of BCS's mining permit renewal application for the Cheektowaga Quarry which are in conflict with the Town's Zoning Map and Zoning Law both in terms of zoning classification required for mining but also those portions which do not accurately reflect the Zoning Law setbacks required for mining and, BE IT FURTHER

RESOLVED, that this Town Board hereby also requests that the DEC consider the comments made in the attached memo by the CCAC, the above referenced Scoping Document, and complaints and comments forwarded to the DEC by the Town before it renders any decision with respect to the renewal application and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution with Michael J. Meyers, DEC MLR Specialist, 128 South Street, Olean, New York 14760; Steven J. Doleski, DEC Regional Permit Administrator, 270 Michigan Avenue, Buffalo, New York 14203; and Gerald P. Mikol, DEC Regional Director.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 8a Moved by Councilmember Mazur, seconded by Councilmember Jaworowicz

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 \$856,000 for the 1998 Program Year, AND

WHEREAS, it is necessary to execute a Grant Agreement with the Department of Housing and Urban Development for Fiscal Year 1998 Community Development Block Grant funding, NOW, THEREFORE, BE IT

MEETING NO. 9
MAY 4, 1998

RESOLVED, that the Supervisor be and hereby is authorized to execute a Grant Agreement with the Department of Housing and Urban Development for the 1998 Community Development Block Grant Program Year.

Upon roll call

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

Item No. 8b Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga sanitary sewer system, and the operation of system wide overflows during extreme wet weather events, is regulated by a State Pollutant Discharge Elimination System (SPDES) Discharge Permit issued by the New York State Department of Environmental Conservation (NYSDEC) in compliance with Title 8, Article 17, of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, AND

WHEREAS, the SPDES Permit regulating Town sanitary sewer system overflows, effective May 1, 1997, issued by NYSDEC requires the preparation and submission of an engineering report for the mitigation and abatement of the currently permitted overflows, the preparation of which will require implementation of an extensive flow monitoring program and system wide evaluation and analysis performed over a multi-year time period, AND

WHEREAS, there is a need to obtain professional technical services to assist the Town Engineering Department in the data gathering, evaluation and recommendation of mitigating improvements and final preparation of the required engineering report and support documentation mandated by the SPDES Permit to insure regulatory compliance, AND

WHEREAS, the engineering consulting firm of Nussbaumer & Clarke, Inc. has been found qualified to perform such services and has vast experience in the design and operation of the Town's sanitary sewer infrastructure, and has also aided the Town in numerous major sanitary sewer improvements projects, NOW, THEREFORE, BE IT

RESOLVED, that the proposal for technical services dated April 24, 1998 as submitted by the consulting firm of Nussbaumer & Clarke, Inc. and as recommended by the Town Engineer for technical services necessary to assist the Town in the evaluation of the sanitary sewer collection system for the mitigation of overflow activity is approved and accepted and, BE IT FURTHER

RESOLVED, that the Supervisor is directed and authorized to sign said agreement for professional services with:

Nussbaumer & Clarke, Inc.
3556 Lake Shore Road, Suite 500
Buffalo, New York 14219-1494

and, BE IT FURTHER

RESOLVED, that funding for the stated professional engineering services in an amount not to exceed \$51,900.00, which funds have been budgeted, shall be chargeable to Sanitary Sewer District No. 3 Account No. 2300-8123-4581 and Sewer District No. 5 Account No. 2500-8125-4581.

Item No. 8b cont'd.

Upon roll call

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

Item No. 8c Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

MEETING NO. 9
MAY 4, 1998

WHEREAS, the Town of Cheektowaga previously received a Federal grant from the Center for Substance Abuse Prevention ("CSAP") and formed the Suburban Wellness Coalition ("SWC") with said grant moneys, AND

WHEREAS, prior to the creation of the SWC, the Cheektowaga Action Partnership ("CAP") was working under the auspices of the Town under another Federal grant to combat drug and substance abuse, AND

WHEREAS, as of April 30, 1997, Federal funding for CAP ceased and CAP, Inc. became a separate not-for-profit entity independent from the Town, AND

WHEREAS, CAP and SWC employees have, from the start, worked together towards a common goal - assisting residents of the Town towards a healthier lifestyle, AND

WHEREAS, CAP, Inc. and SWC have requested the Town to request CSAP to release lead agency status for SWC to CAP, AND

WHEREAS, this Town Board feels it is appropriate for CAP, Inc. to have lead agency status of the SWC, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes CSAP to release lead agency status of the SWC grant to CAP, Inc. and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to forward a letter to CSAP supporting the release of lead agency status of the SWC grant to CAP, Inc.

Upon roll call

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

Item No. 9 Moved by Councilmember Mazur, 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 ambulances and has recommended that the Town Board license such ambulance(s), NOW, THEREFORE, BE IT

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

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 10 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

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

MEETING NO. 9
MAY 4, 1998

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 June 4, 1998, 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 address it appears on the Town Assessment roll.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 11 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson

WHEREAS, Cub Scout Pack 618 has requested permission to conduct an overnight campout on Saturday, June 13, 1998 to Sunday, June 14, 1998 at Stiglmeier Park, AND

WHEREAS, Section 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed", NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby permits a waiver of Section 48-12 of the Code of the Town of Cheektowaga, and that said waiver be extended to Cub Scout Pack 618 for the use of Stiglmeier Park on June 13-14, 1998 and, BE IT FURTHER

MEETING NO. 9
MAY 4, 1998

RESOLVED, that the Town Clerk be directed to forward copies of this resolution to the Chief of Police and Director of the Facilities Department.

Upon roll call

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

Item No. 12 Moved by Councilmember Johnson, seconded by Councilmember Rogowski
Councilmember Jankowiak

WHEREAS, numerous residents from the Town of Cheektowaga have expressed interest in organizing a fundraising campaign for enhancement to the Federally-supported Rails-to-Trails project, AND

WHEREAS, these residents desire to establish a fundraising committee called Volunteers for Rails-to-Trails, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby recognizes creation of a Volunteer for Rails-to-Trails Committee, the duties of which shall be:

1. The planning and oversight of a fundraising campaign for enhancements to the Rails-to-Trails project
2. The collection and allocation of funds for specific enhancements to the bike path

and, BE IT FURTHER

RESOLVED, that it is recognized by this Town Board that the following individuals shall serve as co-chairs of the Committee:

1. Michael Dusing
2. Alice Magierski
3. Frank Mikler

and, BE IT FURTHER

RESOLVED, that such monies obtained through the efforts of the Volunteers for Rails-to-Trails Committee shall be deposited into Trust and Agency Account No. 0600-0898-0310.

Upon roll call

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

Item No. 13 Moved by Councilmember Mazur, seconded by Councilmember Johnson

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

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

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

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

MEETING NO. 9
MAY 4, 1998

RESOLVED, that the following individuals are hereby reappointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately for a term of three years and expiring at the time of reappointment to said Board of Directors positions but no later than May 31, 2001: Robert Pietrzak and Samuel Tadio.

Upon roll call

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

Item No. 14 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

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

EFFECTIVE

FACILITIES DEPARTMENT

Florian Urbanski 4-07-98

Upon roll call

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

Item No. 15a Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

BE IT RESOLVED, that the position of Account Clerk-Typist (Promotional) be and hereby is created in the Sanitation/Recycling Departments, effective immediately.

Upon roll call

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

Item No. 15b Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

BE IT RESOLVED, that the position of Automotive Mechanic be and hereby is created in the Central Garage, effective immediately.

Item No. 15b cont'd.

Upon roll call

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

Item No. 16a Appointments to Three (3) Positions of Senior Clerk-Typist (Promotional) in the Justice Court
This item was withdrawn.

Item No. 16b Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

MEETING NO. 9
MAY 4, 1998

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

WHEREAS, Shawn Surdej, currently employed as a temporary Light Motor Equipment Operator in the Recycling Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Shawn Surdej of XXXXXXXXXXXXXXXXXXXX, Sloan, New York XXXXX be and hereby is appointed to the permanent position of Light Motor Equipment Operator in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective May 5, 1998.

Upon roll call

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

Item No. 16c Moved by Councilmember Mazur, seconded by Councilmember Rogowski

WHEREAS, by resolution, this Town Board appointed Frank P. Piacente to the position of Recreation Leader in the Youth and Recreational Services Department on a provisional basis pending the establishment of a valid Civil Service examination list for said position, AND

WHEREAS, such competitive list has now been established by the Erie County Department of Personnel and Frank P. Piacente is listed as an eligible candidate, NOW, THEREFORE, BE IT

RESOLVED, that Frank P. Piacente of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Recreation Leader (permanent) in the Youth and Recreational Services Department in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and Town of Cheektowaga Employees Association, effective November 12, 1996.

Upon roll call

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

Item No. 16d Moved by Councilmember Rogowski, seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga was awarded a grant through the New York State Environmental Bond Act for the North Creek - South Creek Playground Project, which grant is administered through the New York State Office of Parks, Recreation, and Historic Preservation, AND

WHEREAS, the grant agreement requires the Town to assign a Project Manager on this project, AND

WHEREAS, William Wielinski, the Town's Director of Facilities, is qualified to act as Project Manager, NOW, THEREFORE, BE IT

RESOLVED, that William Wielinski, the Town's Director of Facilities, be and hereby is appointed Project Manager for the North Creek - South Creek Playground Project.

Upon roll call

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

MEETING NO. 9
MAY 4, 1998

Item No. 17 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be and hereby are upgraded and/or transferred and, BE IT FURTHER

RESOLVED, that said employees are transferred from part-time to seasonal effective May 11th - September 6th:

Cedargrove Camp - 7140.1631

Supervisor IV (Site Director II) - \$7.15
Dawn Zilbauer

Recreation Attendant III - (Counselor III) - \$5.65
Christopher Maciok

Recreation Attendant II (Counselor II) - \$5.40
Lori Burdzy

Dartwood Camp - 7140.1632

Supervisor V (Site Director III) - \$7.40
Dawn Smith

Recreation Attendant IV (Counselor IV) - \$5.90
Jennifer Garrison

Recreation Attendant III (Counselor III) - \$5.65
Jeff Brych
George Hunger

Recreation Attendant II (Counselor II) - \$5.40
Michael Cercone
Denise Jarvis

BE IT RESOLVED, that the following Youth and Recreation employees be upgraded and/or transferred from Part-Time to Seasonal, effective May 11th to September 6th and, BE IT FURTHER

RESOLVED, that they be transferred back to the Adapted Recreation Program (7310.1803) effective September 7th:

Item No. 17 cont'd.

Camp Flamingo - 7310.1810

Program Coordinator - \$12.15
Deborah Ann Fleetwood

Supervisor V (Activity Director III) - \$7.40
Trevor Stowell

Supervisor IV (Activity Director II) - \$7.15
Bridget Olear

Recreation Attendant IV - \$5.90
Daniel Quigley

Recreation Attendant II (Counselor II) - \$5.40
Mindy Kieser
Kelly Williams

Camp Crabapple - 7310.1802

Recreation Attendant V (Senior Counselor I) - \$6.15
Samantha Schanne

Recreation Attendant IV (Counselor IV) - \$5.90
Dana Abenschein

Recreation Attendant II (Counselor II) - \$5.40
Breanne Blachura

Assistant Program Coordinator/Nurse - \$9.65
Barbara Walters

Supervisor V (Activity Director) - \$7.40
Magdalena Wnuk

Camp JI-IK-DO-WAH-GAH - 7310.1801

Supervisor V (Activity Director IV) - \$7.40
Victor Nosal

Supervisor IV (Activity Director II) - \$7.15
Amy Zakrzewski

Recreation Attendant V (Senior Counselor I) - \$6.15
Amy Conner
Sarah Miga

Recreation Attendant IV (Counselor IV) - \$5.90
Stefanie Albano

Recreation Attendant II (Counselor II) - \$5.40
Amie Godzich
Tracy Malczewski

BE IT RESOLVED, that the following employees be upgraded and/or transferred as indicated:

Pools

From Part-Time to Seasonal (effective immediately)

Item No. 17 cont'd.

Pool and Beach Supervisors - 7180.1902

Pool Director - \$13.20
Brian Hansen

Special Program Director - \$11.44
Cathy Giles

Pool Supervisor - \$10.55 (Maryvale)
Michelle Kunkel

Pool Supervisor - \$8.80 (Step 1/1st Shift/Town Park)
Jacqueline Houser

Pool Supervisor - \$9.14 (Step 2/2nd Shift/Town Park)
Gregory Bean

Head Lifeguard - \$8.40 (Step 2/Dingens)
Margaret Brezowski

Head Lifeguard - \$8.15 (Step 1/Maryvale)
Darryl Lindell

Lifeguards - 7180.1903

Level IV - \$71.5
Michael Barnhard
Beth Kawczynski
Mark Przybysz (transfer from 7310.1803)
Tim Skrzydlewski

Level III - \$6.65
Aaron Grupka
Erik Hansen (transfer from 7310.1803)
Stephanie Ketterl
Elizabeth Sinski
Jonathan Owens
Lori Owens

Administrative Interns - 7310.1804

From Par-Time to Seasonal (June 8th - August 30th)
Recreation Specialist V - \$6.65
Christopher Mahalic

From Part-Time to Seasonal (May 25th - September 27th)
Recreation Attendant IV - \$5.90
Rebecca Volk

From Part-Time to Seasonal (May 18th - August 30th)
Colleen Kieser

Rink Personnel - 7140.1611/JI-IK-DO-WAH-GAH - 7310.1801

From Part-Time to Seasonal (May 11th - September 6th)
Jillian Pytlewski (transfer back to 7310.1803 effective September 7th)

Rink Personnel - 7140.1611/Camp Flamingo - 7310.1810

From Part-Time to Seasonal (May 11th - September 6th)
Brian Pane (transfer back to 7310.1803 effective September 7th)

Item No. 17 cont'd.

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

Item No. 18a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

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

Rink Personnel - 7140.1611

Recreation Attendant I - \$5.15
Robert Halter XXXXXXXXXXXXXXXXXXXX XXXXX

Soccer - 7140.1636

Recreation Attendant I - \$5.15
James Dombrowski XXXXXXXXXXXXXXXXXXXX XXXXX

Pools

MEETING NO. 9
MAY 4, 1998

Beach and Pool Supervisors - 7180.1902

Pool Supervisor - \$9.19 (Step 3/Dingens)

Kurt Hansen XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Head Lifeguard - \$8.45 (Step 1/Town Park)

Sarah Kazukiewicz XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Lifeguards - 7180.1903

Level IV - \$7.15

Jonathan Bialek XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Kristopher Kubiak XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Andrea Solecki XXXXXXXXXXXXXXXXXXXXXXX XXXXX

Level III - \$6.65

Jeffrey Bartel XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Tamara Krawczyk XXXXXXXXXXXXXXX XXXXX

Level II - \$6.15

Adam Connor XXXXXXXXXXXXXXX XXXXX
 Samantha Garcea XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Melissa Luczkowiak XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Dina Mantione XXXXXXXXXXXXXXX XXXXX
 Natalie Michalski XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Linda Marie Piesczynski XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Nicholas Pijanowski XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Mary Beth Rokitka XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Jennifer Strobele XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Amanda Suriani XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Caitlin Vanderbush XXXXXXXXXXXXXXXXXXXXXXX XXXXX

Item No. 18a cont'd.

Bath House Attendants - 7180.1901

Basketcheckers - \$5.15

Lynn Kawczynski XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Stacey Lubacz XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Michael Miszewski XXXXXXXXXXXXXXX XXXXX
 Sean O'Brien XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Tanis Phillips XXXXXXXXXXXXXXX XXXXX

Basketcheckers (Trainees) - \$4.25

Jennifer Bogacz XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Jennifer Battaglia XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Sarah DeFields XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
 Shannon Flecher XXXXXXXXXXXXXXX XXXXX
 James Galioto XXXXXXXXXXXXXXX XXXXX
 Chris Garcea XXXXXXXXXXXXXXX XXXXX
 Abagael Grupka XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Luke Mazur XXXXXXXXXXXXXXX XXXXX
 Jeff Proehl XXXXXXXXXXXXXXX XXXXX
 Greg Prybylski XXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Jennifer Pugh XXXXXXXXXXXXXXX XXXXX
 Angela Stallone XXXXXXXXXXXXXXX XXXXX
 Mark Strobele XXXXXXXXXXXXXXX XXXXX
 Justin Stuckle XXXXXXXXXXXXXXX XXXXX

MEETING NO. 9
MAY 4, 1998

Nicole Wilkolaski XXXXXXXXXXXXXXXXXXXX XXXXX

Basketcheckers (Alternates/Trainees) - \$4.25

Holly Pietrasik XXXXXXXXXXXXXXXXXXXX XXXXX
Lindsay Goettel XXXXXXXXXXXXXXXXXXXX XXXXX
Danielle Ketterl XXXXXXXXXXXXXXXXXXXX XXXXX
Andrea Ketterl XXXXXXXXXXXXXXXXXXXX XXXXX
Kyle Shanley XXXXXXXXXXXXXXXXXXXX XXXXX

Upon roll call

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

Item No. 18b Moved by Councilmember Mazur, 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

TOWN CLERK'S OFFICE - \$6.00

Lori Vallon XXXXXXXXXXXXXXXXXXXX Immediately

RECYCLING DEPARTMENT - \$6.00

Thomas Porto XXXXXXXXXXXXXXXXXXXX Immediately
Jeffrey Speaker XXXXXXXXXXXXXXXXXXXX "
Eric Ziarnowski XXXXXXXXXXXXXXXXXXXX "

Item No. 18b cont'd.

FACILITIES DEPARTMENT - \$6.00 per hour (0100-7110-1491)

Todd Stucke XXXXXXXXXXXXXXXXXXXX Immediately
Jason Vandewater XXXXXXXXXXXXXXXXXXXX "
David Potter XXXXXXXXXXXXXXXXXXXX "
John Mazgaj XXXXXXXXXXXXXXXXXXXX "
Lucas McCuiston XXXXXXXXXXXXXXXXXXXX "
Christopher Bukowski XXXXXXXXXXXXXXXXXXXX "

FACILITIES DEPARTMENT - \$7.00 per hour (0100-7110-1623)

Walter Gardon XXXXXXXXXXXXXXXXXXXX "

Upon roll call

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

Item No. 19 Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

SANITATION DEPARTMENT - \$6.00 per hour

MEETING NO. 9
MAY 4, 1998

Sue Piejda XXXXXXXXXXXXXXXXXXXXXXXXXXXX Immediately
Philip Huebbers XXXXXXXXXXXXXXXXXXXXXXXXXXXX "
Robert Higgins XXXXXXXXXXXXXXXXXXXXXXXXXXXX "

Upon roll call

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

Item No. 20a Moved by Supervisor Gabryszak, seconded by Councilmember Jankowiak

WHEREAS, the New York State Association of Area Agencies on Aging and the New York State Coalition for the Aging is sponsoring an Aging Network Conference on June 1-3, 1998 in Lake Placid entitled "Aging Concerns Unite Us",

WHEREAS, the Conference will provide insight into the needs of future generations and how we will need to modify our adult services and programs,

WHEREAS, the New York State Coalition on Aging will fund 1/3 of the costs and the Western New York Conference on Aging will fund another 1/3 of the cost,

WHEREAS, Patricia L. Wojcik, Director of Senior Services has requested to attend this Conference at a cost to the Town of \$254 from budget account 0100-7620-4681.

THEREFORE, permission is granted to attend this conference.

Upon roll call

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

Item No. 20b Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the New York State Department of Criminal Justice Services is conducting the annual K-9 Recertification School in Binghamton, New York May 4-8, 1998.

WHEREAS, Chief Chamberlin is requesting authorization to send K-9 Officer Daniel Smith to this training. Officer Smith once again has been requested to instruct this specialized training, therefore, NYSDCJS will be covering his lodging and tuition expenses. The Police Department will be responsible for travel to and from this training amounting to approximately \$50.00 A Cheektowaga Police vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

RESOLVED, that Officer Smith is authorized to attend this training, and that the time spent there be authorized as normal duty time. Expenses will be charged to 0100-3120-4085.

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Supervisor's State of Funds - March 1998
Received and Filed.

Item No. 22 Building Permits
Received and Filed.

Item No. 23a Minutes of Cheektowaga Planning Board - April 9, 1998

MEETING NO. 9
MAY 4, 1998

Received and Filed.

Item No. 23b Minutes of Cheektowaga Public Library Board - March 25, 1998
Received and Filed.

Item No. 24 Annual Financial Report for the Fiscal Year Ended 1997
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 25a Notice of Claim: Denise M. Szymanski vs the Town of Cheektowaga
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. 25b Notice of Claim: Vincenzo LiPuma vs the Town of Cheektowaga
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. 25c Notice of Claim: John McGowan vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.



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

Upon roll call

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



IV. SUSPENSION OF RULES

Item No. 26 Moved by Councilmember Rogowski, 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 Cleveland Hill Baseball, Inc. has made application to hold its Annual Opening Day Ceremonies and Parade on May 16, 1998 from Mapleview Road to Cleveland Drive to Harlem Road to Huth Road, AND

WHEREAS, this Board has reviewed the application submitted by Cleveland Hill Baseball, Inc., 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:

MEETING NO. 9
MAY 4, 1998

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cleveland Hill Baseball, Inc. for Its Annual Opening Day Ceremonies and Parade to be held on May 16, 1998 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) of the Vehicle and Traffic Law.

Upon roll call

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

Item No. 27 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town, in its 1998 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND Item No. 27 cont'd.

WHEREAS, agreements between the Town and these cultural and not-for-profit organizations have been prepared and forwarded to such groups, AND

WHEREAS, the organizations listed below have completed and returned signed agreements and their account report from the 1997 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves agreements in the forms attached to this resolution, with the cultural and not-for-profit organizations listed below for the amounts listed and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreements with the following referenced cultural and not-for-profit organizations for the following respective amounts:

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Community Chorus, Inc.	\$6,200.00

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization out of the respective cultural group budget line item in the 1998 Town budget, subject to audit and approval of a properly signed Town voucher.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 9
MAY 4, 1998

Item No. 28a Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that the salaries of the following Town Officials be and hereby are established and set forth as follows, effective January 1, 1998:

Tax Receiver	\$50,638.00
Town Clerk	\$57,000.00
Highway Superintendent	\$63,000.00
Town Justice (2)	\$57,000.00

Upon roll call

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

Item No. 28b Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that the salaries of the following Town Officials and employees who are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1998:

Town Engineer	\$64,000.00
Supervising Accountant	\$56,040.00
Supervising Building Inspector	\$60,000.00
Assessor	\$58,000.00
Executive Director of Youth	\$60,000.00
Director of Community Development	\$52,113.00
Senior Citizens Director	\$51,904.00
Employment & Training Director	\$60,000.00
Coordinator of Employee Relations	\$55,576.00

Upon roll call

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

MEETING NO. 9
MAY 4, 1998



Supervisor Gabryszak spoke on the death of Daniel E. Weber.

"It is with sadness that I report the passing of former Town Supervisor, Dan Weber, this morning.

Mr. Weber served residents of our Town first as a Patrolman, later having achieved the rank of Detective Sergeant. He was elected as Town Supervisor and served in that role from 1964 - 1975 and from 1984 - 1987.

During his early years as Supervisor, the Town continued to grow, and Dan Weber was part of that growth. Dan opened up more land for suburban development by extending French Road to Borden Road. He played a role for the centralized Fire Training Center. He touched many town residents with cards carrying greetings of well wishes to those who were ill or with expressions of sympathy to the family of a deceased loved one. He was very active with the orphanage on William Street garnering donations of toys and candy for the children living there. Dan also recognized the need for a swimming pool in town and raised public funds to help build the first pool, eventually adding others.

The Town Seal was designed by Dan Weber, as was the Police Shoulder Patch that is still worn by our officers to this day. And, of course, Dan will also be remembered for his very strong and vocal opposition to the seat belt law, which consumed much of his time and energy when he returned to the Board in 1984.

I have ordered the flags in town to be flown at half staff in honor of Mr. Weber, and we will adjourn this meeting in his memory. Will you all please rise for a moment of silence."



Item No. 29 Moved by Supervisor Gabryszak, seconded by Unanimous to adjourn this meeting in memory of our former Town Supervisor, Daniel E. Weber, who passed away on May 4, 1998. This meeting was adjourned.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

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 May, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; 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 Conway, Assessor; Mark Wagner, Working Crew Chief-Facilities Department; Pat Wojcik, Director-Senior Citizens; Robert Kaczmarek, Supervising Accountant.

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:	0100-3120-3820 State Aid	\$20,000.00
	0100-1440-1405 Engineering Assistant	77,077.22
TO:	0100-3120-2205 Grant Award Line	\$20,000.00
	0100-1440-1404 Senior Engineer Assistant	77,077.22

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to May 15, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 755,563.90
HIGHWAY FUND	339,707.59
TRUST & AGENCY	657.36
PART TOWN FUND	3,507.67
HUD CDBG FUND	1,764.87
HUD HOUSING REHABILITATION	27,575.00
RISK RETENTION FUND	89,868.88
SPECIAL DISTRICTS FUND	598,345.10
CAPITAL FUND	388,045.99
	<u>\$2,205,036.36</u>

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

NAYES: 0

ABSENT: 0

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

WHEREAS, in 1991, the State Legislature restructured the Consolidated Local Street and Highway Improvement Program (CHIPS), creating a new payment mechanism for the capital project portion of the program, and

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

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

RESOLVED that the following accounts be and hereby are established:

CHIPS State Aid (Expense) - #5714-5132-0001 - \$177,016.50
CHIPS State Aid (Revenue) - #5714-5132-3089 - \$177,016.50

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

Item No. 5 Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Consolidated Refuse and Garbage District of the Town of Cheektowaga was established by resolution adopted by the Town Board on December 15, 1952, and

WHEREAS, the Garbage, Rubbish and Collection Law of the Town (adopted in 1990) places maximum limits on the number and size of garbage containers which the Town's Sanitation Department will collect, but it does not adequately cover the collection and disposal of solid waste from business, commercial, industrial establishments or tax exempt public or private entities, and

WHEREAS, section 198 (9) (b) of the Town Law provides that, after a refuse and garbage district has been established, the Town Board may establish from time to time "charges, fees or rates to be paid by users for refuse and garbage collection service"; and such "charges, fees or rates may be based upon the volume of refuse, garbage, ashes, rubbish and other waste matter collected, making proper allowance for commercial or industrial establishments, the number of calls per month ...or upon any other equitable basis...", and

WHEREAS, previous resolutions have established certain user fees for the collection of solid waste from gravity fed or compactor containers (dumpsters) 2 cubic yards or larger, and

WHEREAS, a comprehensive compilation of the fees to be charged for the collection and disposal of solid waste by the Town from gravity fed and compactor containers (dumpsters) 2 cubic yards or larger is necessary and warranted for the effective and proper administration of the aforesaid Consolidated Refuse and Garbage District, NOW, THEREFORE, BE IT

RESOLVED that effective immediately, all business, commercial and industrial establishments shall be charged the following fees for the collection of solid waste from each of the following listed gravity fed or compactor containers (dumpsters):

A gravity fed or compactor container (dumpster) user fee is hereby reestablished and such fee shall be computed by (1) calculating the size and number of containers picked-up in each month, (2) minus the prorated monthly garbage assessments, that is, one-twelfth (1/12th) of the total ad valorem levy for that particular parcel of land, (3) equals the monthly amount to be paid.

In addition, billings shall be subject to the following conditions:

1. If the fee for services rendered in any given month is more than the monthly pro-rate garbage assessments, the monthly billing amount shall be due 30 days after such billing.

Item No. 5 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

2. If the fee for services rendered in any given month is less than the monthly pro-rata garbage assessment, no refunds will be given and no credit will be given for any other month.

3. Any balance not paid within 30 days after billing shall be assessed a late penalty of eighteen (18) percent per annum assessed at the rate of one point five (1.5%) percent for each thirty (30) days or less.

Fees for Containers, Etc. (Per Container or Services):

Gravity-Fed Container:

2 cubic yard	\$38.00
4 cubic yard	\$41.00
6 cubic yard	\$44.00
8 cubic yard	\$47.25
10 cubic yard	\$50.50

Compactor Container:

2 cubic yard	\$53.00
4 cubic yard	\$58.00
6 cubic yard	\$63.00
8 cubic yard	\$68.00
10 cubic yard	\$73.00

Hopper \$10.00

½ Hopper (minimum) \$5.00

Each Additional Garbage Receptacle \$1.00

Show Up Fee (Container Not Dumped) \$25.00

Special Requests - Additional Pick-up (In Addition to regular dumpster fee) \$10.00

Additional labor fee for loose garbage lying around container \$10.00

and BE IT FURTHER

RESOLVED that, effective immediately, all tax exempt public or private entities shall be charged those fees for containers (per container or service) hereinbefore stated without use of the assessment formula for calculation of the monthly billings for business, commercial and industrial establishments.

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

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

WHEREAS, by resolution dated May 7, 1984, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4A of the Code of the Town of Cheektowaga (hereinafter referred to as the Ambulance Services Ordinance), and

WHEREAS, the Emergency Medical Services Board has recommended that Section 4A-7 of such ordinance be amended, and

Item No. 6 cont'd

WHEREAS, this Town Board wishes to amend the Ambulance Services Ordinance to incorporate such recommendations, NOW, THEREFORE, BE IT

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

RESOLVED that in accordance with the Town Law of the State of New York, a public hearing be held on the 1st day of June, 1998 at 7:00 p.m. at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether the Ambulance Services Ordinance shall be amended as shown on the attached Notice of Hearing, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the Cheektowaga Times, a newspaper published in the Town and having a general circulation therein, not less than ten (10) days prior to the date of said hearing.



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN THAT in pursuance of a Resolution of the Town Board of the Town of Cheektowaga, which was duly passed on the 18th day of May, 1998, and in accordance with the provisions of the Town Law of the State of New York, a public hearing will be held on the 1st day of June, 1998 at 7:00 o'clock P.M., at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, at which hearing all parties in interest shall have an opportunity to be heard, and at which time and place it may be determined by the Town Board whether Section 4A-7.A. of the Code of the Town of Cheektowaga relating to ambulance services shall be amended as follows:

4A-7. Emergency Medical Service Board.

A. Creation

- (1) There is hereby created an Emergency Medical Services (EMS) Board composed of the following referenced sixteen (16) individuals:
 - (a) One (1) member and one (1) alternate member for each of the nine (9) duly organized Volunteer fire districts located in the Town of Cheektowaga such members shall be designated by such fire districts.
 - (b) One (1) member and one (1) alternate member for the Village of Sloan Fire Company; such member shall be designated by such fire company
 - (c) The Chief of Police of the Town of Cheektowaga or his designee
 - (d) One (1) member of the Town Board
 - (e) The Senior Public Safety Dispatcher of the Town of Cheektowaga or his designee
 - (f) One (1) representative from St. Joseph Hospital Emergency Department or their designee
 - (g) Ex-Officio (non-voting) members:
 - One (1) representative from the Ambulance Company which operates in the Town of Cheektowaga
 - One (1) representative from Erie county EMS.

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

Dated: May 18, 1998

RICHARD M. MOLESKI
Town Clerk

Item No. 6 cont'd

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

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Main Pump Station No. 5 is in need of a new pick-up truck, 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 Main Pump Station No. 5, said notice to be published in
the CHEEKTOWAGA TIMES, and BE IT FURTHER

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998

RESOLVED that sealed bids will be received by the Town of Cheektowaga on June 4, 1998 at 11:00 A.M., Eastern Daylight Saving Time, at the Town Hall, at which time they will be publicly opened and read.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on June 4, 1998 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) 1998, ¾ ton pick-up truck for the Main Pump Station No. 5.

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: May 18, 1998



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

AFFIDAVIT - NEXT PAGE

Item No. 7b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is sponsoring five (5) summer day camps for children (Camp Crabapple, Camp JI-IK-DO-WAAH-GAH), Camp Flamingo and the Dartwood and Cedargrove Camps), from July 6, 1998 - August 21, 199, and

WHEREAS, it is necessary that bus transportation be provided to transport these children to and from Camp Crabapple, Camp JI-IK-DO-WAH-GAH, Camp Flamingo, and the Dartwood and Cedargrove Camps, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

WHEREAS, Section 103 of the General Municipal Law of the State of New York requires certain municipal contracts to be awarded only after competitive bidding, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the furnishing of the aforesaid bus transportation to be provided from July 6th through August 21, 1998; said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bid proposals will be accepted at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 11:00 A.M., Wednesday, June 4, 1998, and BE IT FURTHER

RESOLVED that the Cheektowaga Town Clerk is hereby designated to publicly open and read sealed bid proposals at 11:00 A.M. on Wednesday, June 3, 1998.



NOTICE TO BIDDERS

Sealed bid proposals will be received at the Town Clerk's Office, Town Hall, Broadway and Union Road, Cheektowaga, New York until 11:00 a.m., Eastern Daylight Savings Time on Wednesday, June 3, 1998 for the furnishing of daily transportation to and from two (2) day camp programs for children to be located at the Alexander Community Center, 275 Alexander Avenue (near Straley Avenue), Cheektowaga, New York. Included in the bid should be the use of six full size school buses. Children will be transported from the Cheektowaga, Sloan and Depew area to the camp site and vice versa Monday through Friday, beginning July 6, 1998 through August 21, 1998. Arrival time at camp is scheduled for 9:00 a.m. Disposal and take home is scheduled for 3:00 p.m. Also included in the bid should be transportation for the Alexander Day Camp's six (6) weekly field trips to and from various points of interest in the Western New York area.

This packet also contains transportation requirements for the Camp Cedargrove, (located at the Cheektowaga Masonic Center, 97 Lucid) and the Camp Dartwood camps (located at 222 Autumnwood). The transportation shall consist of one bus per site for six weekly field trips to and from various points of interest in the Western New York area.

Also included in the Cedargrove and Dartwood Day Camp bid shall be daily bus transportation to and from the respective sites to the nearest town pool.

Information for bidders may be obtained from the camps' Program Coordinator at the Cheektowaga Youth and Recreational Services Department (275 Alexander Avenue) 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 lowest bidder, should it be in the best interest of the Town, or reject any or all bids.

RICHARD M. MOLESKI
Town Clerk

Dated: May 18, 1998

Item No. 7b cont'd

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

AFFIDAVIT - NEXT PAGE

TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998

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

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

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

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

WHEREAS, an application was submitted by Environmental Structures Incorporated to construct 37,000± square foot of additions to U.S. Foodservice at 125 Gardenville Parkway West, and

WHEREAS, the addition is primarily frozen food and dry goods storage, and

WHEREAS, the applicant will improve the landscaping along the public road and provide site drainage data to the Town Engineer for his approval, and

WHEREAS, the Advisory Committee at its meeting held on May 6, 1998 rendered the determination shown on the attached memo dated May 11, 1998, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

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

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

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

WHEREAS, an application was submitted by Jeffrey Reznicki to convert a garage at 3667 Genesee Street into an office, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

WHEREAS, the Advisory Committee at its meeting held on May 6, 1998 rendered the determination shown on the attached memo dated May 11, 1998, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

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

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

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

WHEREAS, an application was submitted by Mount Calvary Cemetery Incorporated to construct a 16,000 square foot maintenance facility to be known as 29957 Harlem Road, and

WHEREAS, the applicant has designed the building to be partly screened from the motoring public by landscaping berms, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

WHEREAS, a drainage plan for the subject building site will be submitted to the Town Engineer for approval, and

WHEREAS, the Advisory Committee at its meeting held on May 6, 1998 rendered the determination shown on the attached memo dated May 11, 1998, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 8d Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

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

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

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

WHEREAS, an application was submitted by Gemini Finishers, Incorporated to construct a 7,500 square foot facility on vacant property known as 155 Wheaton Drive near the corner of Genesee Street, and

WHEREAS, the applicant has submitted a copy of a Level 1 Environmental Assessment Report for the site which indicates no evidence was found that the site was contaminated, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

WHEREAS, the site was designed to present to the residents a landscaping and an aesthetically appealing building, and

WHEREAS, the applicant has agreed to provide drainage for the site in accordance with the recommendation of the town Engineer, and

WHEREAS, the Advisory Committee at its meeting held on May 6, 1998 rendered the determination shown on the attached memo dated May 11, 1998, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 8e Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

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

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

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

WHEREAS, an application was submitted by Mussachio Architects to convert 1650 Walden Avenue, the former Ellicott Drug Company facility, into a furniture showroom and office, and

WHEREAS, as a result of meetings with the Town Committees/Board, the applicant has revised the plan by showing the installation of a 5 foot sidewalk along Walden Avenue, changing the driveways to one-way-in/one-way-out, installing concrete curbs around the parking areas, regrading for detention and providing a drainage/conservation easement at the rear of the site, as approved by the Town Engineer, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

WHEREAS, the Advisory Committee at its meeting held on May 6, 1998 rendered the determination shown on the attached memo dated May 11, 1998, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 9a Authorize Supervisor to file application for funds from N.Y.S. Office of Parks, Recreation and Historic Preservation - Environmental Protection Fund
This item was withdrawn.

Item No. 9b Authorize Supervisor to file application for funds from N.Y.S. Office of Parks, Recreation and Historic Preservation - Clean Water/Clear Air Bond Act of 1996
This item was withdrawn.

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

WHEREAS, on occasion throughout the year, there is a need to obtain general technical services that may not be included within the scope of any on-going project, and

WHEREAS, said services are essential in assisting the Town with long term stormwater and drainage system initiatives, management and regulatory compliance associated with the operation and maintenance of Town sanitary sewer districts and in securing grant monies available through various State and Federal programs, and

WHEREAS, the engineering consulting firm of Nussbaumer & Clarke, Inc. has been found qualified to perform such services and has vast experience in the development and management of the Town's infrastructure and has also aided the Town in securing grants for numerous major projects, NOW, THEREFORE, BE IT

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

RESOLVED that the agreement for general technical services for 1998 as submitted by the consulting firm of Nussbaumer & Clarke, Inc. and as recommended by the Town Engineer, is approved and accepted, and BE IT FURTHER

RESOLVED that the professional fees shall be based on the hourly rates established in the agreement and shall be chargeable to the appropriate Sanitary Sewer District and Town-wide Drainage District Accounts as budgeted at an amount not to exceed \$15,000, and BE IT FURTHER

RESOLVED that the Supervisor is directed and authorized to sign said agreement for professional services with:

Nussbaumer & Clarke, Inc.
3556 Lake Shore Road
Buffalo, New York 14219-1494

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

Item No. 10b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

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

WHEREAS, the Youth and Recreation Department and the Cheektowaga Masonic Center have agreed to terms of a rental fee of \$1,545.00 for the seven week period, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be authorized to sign an agreement between the Town of Cheektowaga and the Cheektowaga Masonic Center for the period of June 29, 1998-9August 28, 1998.

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

Item No. 10c Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Youth and Recreation Department's Dartwood Travel Club program is desirous of renting camping facilities known as Camp Turner, located in Alleghany State Park, for the period of June 5, 1998 - June 7, 1998, and

WHEREAS, Camp Turner is willing to rent such facilities to the Town provided that the Town executes a Campsite Use Agreement for the rental of said property and food service, totaling \$1,050 (Line Item 7140.4491), and

WHEREAS, the cost for said program is offset by the user fees collected from the participants, and

WHEREAS, such agreement has been prepared and is acceptable between parties, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute an agreement with Camp Turner for the renting of the aforementioned property.

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

Item No. 10d Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

WHEREAS, there is a need for a street light at the intersection of Genesee Street and Rein Road, NOW, THEREFORE, BE IT

RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to connect one (1) 24,700 lumen, 250 watt high pressure sodium luminaire at said intersection in the Town of Cheektowaga at an annual increase to the Town's General Lighting District of \$226.44, said luminaire is to be installed on a Town owned utility pole to be installed at a cost not to exceed \$500.00, all in accordance with the attached New York State Electric & Gas proposal which is hereby made a part of this resolution, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is hereby authorized to apply for the required NYSDOT Work Permit associated with the aforementioned utility pole installation.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 11a Motion by Councilmember Rogowski, Seconded by Councilmember Johnson

WHEREAS, the New York State Department of Environmental conservation has announced the availability of State funds for fiscal year 1998-99 for projects eligible under the 1996 Clean Water/Clean Air Bond Act, Title 3, Section 56.0303 for water quality improvements projects, and

WHEREAS, the Town of Cheektowaga recognizes a need to stabilize the creek embankment on the south side of Cayuga Creek to abate creek bank erosion which is negatively impacting Stigmeier Park, its trail and bridge system and which erosion is contributing to the loss of mature trees, and

WHEREAS, the Town wishes to apply for a 50% matching grant to an amount not to exceed \$25,000 to perform said creekbank revetment project, NOW, THEREFORE, BE IT

RESOLVED Dennis H. Gabryszak, as Supervisor of the Town of Cheektowaga, is hereby authorized and directed to file an application for funding from the NYSDEC in accordance with the provisions of Title 3 of the Clean Water/Clean air Bond Act of 1996 in an amount not to exceed \$25,000 and upon approval of said request to enter into an execute a project agreement with the State for such financial assistance to the Town of Cheektowaga for the aforesaid Cayuga Creek Bank Stabilization and Revetment Project, and BE IT FURTHER

RESOLVED that this Town Board hereby commits itself to provide and appropriate monies from the Town's Townwide Drainage District Budget to provide for the Town's 50% matching funds, not to exceed \$25,000 should this grant be awarded, and BE IT FURTHER

RESOLVED that one (1) certified copy of this resolution be forwarded to the Albany Office of the NYSDEC together with the grant application.

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

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

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

WHEREAS, the New York State Department of Environmental Conservation has announced the availability of State funds for fiscal year 1998-99 for projects eligible under the 1996 Clean Water/Clean Air Bond Act, Title 3, Section 56.0303 for water quality improvements projects, and

WHEREAS, the Town of Cheektowaga, following a feasibility analysis, has determined that the 55 year old Alpine Pump Station facility, located within Sanitary Sewer District No. 4, together with the force main system is in need of rehabilitation and replacement, which project will have a beneficial impact on the water quality of Scajaquada Creek, and

WHEREAS, the Town wishes to apply for a grant in the amount of 85% of the projected pump station improvements cost, with a grant amount not to exceed \$1,062,500, NOW, THEREFORE, BE IT

RESOLVED that Dennis H. Gabryszak, as Supervisor of the Town of Cheektowaga, is hereby authorized and directed to file an application for funding from the NYSDEC in accordance with the provisions of Title 3 of the Clean Water/Clean Air Bond Act of 1996 in an amount not to exceed \$1,062,500 and upon approval of said request to enter into and execute a project agreement with the State for each financial assistance to the Town of Cheektowaga for the aforesaid Alpine Pump Station Rehabilitation Project, and BE IT FURTHER

RESOLVED that this Town Board hereby commits itself to adopt a bond resolution or appropriate monies in the Town's 1999 Sanitary Sewer District Budget to provide for the Town's 15% matching funds, not to exceed \$187,500 should this grant be awarded, and BE IT FURTHER

RESOLVED that one (1) certified copy of this resolution be forwarded to the Albany Office of the NYSDEC together with the grant application.

Item No. 11b cont'd

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

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

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has announced the availability of State funds for fiscal year 1998-99 for projects eligible under the 1996 Clean Water/Clean Air Bond Act, Title 3 Section 56-0303 for Water Quality Improvement Projects, and

WHEREAS, the Town of Cheektowaga following investigation by the Town Sewer Maintenance Department and Town Engineering Department has determined that sanitary sewer pipeline rehabilitation in Sanitary Sewer District No. 3 is necessary in advance of a NYSDOT project providing for the reconstruction of Harlem Road slated for a 1998 letting, and

WHEREAS, said sanitary sewer pipeline rehabilitation project will reduce groundwater infiltration potentially affecting the water quality of Cayuga Creek, and

WHEREAS, the Town wishes to apply for a grant in the amount of 75% of the projected project cost, with a grant amount not to exceed \$300,000, NOW, THEREFORE, BE IT

RESOLVED that Dennis H. Gabryszak, as Supervisor of the Town of Cheektowaga, is hereby authorized and directed to file an application for funding from the NYSDEC in accordance with the provisions of Title 3 of the Clean Water/Clean Air Bond Act of 1996 in an amount not to exceed \$300,000 and upon approval of said request to enter into and execute a project agreement with the

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

State for each financial assistance to the Town of Cheektowaga for the aforesaid Sanitary Sewer District No. 3 Pipeline Rehabilitation Project, and BE IT FURTHER

RESOLVED that this Town Board hereby commits itself to adopt a bond resolution or appropriate monies in the Town's 1998 Sanitary Sewer District No. 3 Budget to provide for the Town's 25% matching funds, not to exceed \$100,000 should this grant be awarded, and BE IT FURTHER

RESOLVED that one (1) certified copy of this resolution be forwarded to the Albany Office of the NYSDEC together with the grant application.

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

Item No. 12 Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga is contemplating entering into a lease with Commonwealth Sport Fund, LLC for developing and operating a golf course on Town-owned lands, and

WHEREAS, due to the fact that such lands are or may be considered parklands under State law, it is necessary that special State legislation be enacted to authorize same, and

WHEREAS, bills have been introduced in the State Senate (S.5505-A) and Assembly (A.8309-A) to authorize the Town to enter into the necessary lease arrangement for the proposed golf course, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests the State Senate and Assembly to enact Senate Bill 5505-A and Assembly Bill 8309-A, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to execute the Home Rule Request forms for the aforementioned Senate and Assembly bills, and to forward same to the Home Rule Counsels for the Senate and Assembly, with copies to Senator William T. Stachowski and Assemblyman Paul A. Tokasz.

Item No. 12 cont'd

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

Item No. 13 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski
Councilmember Mazur

WHEREAS, the New York State Department of Transportation ("DOT") is proposing the improvement of Genesee Street, S.H. 1212 in the Town of Cheektowaga from the City line to Dick Road, with a let date in the Spring of 1998, and

WHEREAS, following various meetings with Town officials and residents, the DOT has committed to various off-road improvements along Genesee Street, including numerous tree plantings, bus stop benches, landscaping, and a sitting park at the newly-realigned intersection of Genesee Street and Ellwood Place, and

WHEREAS, the DOT has required that the Town agree to assume the maintenance of the sitting park at Ellwood Place, and

WHEREAS, the Facilities Department has agreed to perform maintenance work at such sitting park, and

WHEREAS, the Cedargrove Neighborhood Action Committee has also committed to assisting the town with daily cleanup of the sitting park, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga approves of the plantings, sidewalks and benches for the sitting park at Ellwood Place shown on the contract plans relating to the project, and that the Town of Cheektowaga will maintain or cause to be maintained the plantings, sidewalks and benches for the sitting park at Ellwood Place as shown on the contract plans and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

RESOLVED that the Town Clerk be and hereby is directed to transmit five (5) certified copies of this resolution to the DOT, 125 Main Street, Buffalo, New York 14203-3088.

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

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

WHEREAS, the Erie County Legislature has appropriated \$2.7 million dollars in the 1998 County budget for the purpose of promoting regional efforts between the County and its Towns and Villages, and

WHEREAS, such funding will be distributed through a competitive grant process, and

WHEREAS, the Town of Cheektowaga is interested in participating in a competitive grant process to secure a portion of such funding, and

WHEREAS, such regional efforts are described as any cooperative effort amongst governments-involving other governments and/or other entities-that will improve service to constituents, that will lower the cost of services or government operations without reducing the quality of said services or operations, and/or that will promote cooperation between governments for the direct or indirect betterment of the area, and

WHEREAS, the Town of Cheektowaga has been working with the Town of Lancaster to explore the benefits of developing a shared economic development strategy that encourages sound economic development, efficient service delivery and enhanced municipal revenue through inter-

Item No. 14a cont'd

municipal cooperation which meets all of the criteria necessary to qualify for the Regionalization Grant Funding, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga act as lead agency for the Regionalization Grant Funding on behalf of the Town of Cheektowaga, the Town of Lancaster and those other communities that may wish to participate in this effort.

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

item No. 14b Motion by Councilmember Swiatek, Seconded by Councilmember Johnson
Councilmember Jaworowicz

WHEREAS, the Erie County Legislature has appropriated \$2.7 million dollars in the 1998 County budget for the purpose of promoting regional efforts between the County and its Towns and Villages, and

WHEREAS, such funding will be distributed through a competitive grant process, and

WHEREAS, the Town of Cheektowaga is interested in participating in a competitive grant process to secure a portion of such funding, and

WHEREAS, such regional efforts are described as any cooperative effort amongst governments-involving other governments and/or other entities-that will improve service to constituents, that will lower the cost of services or government operations without reducing the quality of said services of operations, and/or that will promote cooperation between governments for the direct or indirect betterment of the area, and

WHEREAS, the Town of Cheektowaga has been working with the City of Buffalo, the New York State Department of Transportation, the Niagara Frontier Transportation Authority, the

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

Cheektowaga Chamber of Commerce, the Mount Calvary Cemetery Association, the Town Park Homeowners Association and the Newburg Coalition Incorporated to develop a regional effort that has been designated as the Genesee Street Corridor Enhancement Project, and

WHEREAS, the purpose of the Genesee Street Corridor Enhancement Project is to reconstruct and enhance the Genesee Street corridor from the new Buffalo - Niagara International Airport within the Town of Cheektowaga to Bailey Avenue within the City of Buffalo in such a way that it becomes a source of pride for neighborhood residents and a regional asset for those traveling between the Buffalo - Niagara International Airport and downtown Buffalo and a model for other communities bordering the City of Buffalo, and

WHEREAS, a stipulation of the grant funding application requires that the Town act as Lead Agency in any grant funding application, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga act as Lead Agency for the grant application to the Erie County Legislature for the regional effort known as the Genesee Street Corridor Enhancement Project.

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

Item No. 15 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

Item No. 15 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

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 June 22, 1998 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 May 18, 1998, YOU ARE HEREBY ORDERED to repair/replace the sidewalks in need of repair or replacement abutting the front of your property.

**TOWN OF CHEEKTOWAGA
MEETING NO. 10
May 18, 1998**

Such work must be completed on or before June 22, 1998,

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 \$29.00 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: May 18, 1998

RICHARD M. MOLESKI
Town Clerk

Item No. 15 cont'd

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. 10
May 18, 1998

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

WHEREAS, by resolution dated May 1, 1995, this Town Board adopted a Special Events policy, which requires

TOWN OF CHEEKTOWAGA
MEETING NO. 11
JUNE 1, 1998

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 1st day of June, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Robert McCarthy, Coordinator of Employee Relations; Salvatore LaGreca, Planning Board Chairman; William Pugh, Town Engineer; Robert Kaczmarek, Supervising Accountant; James J. Kirisits, Town Attorney; Ronald Marten, Building and Plumbing Inspector; William Conway, Town Assessor; Bruce Chamberlin, Police Chief; Ronald Kmiotek, Town Justice; Thomas Kolbert, Town Justice; and Frank Max, Working Crew Chief - Sanitation/Recycling.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss amending Section 4A.-7.A of the Code of the Town of Cheektowaga relating to ambulance services. The Supervisor directed the Town Clerk to present proof 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:

4A-7. Emergency Medical Service Board.

A. Creation

- (1) There is hereby created an Emergency Medical Services (EMS) Board composed of the following referenced sixteen (16) individuals:
 - (a) One (1) member and one (1) alternate member for each of the nine (9) duly organized Volunteer fire districts located in the Town of Cheektowaga; such members shall be designated by such fire districts.
 - (b) One (1) member and one (1) alternate member for the Village of Sloan Fire Company; such member shall be designated by such fire company.
 - (c) The Chief of Police of the Town of Cheektowaga or his designee.
 - (d) One (1) member of the Town Board.
 - (e) The Senior Public Safety Dispatcher of the Town of Cheektowaga of his designee.
 - (f) One (1) representative from St. Joseph Hospital Emergency Department or their designee.
 - (g) Ex-Officio (non voting) members:
 - One (1) representative from the Ambulance Company which operates in the Town.
 - One (1) representative from Erie County EMS.

Item No. 2 cont'd.

MEETING NO. 11
JUNE 1, 1998

The Supervisor announced that the Town Clerk 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 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:	0100-1110-1901	Court Officer	\$1,400.00
	0100-1430-1301	Secretary	\$ 950.00
To:	0100-1110-1391	Part-Time Clerks	\$1,400.00
	0100-1430-1400	Administrative Clerk	\$ 950.00

Upon roll call

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

Item No. 4 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to May 29, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 145,782.73
HIGHWAY FUND	40,812.51
TRUST & AGENCY	10,311.83
PART TOWN FUND	1,574.44
HUD CDBG FUND	2,394.89
HUD HOUSING REHABILITATION	17,572.27
RISK RETENTION FUND	49,342.45
SPECIAL DISTRICTS FUND	239,427.85
CAPITAL FUND	43,118.57
	<u>\$ 550,337.54</u>

Upon roll call

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

Item No. 5a Moved by Councilmember Johnson, seconded by Councilmember Swiatek

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

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

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

Item No. 5a cont'd.

WHEREAS, an application was received from Mussachio Architects for the rezoning of 125 Concord Drive from R-Residences District to C-Retail Business District to allow for the demolition

MEETING NO. 11
JUNE 1, 1998

of the existing 2-family house and construction of a 5,000 square foot addition to the Jubilee Supermarket at 3870 Harlem Road, AND

WHEREAS, the applicant has designed the building addition to appear residential in appearance, planned extensive landscaping on the balance of the house lot, agreed to remove blacktop at the rear of existing store to provide a greater amount landscaping along Concord Drive, will install trees along Concord Drive, AND

WHEREAS, Kensington Avenue is a county road and the applicant has agreed to work with the Erie County Division of Highways to provide sidewalks and/or safer pedestrian access as well as trees along Kensington Avenue, AND

WHEREAS, Fleming Companies, the operator of the Jubilee Supermarket, have committed to improving property conditions through a regular program of property maintenance and snow removal along public walkways and pedestrian access, AND

WHEREAS, the neighborhood benefits through the retention of the supermarket in this area, the expanded goods/services offered through the construction of the addition and the improvements to the existing building, AND

WHEREAS, the Advisory Committee, at its meeting held on May 6, 1998 rendered the recommendation shown on the attached memo dated May 11, 1998, AND

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

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 5b Moved by Councilmember Johnson, seconded by Councilmember Swiatek

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

MEETING NO. 11
JUNE 1, 1998

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 submitted by Wm. Schutt & Association for the rezoning of a 9.23 acre vacant parcel known as 2248 Old Union Road from M1-Light Manufacturing District to CF-Community Facilities District, AND

WHEREAS, the proposal is to construct a 120-bed assisted living facility, a two-story apartment with up to 15 dwelling units and a 4,100 square foot office building for Living Opportunities of DePaul, AND

WHEREAS, the applicant has agreed to provide a 200 foot wide conservation easement at the rear of the property, AND

WHEREAS, revisions were made to improve pedestrian access on-site, install sidewalks along Old Union Road, improve emergency services access and drainage along the west property line acceptable to the Town Engineer of West Seneca, AND

WHEREAS, the applicant for this tax exempt project has agreed to make arrangements for payments in lieu of taxes (PILOTS) to the Bellevue Fire District and other taxing jurisdictions, AND

WHEREAS, the Advisory Committee, at its meeting held on April 22, 1998 rendered the recommendation shown on the attached memo dated April 24, 1998, 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, subject to a negotiated PILOT agreement between Living Opportunities of DePaul and the Town of Cheektowaga and the Bellevue Fire District, finds the site plan acceptable, and therefore issues a "Negative Declaration" for the purpose of SEQRA.

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 5c Moved by Councilmember Johnson, seconded by Councilmember Swiatek

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

MEETING NO. 11
JUNE 1, 1998

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 Darryl Martin, Architect, to rezone a portion of 2498 Union Road from R-Residence District to NS-Neighborhood Services District to construct a 1,600 square foot financial office, AND

WHEREAS, the applicant has agreed to provide a conservation/drainage easement at the rear of the site, remove debris from a drainage ditch at the rear, AND

WHEREAS, the applicant has also agreed to install a 5 foot wide sidewalk along Union Road within one year of opening should the New York State Department of Transportation ("NYSDOT") fail to do so as part of their road work, AND

WHEREAS, the plan leaves intact as many trees as possible on the site, AND

WHEREAS, the Advisory Committee, at its meeting held on May 6, 1998 rendered the recommendation shown on the attached memo dated May 11, 1998, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 5d Issue Negative Declaration Regarding 2285 Walden Avenue
This item was withdrawn.

Item No. 5e Issue Negative Declaration Regarding Plaza Located at Northeast Corner of Union
Road and George Urban Boulevard
This item was withdrawn.

MEETING NO. 11
JUNE 1, 1998

Item No. 6a Moved by Councilmember Swiatek, seconded by Councilmember Johnson

WHEREAS, ADP Engineering has made application and requested the Rezoning from C-Retail Business and RS-Residential Single District to MS-Motor Services District for property located at 4874-4876 Transit Road, with the permission of the owner of the property; namely, Carol Dmochowski, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on June 15, 1998 at 6:30 o'clock at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 6b Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

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 June 15, 1998 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 4th day of June, 1998, said amendments being set forth in the Notice of Hearing.

MEETING NO. 11
JUNE 1, 1998



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 June 15, 1998 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE III

Off Street Parking

ARTICLE III shall be amended by adding thereto the following Section.

§76-240 Posting of parking restrictions.

All off street parking restrictions within the Town of Cheektowaga shall be posted in accordance with the New York State Vehicle and Traffic Law, Article III of Chapter 76 Cheektowaga Town Code and the Manual of Uniform Traffic Control Devices.

Handicap parking spaces shall be posted in accordance with 1203-c2(a) of the New York State Vehicle and Traffic Law. If signs are not posted at each handicap parking space, two signs shall be used for no more than three (3) contiguous parking spaces.

ARTICLE V

Schedules

§76-530 Schedule VII: Stop Intersections shall be amended by adding thereto the following:

<u>STOP SIGNS ON</u>	<u>DIRECTION TRAFFIC STOPS</u>	<u>AT INTERSECTION OF</u>
McNaughton Avenue	Both	Tillotson Road

§76-545 Schedule X: Parking Prohibited in Designated Locations shall be amended by adding thereto the following:

PFOHL ROAD south side: from the east curblineline of Rein Road east to its terminus, to include the turn-around at the terminus.

PINE RIDGE ROAD east side: from the north curblineline of Pinewood Terrace to a point fifty (50) feet north of Parkview Terrace.

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

Dated: June 1, 1998

Richard M. Moleski
Town Clerk



Item No. 6b cont'd.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

MEETING NO. 11
JUNE 1, 1998

Item No. 7a Moved by Councilmember Swiatek, seconded by Councilmember Johnson

WHEREAS, Mussachio Architects/Fleming Companies, Inc. has petitioned for the rezoning from R-Residence District to C-Retail Business District of property owned by Paul E. and Dolores S. Meyer and located at 125 Concord Drive, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 18th day of May, 1998 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

MEETING NO. 11
JUNE 1, 1998

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 Mussachio Architects/Fleming Companies, Inc. for the rezoning from R-Residence District to C-Retail Business 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, Johnson, Swiatek, Jankowiak, and Mazur
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7b Moved by Councilmember Swiatek, seconded by Councilmember Johnson

WHEREAS, Living Opportunities of DePaul has petitioned for the rezoning from M1-Light Manufacturing District to CF-Community Facilities District of property owned by Estate of Rose Nazzarett and located at 2248 Old Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 18th day of May, 1998 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

MEETING NO. 11
JUNE 1, 1998

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 Living Opportunities of DePaul for the rezoning from M1-Light Manufacturing District to CF-Community Facilities 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, Johnson, Swiatek, Jankowiak, and Mazur

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7c Moved by Councilmember Swiatek, seconded by Councilmember Johnson

WHEREAS, Theodore R. Kubiak has petitioned for the rezoning from NS-Neighborhood Services District and R-Residence District to NS-Neighborhood Services District of property owned by him and located at 2498 Union Road, Cheektowaga, New York, which property is more particularly described in the attached legal description, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 18th day of May, 1998 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

MEETING NO. 11
JUNE 1, 1998

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 Theodore R. Kubiak for the rezoning from NS-Neighborhood Services District and R-Residence District to NS-Neighborhood Services 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, Johnson,
Swiatek, Jankowiak, and Mazur
NAYES: 0
ABSENT: 0

AFFIDAVIT - NEXT PAGE

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 7d Moved by Councilmember, seconded by Councilmember Johnson

WHEREAS, by resolution dated May 7, 1984, this Town Board adopted an ordinance relating to ambulances now known as Chapter 4 A of the Code of the Town of Cheektowaga (hereinafter referred to as the Ambulance Services Ordinance), AND

WHEREAS, the Emergency Medical Services Board has recommended that Section 4A-7 of such ordinance be amended, AND

WHEREAS, in accordance with the Town Law of the State of New York, a public hearing was held on the 1st day of June, 1998 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 Ambulance Services Ordinance should be amended, AND

WHEREAS, it is in the public interest to amend the Ambulance Ordinance, NOW, THEREFORE, BE IT

MEETING NO. 11
JUNE 1, 1998

RESOLVED, that Section 4A-7 of the Code of the Town of Cheektowaga, which relates to Ambulance Services be and hereby is amended to read as follows

4A-7. Emergency Medical Service Board.

A. Creation

- (1) There is hereby created an Emergency Medical Services (EMS) Board composed of the following referenced individuals:
 - (a) One (1) member and one (1) alternate member for each of the nine (9) duly organized Volunteer fire districts located in the Town of Cheektowaga; such members shall be designated by such fire districts.
 - (b) One (1) member and one (1) alternate member for the Village of Sloan Fire Company; such member shall be designated by such fire company.
 - (c) The Chief of Police of the Town of Cheektowaga or his designee.
 - (d) One (1) member of the Town Board.
 - (e) The Senior Public Safety Dispatcher of the Town of Cheektowaga or his designee.
 - (f) One (1) representative from St. Joseph Hospital Emergency Department or their designee.
 - (g) Ex-Officio (non voting) members:
 - One (1) representative from the Ambulance Company which has a contract with the Town.
 - One (1) representative from Erie County EMS.

and, BE IT FURTHER

RESOLVED, that a copy of this resolution be entered in the minutes of the Town Board of the Town of Cheektowaga held on June 1, 1998 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 and, BE IT FURTHER

RESOLVED, that the aforementioned amendments to the Ambulance Ordinance of the Town of Cheektowaga, New York shall take effect ten (10) days after said publication.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 8a Moved by Councilmember Johnson, seconded by Councilmember Rogowski
Councilmember Jankowiak

WHEREAS, the Town Engineer advises that plans and specifications prepared by the Cheektowaga Engineering Department for the Rehabilitation of the Harlem Road Trunk Sewer located in Sanitary Sewer District No. 3 have been completed and the project is ready for bidding, AND

WHEREAS, funds have been budgeted for the Rehabilitation of the Harlem Road Trunk Sewer in Sanitary Sewer District No. 3, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Rehabilitation of the Harlem Road Trunk Sewer in Sanitary Sewer District No. 3, said notice to be published in the CHEEKTOWAGA TIMES AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 17th day of June, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

MEETING NO. 11
JUNE 1, 1998



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 17th day of June, 1998 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for Sanitary Sewer System Rehabilitation and Related Work in Sanitary Sewer District No. 3, for furnishing all labor, materials, tools, equipment, sewer facilities, including, but not limited to; cleaning existing sanitary sewers; rehabilitation of sanitary sewers (inversion - curing resin impregnated tube), in place and ready for use, in accordance with the contract documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by the Cheektowaga Engineering Department and approved by the Town Board of the Town of Cheektowaga, New York; all of which are on file in the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the Office of the Town Engineer at the Alexander Community Center, 275 Alexander Avenue, Cheektowaga, New York 14211 and from the Town Clerk's Office, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 from which latter office copies may be secured upon payment of \$50.00 per set of contract documents. Deposits shall be in the form of two (2) \$25.000 checks made payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications in good condition within 30 days following the award of the contract or the rejection of the bids, will be refunded the full amount of the deposit. Similarly, non-bidders will be refunded one-half of the deposit. Material suppliers and anyone returning the Plans and Specifications before the bid opening will also be classed as non-bidders. Any bidders requesting more than one (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 the Town Clerk of the Town of Cheektowaga, New York, and marked as "Proposal for Sanitary Sewer System Rehabilitation and Related Work in Sanitary Sewer District No. 3".

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

Item No. 8a cont'd.

Award of this Contract or any Subcontracts thereof, to firms or individuals listed on the USEPA's "Master List of Departments, Suspensions and Voluntary Exclusions", is expressly forbidden.

The Town of Cheektowaga, New York is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes of 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. Sales tax will be due on all materials purchased by the contractor, which are either "consumable" or rental property used by the contractor in connection with the construction or repair.

Attention of the bidders is called particularly to the requirements of the conditions of employment to be observed, minimum wage rates to be paid under the Contract, and to the "Non-Collusion Statement" in the form of Proposal, Page P-8.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THESE ORDERS WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS. EXECUTIVE ORDERS NO 11246 AND 11375 AS INCLUDED HEREIN. THE SPECIFICATIONS.

MEETING NO. 11
JUNE 1, 1998

Bidders shall be required to certify that they are in compliance with Executive Order No. 11615. This Certification is on Page P-8 of the Proposal.

A surety bond by a company satisfactory to the Attorney for the Town of Cheektowaga, New York and in amount of not less than 100 percent (100%) of the contract price will be required of the successful bidder.

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

This Contract shall be completed no later than 90 consecutive calendar days from the date of the Notice to Proceed.

Richard M. Moleski
Town Clerk
Town of Cheektowaga

Dated: June 1, 1998



ADDENDUM NO. 1
TO THE
SPECIFICATIONS AND CONTRACT DOCUMENTS
FOR
REHABILITATION OF SANITARY SEWER FACILITIES
(INVERSION/CURING RESIN IMPREGNATED TUBE)
AND RELATED WORK
SANITARY SEWER DISTRICT NO. 3
TOWN OF CHEEKTOWAGA, NEW YORK

THE NOTICE TO BIDDERS INCORRECTLY STATES THAT THERE IS A \$50.00 FEE PER SET OF SPECIFICATIONS. **THERE IS NO CHARGE.**



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 8b Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, the Engineering Department is in need of sanitary sewer flow monitoring equipment, 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 sanitary sewer flow monitoring equipment, said notice to be published in the CHEEKTOWAGA TIMES AND, BE IT FURTHER

RESOLVED, that sealed bids will be received by the Town of Cheektowaga on June 17, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, at which time they will be publicly opened and read.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on June 17, 1998 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union, for the furnishing of Single and Multiple Channel Portable Area Flow Meters for sanitary sewers.

MEETING NO. 11
JUNE 1, 1998

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

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

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

Dated: June 1, 1998



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 9 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, by resolution this Town Board established a salary schedule for part-time clerical employees in various departments throughout the Town of Cheektowaga, AND

WHEREAS, said schedule contained a typographical error and should be amended as follows effective May 19, 1998:

Starting rate	\$6.00 per hour
After 1 Year	\$6.25 per hour
After 2 Years	\$6.50 per hour
3 - 5 Years	\$6.75 per hour
6 - 9 Years	\$7.00 per hour
10 + Years and Up	\$7.25 per hour

Upon roll call

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

Item No. 10a Moved by Councilmember Jaworowicz, seconded by Supervisor Gabryszak

MEETING NO. 11
JUNE 1, 1998

WHEREAS, in 1996, the New York State Legislature enacted Chapter 690 of the Laws of 1996, which granted the State Comptroller flexibility to introduce and expand electronic filing of monthly reports for fines, penalties and other moneys remitted by town and village justices under the Vehicle and Traffic Law, AND

WHEREAS, Chapter 690 of the Laws of 1996 allowed local moneys to be returned earlier and allowed localities to retain their portion for parking violations surcharges, etc., AND

WHEREAS, Comptroller's Program Bill 98-37 would accelerate the distribution from the Justice Court Fund to towns from quarterly to monthly and expand and extend the program under which town and village courts can retain the local share of fines, penalties and surcharges through the use of on-line reporting, AND

WHEREAS, this Town Board supports Comptroller's Program Bill 98-37, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate, Assembly and Governor to enact this bill and, BE IT FURTHER

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

Upon roll call

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

Item No. 10b Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the State Comptroller's Office has recommended that legislation be enacted to provide increased benefits in the New York State and Local Employees' Retirement System for Tiers 3 and 4, bringing them up to Tier 2 levels, AND

WHEREAS, this Town Board supports such legislation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate, Assembly and Governor to enact such legislation and, BE IT FURTHER

Item No. 10b cont'd.

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

A.9599 - S.7313

Upon roll call

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

Item No. 10c Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the State Comptroller's Office has recommended that legislation be enacted to reduce the vesting period in the New York State and Local Employees' Retirement System from ten to five years, which is the standard in the private sector, AND

WHEREAS, this Town Board supports such legislation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate, Assembly and Governor to enact such legislation and, BE IT FURTHER

MEETING NO. 11
JUNE 1, 1998

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

A.9623 - S.7314

Upon roll call

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

Item No. 10d Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the State Comptroller's Office has recommended that legislation be enacted to provide a Performance Cost of Living Adjustment for retirees under the New York State and Local Employees' Retirement System so that their benefits will not be eroded by inflation after they retire, AND

WHEREAS, this Town Board supports such legislation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate, Assembly and Governor to enact such legislation and, BE IT FURTHER

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

A.10269 - S.7370

Upon roll call

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

Item No. 10e Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the State Comptroller's Office has recommended that legislation be enacted to provide a death benefit for vested members who leave public service before retirement age, AND

WHEREAS, this Town Board supports such legislation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate, Assembly and Governor to enact such legislation and, BE IT FURTHER

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

A.9598 - S.7312

Upon roll call

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

Item No. 11 Moved by Councilmember Johnson , seconded by Councilmember Rogowski

MEETING NO. 11
JUNE 1, 1998

WHEREAS, residents of the North Creek - South Creek neighborhood in the Town of Cheektowaga organized a fundraising campaign to support restoration or replacement of equipment and recreational facilities at North Creek and South Creek Parks, AND

WHEREAS, these residents pledged to provide the funds raised to the Town to support a grant application filed under Title 9 of the Environmental Protection Act of 1993, AND

WHEREAS, the New York State Department of Parks, Recreation, and Historic Preservation has informed the Town that the grant request has been funded in full, NOW, THEREFORE, BE IT

RESOLVED, that such monies obtained through the efforts of the fundraising committee for the North Creek - South Creek Playground Project shall be deposited into Trust and Agency Account No. 5402-1910-9399 to be used for the Town's share for the above-referenced grant to restore or replace equipment and recreational facilities at North Creek and South Creek Parks.

Upon roll call

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

Item No. 12 Moved by Councilmember Johnson, seconded by Unanimous

WHEREAS, by resolution dated May 4, 1998, this Town Board directed the Town Clerk to notify the New York State Department of Environmental Conservation ("DEC") that it should not process or approve the renewal application of Buffalo Crushed Stone, Inc. ("BCS") for a mining permit at its quarry on Como Park Boulevard because portions of the property in question were not properly zoned for such use by the Town, AND

WHEREAS, by letter dated May 22, 1998, DEC Regional Director Gerald F. Mikol notified the Town that, by case law, the DEC cannot cease processing a permit application on the basis of local zoning law or regulation, AND

WHEREAS, this Town Board still disagrees with DEC's position on this matter, NOW, THEREFORE, BE IT

Item No. 12 cont'd.

RESOLVED, that this Town Board finds that BCS's Mining Permit Application conflicts with the Town's Zoning Law because mining is prohibited in some of the land in question, contrary to what BCS stated in section 12 of its application and, BE IT FURTHER

RESOLVED, that this Town Board hereby requests that the DEC treat BCS's "renewal" application as a new application under 6 NYCRR Section 617.5(c)(26) and/or Section 70-0115 of the Environmental Conservation Law due to material changes (i.e. scope of activity and land area involved) and, BE IT FURTHER

RESOLVED, that, in the event the DEC continues to process BCS's application and issues a permit, this Town Board requests DEC to list on such permit a general advisory to BCS that issuance of such DEC permit does not relieve BCS of the need to obtain local permits or approvals, and a notation that the Town of Cheektowaga has declared that mining is prohibited on portions of BCS's property and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to DEC Regional Director Gerald F. Mikol, Regional Permit Administrator Steven Doleski and Mined Land Reclamation Specialist Michael Meyers.

Upon roll call

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

MEETING NO. 11
JUNE 1, 1998

Item No. 13a Moved by Councilmember Mazur, 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 Beverly Hills Athletic Association has made application to hold its annual parade on June 7, 1998 beginning at 2:00 P.M. at the Reinstein Library on Harlem Road, then proceeding down McNaughton Avenue to its baseball field, AND

WHEREAS, this Board has reviewed the application submitted by the Beverly Hills Athletic Association, which application has been approved by the Police Department, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Beverly Hills Athletic Association for its parade to be held on June 7, 1998 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.

Item No. 13a cont'd.

Upon roll call

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

Item No. 13b Moved 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 War of 1812 Cemetery Board of Trustees has made application to hold its parade and commemoration ceremonies on June 14, 1998 beginning at 11:50 A.M. at the corner of Wehrle Drive and Aero Drive, then down Aero Drive to the War of 1812 Cemetery, AND

WHEREAS, this Board has reviewed the application submitted by the War of 1812 Cemetery Board of Trustees, which application has been approved by the Police Department, and has no objection to same, AND

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

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

MEETING NO. 11
JUNE 1, 1998

5. Submittal of Fire Prevention/Emergency Services Plan
6. Submittal of insurance certificate

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board approves the aforementioned application of the War of 1812 Cemetery Board of Trustees for its parade and commemoration ceremonies to be held on June 14, 1998 and, BE IT FURTHER

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

Upon roll call

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

Item No. 14a Moved by Councilmember, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding 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. 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 removing the weeds and accumulated debris to prevent the premises from becoming a hazard to the health and safety of others, NOW, THEREFORE, BE IT

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

Item No. 14a cont'd.

Upon roll call

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

Item No. 14b Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 8 Clover Place, Cheektowaga, New York, SBL #91.19-3-34 and according to the Assessors' Office is owned by Eric A. & Cheryl M. Thuman, 8 Clover Place, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

Item No. 14c Moved by Councilmember Mazur, seconded by Councilmember Swiatek

MEETING NO. 11
JUNE 1, 1998

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 1561 East Delavan, Cheektowaga, New York, SBL #90.84-2-1 and according to the Assessors' Office is owned by Samuel Tabone, 103 Basset Road, Williamsville, New York 14211, AND

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

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

Upon roll call

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

Item No. 14d Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 7 Evergreen Place, Cheektowaga, New York, SBL #91.19-5-1 and according to the Assessors' Office is owned by Robbie W. and Keri Viau, 7 Evergreen Place, Cheektowaga, New York 14225, AND

WHEREAS, these conditions require that some positive steps be taken to rectify same by removing the 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. 14d 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, Johnson,
Swiatek, Jankowiak, and Mazur
NAYES: 0
ABSENT: 0

Item No. 14e Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 67 Homewood Avenue, Cheektowaga, New York, SBL #114.09-2-22 and according to the Assessors' Office is owned by Mr. & Mrs. Mathias Lepsch, 39 Exchange Street, Cheektowaga, New York 14011, AND

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

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

Upon roll call

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

MEETING NO. 11
JUNE 1, 1998

Item No. 14f Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 57 North Prince Drive, Cheektowaga, New York, SBL #125.12-6-5 and according to the Assessors' Office is owned by Mellon Mortgage Corporation, 1775 Sherman Street, Suite 2300, Denver, Colorado 80202, AND

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

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

Upon roll call

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

Item No. 14g Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 49 Sugnet Avenue, Cheektowaga, New York, SBL #80.17-14-21 and according to the Assessors' Office is owned by Daniel J. Tritto and One, 49 Sugnet Road, Buffalo, New York 14215, AND

Item No. 14g cont'd.

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

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

Upon roll call

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

Item No. 14h Moved by Councilmember Mazur, seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 4800 Transit Road, Cheektowaga, New York, SBL #126.05-3-4 and according to the Assessors' Office is owned by James Anderson and Elizabeth Irvin, 6080 Woodward, Detroit, Michigan 48202, AND

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

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

Upon roll call

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

MEETING NO. 11
JUNE 1, 1998

Item No. 15 Authorize Supervisor and Town Assessor to Execute Payment in Lieu of Taxes Agreements
This item was withdrawn.

Item No. 16a Moved by Councilmember Rogowski, seconded by Councilmember Mazur
Councilmember Johnson

WHEREAS, the NYS Department of Parks, Recreation, and Historic Preservation offers a grant program under Title 3 of the Clean Water/Clean Air Bond Act of 1996 to enhance land, waters, and structures used by all segments of the population for park, recreation, or conservation purposes; AND

WHEREAS, the Town of Cheektowaga wishes to enhance Volunteer Firemen's Memorial Park; AND

WHEREAS, the Town may apply for a 50% matching grant in an amount not to exceed \$500,000, NOW, THEREFORE, BE IT

RESOLVED, that Robert J. Miller and Associates, the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Parks, Recreation, and Historic Preservation for the purpose of securing this grant and, BE IT FURTHER

Item No. 16a cont'd.

RESOLVED, that Dennis H. Gabryszak, as Supervisor of the Town of Cheektowaga, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 3 of the Clean Water/Clean Air Bond of 1996, in an amount not to exceed \$20,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Cheektowaga for the enhancement of Volunteer Firemen's Memorial Creek and, BE IT FURTHER

RESOLVED, that this Town Board hereby commits itself to adopt a bond resolution or appropriate monies in the Town's 1999 annual budget to be used for the Town's 50% matching funds, not to exceed \$20,000, should this grant be awarded.

Upon roll call

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

Item No. 16b Moved by Unanimous, seconded by Unanimous

WHEREAS, the Cheektowaga Justice Court building at 3223 Union Road handles a large caseload of both criminal and civil matters on a daily basis, AND

WHEREAS, numerous people enter and exit such building every day when court is in and out of session for various court-related matters, AND

WHEREAS, this Town Board is concerned about the safety and protection of the Town Justices, court staff, and the public who enter this building, AND

WHEREAS, a dispute arose with the Cheektowaga Police Club, Inc. concerning appropriate staffing to provide the needed security at the Town Justice Court, AND

WHEREAS, an interim agreement has been reached between the Town and the Cheektowaga Police Club, Inc. on this matter, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Memorandum of Understanding with the Cheektowaga Police Club on this matter.

MEETING NO. 11
JUNE 1, 1998

Upon roll call

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

Item No. 16c Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga is permitted use of a certain State right of way as described in a Permit for Use of State-Owned Property for the purpose of installing a street light standard on Genesee Street at Rein Road, AND

WHEREAS, the Town of Cheektowaga is self insured and therefore is unable to provide evidence of General Liability Insurance coverage issued by an insurance carrier licensed to do business in the State of New York, for the protection of the People of the State of New York and Permittee.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cheektowaga hereby agrees to defend and indemnify the People of the State of New York against any claims, suits, demands, or judgments by reason of bodily injury, including death and for any claims resulting in property damage occurring on or in the proximity to the permit area and, BE IT FURTHER

Item No. 16c cont'd.

RESOLVED, that the Town Board of the Town of Cheektowaga is authorizing by Resolution, that the Town Supervisor sign an Indemnification Agreement on behalf of the Town of Cheektowaga.

Upon roll call

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

Item No. 16d Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, by Town Board Resolution dated May 19, 1997, the Town engaged the engineering consulting firm of Pratt & Huth Associates to perform a flood study and evaluate the flood plain delineation for Scajaquada Creek Tributary T-1, AND

WHEREAS, this engineering analysis has defined benefits derived from upstream and downstream improvements projects, and indicates a reduction in floodplain boundaries in comparison to the effective Flood Insurance Rate Map prepared in 1983, AND

WHEREAS, the aforesaid engineering analysis has also identified storm sewer capacity deficiencies within the watershed and opportunities to implement improvements to further reduce the floodplain, which the Town Engineer has recommended be further studied under a second phase investigation, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Pratt & Huth Associates, LLP, 60 Earhart Drive, Williamsville, New York 14221, as submitted to the Town Engineer and dated May 6, 1998 to investigate and perform an analysis of watershed improvements to Tributary T-1, resulting in a reduction to the floodplain is hereby accepted and approved and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign said consulting engineering agreement associated with this Scajaquada Creek Tributary T-1 Phase II Study, and BE IT FURTHER

RESOLVED, that the funding for professional services for tasks A through H inclusive in an amount not to exceed \$15,730.00, shall be chargeable to

Account No.'s.: 5312-1440-9339

MEETING NO. 11
JUNE 1, 1998

5312-1440-9342
4000-8140-4581

Upon roll call

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

Item No. 16e Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town has submitted its Annual Community Development Block Grant Program Plan to the Department of Housing and Urban Development for the 1998 Program Year, AND

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

Item No. 16e cont'd.

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 1998 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 services for the 1998 Program Year.

Upon roll call

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

Item No. 16f Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

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

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

WHEREAS, the Community Development Office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property located at 45 Leroy Road in an amount not to exceed \$51,000, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement with the owner of the property located at 45 Leroy Road, Cheektowaga, New York, for a housing rehabilitation loan not to exceed \$51,000.

Upon roll call

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

MEETING NO. 11
JUNE 1, 1998

Item No. 16g Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 70 Bigelow Road, Cheektowaga, New York, AND

WHEREAS, the owners of said property has applied for a mortgage loan through The Mortgage Store, Inc. for the purpose of refinancing their existing mortgage debt, and for payment of property taxes and other debt under a Chapter 13 bankruptcy petition, payment of which is required as a condition for obtaining said refinancing, AND

WHEREAS, The Mortgage Store has arranged for a mortgage with Pacific Thrift and Loan Mortgage Corp., which has conditioned its approval of the owner's mortgage on the subordination of the Town's mortgage to that of Pacific Thrift and Loan Mortgage Corp., AND

WHEREAS, the refinancing will include a 25% payoff of the Town's Housing Rehabilitation Loan, said percentage being proportionate to the percentage of debt being discharged under Federal Bankruptcy Court proceedings, AND

Item No. 16g cont'd.

WHEREAS, the Community Development Director has reviewed the request and has recommended approval of the subordination under a waiver of subordination guidelines governing debt to value ratio in order to protect the Town's remaining interest in the subject property and facilitate continued homeownership for the current owners and their family, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Pacific Thrift and Loan Mortgage Corp., 500 Ygnacio Valley Road, Walnut Creek, California 94596 in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 70 Bigelow Road, Cheektowaga, New York, said subordination conditioned on payoff equaling 25% of the Town's housing rehabilitation loan balance.

Upon roll call

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

Item No. 16h Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga previously received a grant of Rental Rehabilitation funds from the New York State Division of Housing and Community Renewal, AND

WHEREAS, said funds must be utilized for the rehabilitation of income-eligible rental units in the Cedargrove Heights neighborhood, AND

WHEREAS, an application for rehabilitation funding under said Program was received and reviewed by the Director of Community Development, who has recommended approval of Rental Rehabilitation funding for the property located at 21-33 Sierra Drive, NOW, THEREFORE, BE IT

RESOLVED, that Rental Rehabilitation grant funds are approved in the amount of \$16,127.50 for the property located at 21-33 Sierra Drive, and that the Supervisor is authorized to execute a grant agreement with Florence Sowa, owner of said property.

Upon roll call

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

Item No. 17 Moved by Unanimous, seconded by Unanimous

MEETING NO. 11
JUNE 1, 1998

BE IT RESOLVED, that the salaries of the following Town employees who are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 1998:

Assistant Town Engineer	\$48,901.40
Accountant	\$40,425.44
Program Coordinator - 1	\$35,572.08
Town Attorney	\$53,773.21
Deputy Town Attorney	\$36,597.96
Clerk to Justice Court	\$39,724.52
Legislative Assistant	\$35,636.97
Council Office Clerk Steno	\$30,286.12
Assistant to the Supervisor	\$35,636.97
Deputy Tax Receiver	\$34,069.31
1st Deputy Town Clerk	\$37,871.04
2nd Deputy Town Clerk	\$35,691.56
Deputy Highway Superintendent	\$56,749.91

Item No. 17 cont'd.

Secretary to the Coordinator of Employee Relations	\$32,614.95
Junior Accountant	\$30,874.25
Project Director	\$43,634.92
Real Property Appraiser	\$41,710.88

Upon roll call

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

Item No. 18 Moved by Councilmember Mazur, seconded by Councilmember Rogowski

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

EFFECTIVE

RECYCLING DEPARTMENT

Walter Burgett	5-22-98
Richard Abramowski	5-20-98
Jason Malcolm	5-19-98
Robert Higgins	5-15-98
Michael Manuella	5-19-98

ASSESSOR'S OFFICE

Beatrice Szymkowiak	Immediately
Gordon Allen	"
Norma Lizak	"
Geraldine Bonk	"
Joan Miller	"
Virginia Fronczak	"
Helen Koza	"
Dorothy Jankowiak	"
Irene Osswald	"
Josephine Nicosia	"
Marlene Pijacki	"
Theodore Leininger	"

FACILITIES DEPARTMENT

Scott Long	Immediately
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MEETING NO. 11
JUNE 1, 1998

TAX OFFICE

Melinda Chadwick	Immediately
Deborah Darlak	"
Virginia Helinski	"
Evelyn Mogavero	"
Pamela Ruday	"

Upon roll call

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

Item No. 19 Moved by Councilmember Mazur, seconded by Councilmember Johnson

BE IT RESOLVED, that the position of Senior Traffic Maintenance Worker (PJC) Promotional/Temporary be and hereby is created in the Police Department effective immediately.

Upon roll call

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

Item No. 20 Designation of Administrative Clerk in Personnel Department
This item was withdrawn.

Item No. 21a Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

WHEREAS, Gregory McManus, currently employed as a Laborer's Aide in the Recycling Department, is interested in said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Gregory McManus of XXXXXXXXXXXXXXX, Cheektowaga, New York XXXXXXX and hereby is appointed to the permanent position of Light Motor Equipment Operator in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 2, 1998.

Upon roll call

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

Item No. 21b Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

WHEREAS, John Rogowski, currently employed as a Laborer's Aide in the Recycling Department, is interested in said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that John Rogowski of XXXXXXXXXXXXXXX, Sloan, New York XXXXX be and hereby is appointed to the permanent position of Light Motor Equipment Operator in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 2, 1998.

MEETING NO. 11
JUNE 1, 1998

Upon roll call

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

Item No. 21c Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

Item No. 21c cont'd.

WHEREAS, Raymond Full, currently employed as a Laborer's Aide in the Recycling Department, is interested in said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Raymond Full of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the permanent position of Light Motor Equipment Operator in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 2, 1998

Upon roll call

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

Item No. 21d Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, three (3) temporary vacancies exist in the position of Motor Equipment Operator 'B' in the Sanitation Department, AND

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

WHEREAS, David Longo, currently employed as a Laborer's Aide; Gregory McManus, currently employed as a Light Motor Equipment Operator; and Daniel Carrier, currently employed as a Light Motor Equipment Operator all in the Recycling Department, bid on said vacancies and meet all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that David Longo of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York, XXXXXX Gregory McManus of XXXXXXXXXXXX, Cheektowaga, New York XXXXX; and Daniel Carrier of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby are appointed to the temporary position of Motor Equipment Operator 'B' in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 2, 1998.

Upon roll call

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

Item No. 21e Moved by Councilmember Mazur, seconded by Councilmember Jankowiak
Councilmember Johnson

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

MEETING NO. 11
JUNE 1, 1998

WHEREAS, John Gordon Strong, is interested in said vacancy, has submitted an application and meets all the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that John Gordon Strong be and hereby is appointed to the permanent position of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 8, 1998.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 21f Moved by Councilmember Mazur, seconded by Councilmember Jankowiak
Supervisor Gabryszak

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

WHEREAS, Kyle Tobolski, is interested in said vacancy, has submitted an application and meets all the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Kyle Tobolski be and hereby is appointed to the permanent position of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 8, 1998.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 21g Moved by Councilmember Mazur, seconded by Councilmember Jankowiak
Councilmember Swiatek

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

WHEREAS, Edward Fialkowski, is interested in said vacancy, has submitted an application and meets all the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Edward Fialkowski be and hereby is appointed to the permanent position of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 8, 1998.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 21h Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

WHEREAS, Dennis O'Brien, currently employed as a temporary General Mechanic in the Facilities Department, is interested in said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Dennis O'Brien of XXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the permanent position of General Mechanic in the Facilities Department

MEETING NO. 11
JUNE 1, 1998

in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 2, 1998.

Upon roll call

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

Item No. 21i Moved by Councilmember Mazur, seconded by Councilmember Rogowski

WHEREAS, a temporary vacancy exists in the position of Recreation Attendant in the Youth and Recreational Services Department, AND

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

WHEREAS, Michelle Kunkel, currently employed as a part-time Pre-K Instructor in the Youth and Recreational Services Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Michelle Kunkel of XXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of Recreation Attendant in the Youth and Recreational Services Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 2, 1998.

Upon roll call

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

Item No. 22 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Youth and Recreation employees be and hereby are transferred from Part-Time to Seasonal, effective immediately:

Lynne Butts
Cheryl Stucke

Upon roll call

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

Item No. 23a Moved by Supervisor Gabryszak, seconded by Councilmember Mazur

BE IT RESOLVED, that Julie Grisanti, XXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York be hired as part-time Physical Fitness Instructor for the Department of Senior Services at the rate of \$7.00 per hour effective June 1, 1998.

Funding Account: 7920-1639

Upon roll call

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

MEETING NO. 11
 JUNE 1, 1998

John Kulesz XXXXXXXXXXXXXXXXXXXX XXXXX

Supervisors - Level I - \$8.25

Eric Concoran XXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Item No. 24b cont'd.

YCC Participants - 7310.1812

YCC Participants - Level I - \$5.15

Paul Dusza XXXXXXXXXXXXXXXXXXXX XXXXX
 Derrick Kowal XXXXXXXXXXXXXXXXXXXX XXXXX
 Jeremy Kowal XXXXXXXXXXXXXXXXXXXX XXXXX
 Jillian Jasinski XXXXXXXXXXXXXXXX XXXXX
 Steve Morath XXXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Michael O'Sullivan XXXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Erik Reinheimer XXXXXXXXXXXXXXXXXXXX XXXXX
 Jason Rydzynski XXXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Robert Swiatkowski XXXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Justin Tricoli XXXXXXXXXXXXXXXXXXXXXXXX XXXXX
 William M. Vannelli XXXXXXXXXXXXXXXXXXXX XXXXX

TENNIS - 7140.1642

Program Coordinator - \$7.40

Jason E. Krasinski XXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Recreation Attendant IV - \$5.90

Eric J. Burns XXXXXXXXXXXXXXXXXXXXXXXX XXXXX
 Heather A. Solecki XXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Recreation Attendant III - \$5.65

Amy Snyder XXXXXXXXXXXXXXXXXXXX XXXXX

Recreation Attendant I - \$5.15

Peter Greenauer XXXXXXXXXXXXXXXX XXXXX

SPORTS ROTATION - 7140.1645

Recreation Attendant I - \$5.15

Brian Stachewicz XXXXXXXXXXXX XXXXX

Upon roll call

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

Item No. 24c Moved by Councilmember Mazur, 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

Daryn Gembolys XXXXXXXXXXXXXXXXXXXX, Sloan XXXXXX 5-25-98
 Charles Cobb XXXXXXXXXXXXXXXXXXXX, Depew XXXXXX 5-25-98
 Eric Springer XXXXXXXXXXXX Depew XXXXX 6-02-98
 James Manwarren XXXXXXXXXXXXXXXXXXXX, Cheek. XXXXXX 6-02-98

MEETING NO. 11
JUNE 1, 1998

Rick Sansone XXXXXXXXXXXXXXXXXXXX, Cheek. XXXXXX 6-02-98
Jason Rydzynski XXXXXXXXXXXXXXXXXXXX, Cheek. XXXXXX 6-02-98

FACILITIES DEPARTMENT - \$6.00 per hour (0100-7110-1491)

Andrew Dewolf XXXXXXXXXXXXXXX, Depew XXXXX Immediately
Carol Nagy XXXXXXXXXXXXX, Cheek. XXXXX "
Item No. 24c cont'd.

EFFECTIVE

POLICE DEPARTMENT

Candace Solecki XXXXXXXXXXXXXXXXXXXX, Cheek. XXXXX Immediately

SEWER MAINTENANCE DEPARTMENT - \$6.00 per hour

Donald Hartman XXXXXXXXXXXXXXXXXXXX., Cheek. XXXXX Immediately
Marcus Hartman XXXXXXXXXXXXX, Depew XXXXX "

and, BE IT FURTHER

RESOLVED, that the resolution dated May 18, 1998 hiring Jennifer Farugia as a Part-Time employee in the Town Clerk's Office be and hereby is amended as follows: Jennifer Farugia be and hereby is hired as a Seasonal employee in the Town Clerk's Office.

Upon roll call

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

Item No. 25a Moved by Councilmember Jaworowicz, seconded by Councilmember Jankowiak

WHEREAS, the Institute of Assessing Officers, affiliated with the New York State Assessors' Association, is conducting a Seminar on Manufactured Housing in Hamburg, New York on June 5, 1998, AND

WHEREAS, said seminar is administered by the New York State Assessors' Association for Assessors to obtain continuing education credits, AND

WHEREAS, expenses are not to exceed \$80.00, NOW, THEREFORE, BE IT

RESOLVED, that William R. Conway, Assessor, be and hereby is authorized to attend said seminar on June 5, 1998 and shall be provided the use of a Town Vehicle and, BE IT FURTHER

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

Upon roll call

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

Item No. 25b Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, New York State Government Finance Officer's Association (NYS GFOA) will be conducting its Western Summer Training Program in Buffalo, New York on June 11th, 1998, AND

WHEREAS, information important to the Town will be discussed at this training program, such as Town Budget preparation and IRS Employer Reporting Requirements, which the Town will be required to implement, AND

MEETING NO. 11
JUNE 1, 1998

WHEREAS, attendance at this training program is important to the Town in order that the Town can maintain its high standard in financial reporting, AND

Item No. 25b cont'd.

WHEREAS, the Supervising Accountant, Accountant, and Junior Accountant have requested permission to attend this training session, NOW, THEREFORE, BE IT

RESOLVED, that Robert Kaczmarek, Lynn Nenni, and Kathleen Travers be and hereby are authorized to attend the aforementioned training program and, BE IT FURTHER

RESOLVED, that the Town shall pay all reasonable costs associated with the conference not to exceed \$135.00 out of budget line item #0100-1910-4082

Upon roll call

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 26 Building Permits
Received and Filed.

Item No. 27 Minutes of Cheektowaga Public Library Board - April 22, 1998
Received and Filed.

Item No. 28 Supervisor's Statement of Funds - April 1998
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 29a Notice of Claim: Starpoint Transport Inc. (Thomas A. Blidy) vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council; Sanitation and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29b Notice of Claim: Charles N. Horey vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council; Police Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29c Notice of Claim: Dolores Ettipio vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council; Sanitation and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29d Notice of Claim: Jason Zagst vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council; Highway Department; Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 29e Notice of Claim: Ronald Lease vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council and Councilmembers Swiatek, Mazur and Jaworowicz.

MEETING NO. 11
JUNE 1, 1998

Received and Filed.

Item No. 30 Designation of Restricted highway: Bridge Replacement on Rowley Road beginning at the intersection of Indian Road and Rowley Road and proceeds east for 1,000 feet.
Received and Filed.



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

Upon roll call

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



V. SUSPENSION OF RULES

Item No. 31 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the proposed construction of the Parwood Patio Homes Development requires the extension of the water main owned and operated by the Erie County Water Authority from Sonwil Drive to the westerly terminus of Rehm Road, AND

WHEREAS, following the review of the project proposal, the Board of Fire Commissioners of Hy-View Fire District No. 8 have requested the installation of one (1) hydrant in conjunction with the water line extension as outlined in the enclosed letter from the Hy-View Fire District Secretary dated May 27, 1998, NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Water Authority is hereby requested to authorize installation of one (1) new hydrant on the north side of Rehm Road opposite the centerline of Parwood Trail (private road) and, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga shall be responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the subject hydrant, with said charges being recovered by Town billing to the respective fire district.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 11
JUNE 1, 1998

Item No. 32 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, Uniland Development Company ("Uniland") recently proposed the construction of 600,000± square feet of office/warehouse space on 61-1/2 acres on Holtz Drive near Genesee Street, AND

WHEREAS, as part of the environmental review of such project, Uniland has retained a traffic consultant to review traffic counts in the area to determine what roadway improvements may be necessary to alleviate traffic congestion, enhance traffic safety, etc., AND

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that the Town retain an engineering firm to review the traffic data prepared by Uniland's consultant, AND

WHEREAS, Uniland has notified the Town that it will pay the costs of the firm retained by the Town to review its consultant's traffic data in an amount not to exceed \$3,000.00, AND

WHEREAS, the Cheektowaga Traffic Safety Commission has approved the retention of URS Greiner, Inc. to review Uniland's consultant's traffic data for this project, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby retains URS Greiner, Inc., 282 Delaware Avenue, Buffalo, New York as per the attached Scope of Services to review traffic data prepared by Uniland's traffic consultant for the above referenced project and, BE IT FURTHER

RESOLVED, that, based on Uniland's commitment, Uniland will remit to the Town all moneys necessary, in an amount not to exceed \$3,000.00 to reimburse the Town for costs associated with retaining URS Greiner, Inc. and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute an agreement with URS Greiner, Inc. on this matter and, BE IT FURTHER

RESOLVED, that the Cheektowaga Traffic Safety Commission be and hereby is requested to coordinate this review on behalf of the Town.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 33 Moved by Supervisor Gabryszak, seconded by Councilmember Mazur to adjourn this meeting. This meeting was adjourned at 8:30 P.M.

MEETING NO. 11
JUNE 1, 1998

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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 June, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; 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; William Conway, Assessor; Mark Wagner, Working Crew Chief-Facilities Department; Pat Wojcik, Director-Senior Citizens; Robert Kaczmarek, Supervising Accountant, Frank Max, Working Crew Chief, Sanitation Department.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic), hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof 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. Proposed amendments being as follows:

ARTICLE III

Off Street Parking

ARTICLE III shall be amended by adding thereto the following Section.

§76-240 Posting of parking restrictions.

All off street parking restrictions within the Town of Cheektowaga shall be posted in accordance with the New York State Vehicle and Traffic Law, Article III of Chapter 76 Cheektowaga Town Code and the Manual of Uniform Traffic Control Devices.

Handicap parking space shall be posted in accordance with 1203-c2(a) of the New York State Vehicle and Traffic Law. If signs are not posted at each handicap parking space, two signs shall be used for no more than three (3) continuous parking spaces.

ARTICLE V

Schedules

§76-530 Schedule VII: Stop intersections shall be amended by adding thereto the following:

STOP SIGN ON	DIRECTION TRAFFIC STOPS	AT INTERSECTION OF
McNaughton Avenue	Both	Tillotson Road

§76-545 Schedule X: Parking Prohibited in Designated Locations shall be amended by adding thereto the following:

PFOHL ROAD	South Side:	From the east curbline of Rein Road east to its terminus, to include the turn-around at the terminus.
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Item No. 2 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

PFOHL ROAD North side: from a point fifteen hundred seventy-five (1575) feet east of the east curblineline of Rein Road to its terminus.

PINE RIDGE ROAD East side: from the north curblineline of Pinewood Terrace to a point fifty (50) feet north of Parkview Terrace.



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:

SPECIAL DISTRICTS FUND

FROM:	2500-8135-2506	Maintenance Equipment	\$1,700.00
TO:	2500-8135-2509	Cargo Van	\$1,700.00

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to June 12, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 356,389.97
HIGHWAY FUND	77,175.56
TRUST & AGENCY FUND	27,394.18
PART TOWN FUND	5,784.29
HUD CDBG FUND	5,411.50
HUD HOUSING REHABILITATION	28,291.27
RISK RETENTION FUND	53,273.68
SPECIAL DISTRICTS FUND	472,558.36
CAPITAL FUND	<u>180,928.84</u>
	\$1,207,207.65

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

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

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

Item No. 5a cont'd

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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 St. Joseph Hospital Foundation to convert a former medical office at 2645 Harlem Road, into a child day care center with a 1,700 square foot addition, and

WHEREAS, the application will allow the staff of the day care center to park on the lot servicing the Carigas Medical Building and St. Joseph Hospital, thereby providing spaces for safer pickup/drop off of children, and

WHEREAS, the applicant will maintain the property in accordance with Town property standards and will remove all debris to the hospital facility on a regular basis, and

WHEREAS, the Advisory Committee at its meeting held on May 20, 1998 rendered the determination shown on the attached memo dated May 26, 1998, 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, therefore issues a "Negative Declaration" for the purposes of SEQRA, and finds the site plan acceptable, subject to final paved area and landscape approval by the Planning Board.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

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

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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

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

WHEREAS, an application was submitted by Benderson Development Company, Inc./Delta Sonic to rezone a 1.15 acre parcel known as 2285 Walden Avenue from M1-Light Manufacturing District to MS-Motor Service District, and

WHEREAS, the proposal is to construct a 4300± square foot muffler/brake shop and 1,800± square foot oil lube shop and incorporate these as part of the services offered at the Delta Sonic facility, and

WHEREAS, the applicant had revised the plan to provide for safer on/site traffic movements, adjusted the driveways to comply with New York State Department of Transportation ("NYSDOT") standards and improve landscaping, and

WHEREAS, the Advisory Committee at its meeting held on May 18, 1998 rendered the determination shown on the attached memo dated May 19, 1998, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.



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

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

THE ABOVE RESOLUTION WAS TABLED.

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

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

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

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

Item No. 5c cont'd

WHEREAS, an application was submitted by Benderson Development Company Incorporated to construct 15,590 square foot of retail space at the plaza located at the northeast corner of Union Road and George Urban Boulevard, and

WHEREAS, as part of the project an existing restaurant building and muffler shop would be demolished, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

WHEREAS, as a result of comments from Town reviewing groups and outside agencies (New York State Department of Transportation/Erie County Department of Environment and Planning), the applicant has: eliminated two (2) driveways to George Urban improving traffic movements, included pedestrian walkways on-site, additional landscaping and a sidewalk on George Urban Boulevard, and

WHEREAS, the Advisory Committee at its meeting held on May 20, 1998 rendered the determination shown on the attached memo dated May 26, 1998, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, this Town Board held a public hearing on June 15, 1998 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:

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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 III

Off Street Parking

ARTICLE III shall be amended by adding thereto the following Section.

§76-240 Posting of parking restrictions.

All off street parking restrictions within the Town of Cheektowaga shall be posted in accordance with the New York State Vehicle and Traffic Law, Article III of Chapter 76 Cheektowaga Town Code and the Manual of Uniform Traffic Control Devices.

Handicap parking space shall be posted in accordance with 1203-c2(a) of the New York State Vehicle and Traffic Law. If signs are not posted at each handicap parking space, two signs shall be used for no more than three (3) continuous parking spaces.

ARTICLE V

Schedules

§76-530 Schedule VII: Stop intersections shall be amended by adding thereto the following:

STOP SIGN ON	DIRECTION TRAFFIC STOPS	AT INTERSECTION OF
McNaughton Avenue	Both	Tillotson Road

§76-545 Schedule X: Parking Prohibited in Designated Locations shall be amended by adding thereto the following:

PFOHL ROAD	South Side:	From the east curbline of Rein Road east to its terminus, to include the turn-around at the terminus.
PFOHL ROAD	North side:	from a point fifteen hundred seventy-five (1575) feet east of the east curbline of Rein Road to its terminus.
PINE RIDGE ROAD	East side:	from the north curbline of Pinewood Terrace to a point fifty (50) feet north of Parkview Terrace.

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. 6a 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

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, Delta Sonic Carwash Systems has petitioned for the rezoning from M1-Light Manufacturing District to MS-Motor Service District of property owned by it and located at 2275-2285 Walden Avenue, Cheektowaga, New York, which property is more particularly described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 20th day of April, 1998 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

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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 Delta Sonic Carwash Systems for the rezoning from M1-Light Manufacturing 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.



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

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

THE ABOVE RESOLUTION WAS TABLED.

Item No. 7a Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) $\frac{3}{4}$ ton, 4 X 4 pick-up truck for the Main Pump Station No. 5, 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 a part hereof, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of one (1) $\frac{3}{4}$ ton, 4 X 4 pick-up truck be awarded to Joe Basil Chevrolet, Inc., 5111 Transit Road, Depew, New York 14043 for their bid in the amount of \$23, 916.00 for one (1) 1999, $\frac{3}{4}$ ton 4 X 4 pick-up truck with snow plow package, said bid being the lowest bid meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that funds are available in Account #2500-8135-2509 for this purpose.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 7b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

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

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

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

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

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998

ABSENT: 0

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

WHEREAS, on September 15, 1997, the Cheektowaga Town Board awarded the contract for General Construction Work at the Cheektowaga Recreation Center to the Hadala Corporation, and

WHEREAS, Ronald C. Hosken, Architect and Facilities Director, William L. Wielinski have reviewed change order #1 as submitted by the Hadala Corporation as being in the best interest of the Town, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves change order #1 as submitted by The Hadala Corporation in the amount of \$5,986.00 to the existing contract to provide a revised dehumidification unit platform and upgrade to the new ceiling suspension system, and BE IT FURTHER

RESOLVED that the funds for said actions are available from Capital Improvement Account #5709.7110.9704.

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

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

WHEREAS, on October 6, 1997, the Cheektowaga Town Board awarded the contract for Mechanical Work at the Cheektowaga Recreation Center to North East Mechanical, Inc., and

WHEREAS, Ronald C. Hosken, Architect and Facilities Director, William L. Wielinski have reviewed change order #1 as submitted by North East Mechanical, Inc. as being in the best interest of the Town, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves change order #1 as submitted by North East Mechanical, Inc. in the amount of a credit to the existing contract of \$8,601.00 to provide additional crane work for installing new equipment, changing of diffusers at the second floor meeting room, installing a new metal grating platform at the rooftop ductwork less the elimination of accessories to the new rooftop units, and BE IT FURTHER

RESOLVED that the funds for said actions are available from Capital Improvement Account #5709.7110.9704.

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

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

WHEREAS, on June 23, 1997, the Cheektowaga Town Board awarded the contract for Rehabilitation to The Skating Rink Work at the Cheektowaga Recreation Center to Mollenberg- Betz, Inc., and

WHEREAS, Ronald C. Hosken, Architect and Facilities Director, William L. Wielinski have reviewed change order #1 as submitted by Mollenberg-Betz, Inc. as being in the best interest of the Town, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby approves change order #1 as submitted by Mollenberg-Betz, Inc.. in the amount of \$9,986.00 to provide installation of new foam insulation under floor, cut and remove under floor fill at Northwest corner of Ice Rink, furnish and install two additional 5 foot dash board sections and new soccer goal inserts for the new dasher boards, and BE IT FURTHER

RESOLVED that the funds for said actions are available from Capital Improvement Account #5709.7110.9704.

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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

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

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the Town of Cheektowaga Engineering Department needs to install 20+ linear feet of drainage overflow pipe on the Norfolk Southern Automobile Facility property at the Bison Yard for the purpose of accepting flows from a Town tributary, and

WHEREAS, the Town Engineering Department proposes to utilize Kissel Excavating, which company was awarded the 1998 Town bid, to install this pipe, and

WHEREAS, Norfolk and Western Railway Company has agreed to allow the Town and its contractor to enter its property to perform the above referenced work, subject to the requirement that the Town execute an Indemnification Agreement and Right of Entry form, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Indemnification Agreement and Right of Way with Norfolk and Western Railway Company, and BE IT FURTHER

RESOLVED that this Town Board approves the use of Kissell Excavating to install the drainage pipe and Norfolk and Western Railway property, and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

RESOLVED that Town employees who enter Norfolk and Western Railway property to perform the above referenced work are hereby authorized to execute Norfolk and Western Railway's Permit and Indemnification form.

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

Item No. 10 Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz
Councilmember Swiatek

WHEREAS, previously, this Town Board approved the rezoning of property located at 2248 Old Union Road for community facilities to be owned and operated by DePaul Properties, Inc. and certain related not-for-profit entities, and

WHEREAS, in connection with such property development, DePaul Properties, Inc. and its related entities have committed to making payments-in-lieu of taxes for 25 years for fire district, general fund/police and lighting district purposes, and

WHEREAS, agreements for Payment in Lieu of Taxes for this property have been prepared, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor and Town Assessor be and hereby are authorized and directed to execute these Payment in Lieu of Taxes Agreements with DePaul Properties, Inc. and its affiliates on behalf of the Town.

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

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

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development for the 1994 through 1997 Program Years, and

WHEREAS, the Town wishes to amend its Final Statement on the Use of Community Development Block Grant Funds for the 1994 through 1997 Program Years in order to reallocate funds for various activities and amend, cancel and add projects as outlined in the attached report, and

Item No. 11 cont'd

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

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

RESOLVED that the Town Board hereby amends the Town of Cheektowaga's Final Statement on the Use of Community Development Block Grant Funds for the 1994 through 1997 Program Years as indicated on the attached Community Development Block Grant Final Statement Amendment Report, and authorizes the transfer of funds as indicated in said report.

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

**SEE NEXT PAGE(S) for ATTACHMENT

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998

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

WHEREAS, by resolution dated February 2, 1998, this Town Board issued a public improvement permit to Sonwil Distribution, Inc. for the extension of Sonwil Drive to service 400 Sonwil Drive, and

WHEREAS, the construction of this extension of Sonwil Drive has been completed as per the plans and specifications, as certified to by Nussbaumer & Clarke Consulting Engineers, and

WHEREAS, the Town Superintendent of Highways has recommended that the Town accept this extension of Sonwil Drive as a dedicated Town Highway, and

WHEREAS, the Town Engineer and Town Attorney have reviewed the proposed deed and title insurance for such extension and have approved same, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforementioned extension of Sonwil Drive and dedicates same as a Town Highway, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to file the deed for the Sonwil Drive extension in the Erie County Clerk's Office.

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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

WHEREAS, THE Marrano/Marc Equity Corporation has made application for building permits to construct the foundations for model homes at 7 and 11 Fairway Lane, and

WHEREAS, the highway, sanitary sewer and water line adjoining 7 and 11 Fairway Lane have not as yet been installed, and

WHEREAS, the Local Law for The Administration And Enforcement Of The State Building Construction Code provides that in the event all of the aforementioned utilities are not installed at the time the application for a building permit is made, the Town Board may issue a permit, provided that the applicant for a permit furnishes the Town of Cheektowaga with a surety bond in an amount fixed by the Town Board, conditioned that the utilities serving such structures will be constructed within six (6) months after the issuance of the building permits, and

WHEREAS, the Marrano/Marc Equity Corporation has furnished the Town with the required surety bond, NOW, THEREFORE, BE IT

RESOLVED that the Marrano/Marc Equity Corporation is granted building permits to construct foundations for model homes at 7 and 11 Fairway Lane, and BE IT FURTHER

RESOLVED that the Building Inspector is authorized to allow additional construction on the aforementioned model homes to proceed upon full compliance with all other provisions and regulations.

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

Item No. 14 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek
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

Item No. 14 cont'd

WHEREAS, the Cheektowaga Patriotic Commission, Inc. has made application to hold an Independence Day Celebration and Parade at the Cheektowaga Town Park from July 3-5, 1998, and

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Patriotic Commission, Inc. which application has been approved by the Police Department and Facilities 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
4. Submittal of Security Plan
5. Submittal of Fire Prevention/Emergency Services Plan

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Cheektowaga Patriotic Commission, Inc. for its Independence Day Celebration and parade to be held on July 3- 5, 1998 in Town Park, and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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, Johnson, Swiatek, Jankowiak and Mazur
NAYES: 0
ABSENT: 0

Item No. 15 Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Public Improvement Permit Ordinance of the Town of Cheektowaga requires that all improvements which are to be dedicated to the Town and be maintained by the Town, be installed under a Public Improvement Permit, and

WHEREAS, Benderson Development Co., developer of the Walden Development Center, has submitted a Public Improvement Permit Application, plans and specifications and application fee for the installation of a 131 L.F. sanitary sewer extension in Sewer District No. 7 within the Dick Road right-of-way to serve the subject commercial development, and

WHEREAS, the Town Engineer has reviewed the plans and specifications for conformance with Town requirements, and the design has been reviewed and approved by the Erie County Department of Environment & Planning (ECDEP), NOW, THEREFORE, BE IT

RESOLVED that the Public Improvement Permit be and hereby is approved for the construction of the aforesaid sanitary sewer extension, and BE IT FURTHER

RESOLVED that based on the applicant's engagement of an engineering consultant for the provision of inspection, and required certification acceptable to the Town Engineer, and in accordance with the ECDEP permit requirements, the permit fee which is meant to reimburse the Town for inspection shall therefore be waived.

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

Item No. 16 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

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 July 20, 1998 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

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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 June 15, 1998, 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 July 20, 1998,

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 \$29.00 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 15, 1998

RICHARD M. MOLESKI
Town Clerk

Item No. 16 cont'd

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

**SEE NEXT PAGE(S) for ATTACHMENT

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

Item No. 17a Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 2631 Broadway Street, Cheektowaga, New York, SBL# 102.18-2-1.1 & 102.18-2-2 and according to the Assessor's Office is owned by John L. Palmer & Francis R. Dwyer, 257 Girdle Road, East Aurora, New York 14052, and

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

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

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

NAYES: 0

ABSENT: 0

Item No. 17b Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on property located at 22 Francine Lane, Cheektowaga, New York, SBL# 125.09-17-7 and according to the Assessor's Office is owned by Mr. & Mrs. Wayne E. Sheasley, 22 Francine, Cheektowaga, New York 14227, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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

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

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

Item No. 17c Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on property located at 197 Rosewood Terrace, Cheektowaga, New York, SBL# 102.22-1-20 and according to the Assessor's Office is owned by Glorine D. Curtis, 600 Lancer Court, Apt. B-1, Depew, New York 14043, and

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

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

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

Item No. 17d Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on property located at 42 Satinwood Drive, Cheektowaga, New York, SBL# 92.14-7-19 and according to the Assessor's Office is owned by Michael Mcauley, 9202 Raleigh Drive, El Paso, Texas 79924, and

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

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

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

Item No. 17e Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at Union Road-South of Bink Street Cheektowaga, New York, SBL# 113.12-3-9.11 and according to the Assessor's Office is owned by Bernard L. Rusiniak, Jr., 220 Messer Avenue, Depew, New York 14043, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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

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

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

Item No. 17f Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, continuous complaints have been received by the Town Board regarding weeds and accumulated debris on vacant property located at 3896 Union Road, Cheektowaga, New York, SBL# 190.76-4-30 and according to the Assessor's Office is owned by Carl E. Molin Jr. & Thomas H. Brown, 380 Berryman Drive, Amherst, New York 14226, and

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

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

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

Item No. 18 Motion by Councilmember Mazur, 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>POLICE DEPARTMENT</u>	
Elizabeth Manos	Immediately
Gail Augustyn	6/07/98
<u>RECYCLING DEPARTMENT</u>	
Daryn Gemboyls	Immediately
<u>YOUTH & RECREATIONAL SERVICES</u>	
Jason Rydzynski	Immediately
<u>SENIOR SERVICES</u>	
Scott Stevenson	Immediately
<u>FACILITIES DEPARTMENT</u>	
Michael Mordino	Immediately
Kevin Rydzynski	Immediately

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

Item No. 19 Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, by resolution, this Town Board appointed John Gordon Strong to the permanent position of Laborer's Aide in the Recycling Department, effective June 8, 1998, and

WHEREAS, said resolution needs to be amended as follows:

NOW, THEREFORE, BE IT

RESOLVED that John Strong be and hereby is appointed to the permanent position of Laborer's Aide in the Recycling Department effective **JUNE 9, 1998**.

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

Item No. 20a Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Auto Mechanic (Promotional) in the Central Garage, and

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

WHEREAS, Thomas Carney, currently employed as an Auto Mechanic's Helper in the Central Garage, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Thomas Carney of XXXXXXXXXXXXX, Cheektowaga, New York XXXXXX be and hereby is appointed to the position of Auto Mechanic (Promotional) in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 1, 1998.

Item No. 20a cont'd

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

Item No. 20b Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, by resolution, this Town Board created three (3) positions of Senior Clerk-Typist (Promotional) in the Justice Court, and

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

WHEREAS, said positions fall within the competitive class of Civil Service, and

WHEREAS, the Civil Service eligible list for the position of Senior Clerk-Typist was canvassed, and

WHEREAS, Barbara Pinkowski, Barbara Boehringer and Sandra Stapleton are currently employed as Clerk-Typists in the Justice Court and appear on said Civil Service list, NOW, THEREFORE, BE IT

RESOLVED that Barbara Pinkowski of XXXXXXXXXXXXX, Depew, New York XXXXX, Barbara Boehringer of XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX and Sandra Stapleton of XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the vacancies of Senior Clerk Typist in the Justice Court in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 1, 1998.

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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

Item No. 20c Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Account-Clerk Typist (Promotional) in the Sanitation/Recycling Departments, and

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

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

WHEREAS, Susan Mulcahy, currently employed as an Account Clerk in the Sanitation/Recycling Departments, appears on said Civil Service list and is eligible for said promotion
NOW, THEREFORE, BE IT

RESOLVED that Susan Mulcahy of XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the position of Account-Clerk Typist in the Sanitation/Recycling Departments in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 1, 1998.

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

Item No. 20d Motion by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Senior Traffic Maintenance Worker (PJC) in the Police Department-Traffic Maintenance Division, and

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

WHEREAS, such job title is in the competitive class of Civil Service and there currently exists no valid Civil Service list for the title of Senior Traffic Maintenance Worker (PJC), and

WHEREAS, Christopher Taber, currently employed as a Traffic Maintenance Worker in the Police Department-Traffic Maintenance Division bid on said vacancy and meets the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED that Christopher Taber of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Senior Traffic Maintenance Worker (PJC) in the Police Department-Traffic Maintenance Division, on a provisional basis, pending the establishment of a valid Civil Service list for said position and in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 16, 1998.

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

Item No. 21 Motion by Councilmember Mazur, Seconded by Unanimous

WHEREAS, the duties and responsibilities of the Administrative Clerk in the Town's Personnel Department satisfy the criteria set forth in Section 201.7 of the Taylor Law for a confidential designation, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

WHEREAS, the Town and the Town of Cheektowaga Employees Association have agreed that such a designation would be appropriate for the Administrative Clerk position in that department, NOW, THEREFORE, BE IT

RESOLVED that Beth Lipczynski, Administrative Clerk in the Personnel Department is hereby designated as a confidential employee and no longer a bargaining unit member of the Town of Cheektowaga Employees Association, at an annual salary of \$31,320 effective immediately, and BE IT FURTHER

RESOLVED that the salary for Kathleen Brzyski, confidential Clerk-Steno in the Council Office, is hereby established at \$31,320 effective immediately

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

Item No. 22a Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

BE IT RESOLVED that Stephanie Lewandowski, a part-time employee in the Justice Court, be and hereby is appointed as a Seasonal Clerk in the Justice Court at a salary of \$10.00 per hour, effective July 1, 1998.

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

Motion by Supervisor Gabryszak, seconded by Councilmember Rogowski to dispense with the reading of the names in the following resolution, and the voting was as follows:

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



Item No. 22b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as seasonal employees in the Youth and Recreation Department at the titles and salaries indicated, effective immediately:

YOUTH CONSERVATION CORPS (YCC)

YCC Supervision - 7310.1811

Youth Leaders - Level I - \$6.15

Jessica Boersma	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Robert Pantling	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Paul Ray	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

YCC Participants - 7310.1812

Participants - Level I - \$5.15

Nicholas Buczek	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Scott Butts	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Alissa Cianflone	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Paul Gasiewicz	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Christopher Kubala	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

Thomas Mudd, Jr.	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
David Schiess	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Eric Zenicki	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

YCC Participants - Level I (Alternates) - \$5.15

James Bolszjo	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
John LaBarbara	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kyle Eich	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jason Murphy	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Kevin Rudnicki	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Brandon Williams	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Barry Zwick	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Scott Wahler	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Karol Szymczuk	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Philip Wachowiak	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

CAMPS

Camp Flamingo - 7310.1810

Activity Director I - \$6.90

Jennifer Etzel	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Recreation Attendant II (Counselor II) - \$5.40

Kara Krzykowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Dartwood Camp - 7140.1632

Recreation Attendant III (Counselor III) - \$5.65

Kimberly Beneduce	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Item No. 22b cont'd

THEATER

Theater Workshop - 7140.1651

Recreation Instructor - \$5.90

Robert Dubel	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Recreation Attendant I - \$5.15

Julie Babulski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Nick King	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Melissa Seifert	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Christopher Viapiano	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

SWIM PROGRAM

Lifeguards - 7180.1903

Level I - \$5.90

Shawn Mertz	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Level I - (Alternate) - \$5.90

Sarah Sarama	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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Bath House Attendants - 7180.1901

Basket Checker (Alternate/Trainee) \$4.25

Randy Matuszewski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Jonathan Menczynski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Michael Pawlowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXX

RECREATION SUPERVISORS

Recreation Supervisors - 7140.1613

Recreation Attendant III - \$5.65

Danielle Kasuba	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
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**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

TENNIS

Tennis - 7140.1642

Recreation Attendant II - \$5.40
Justin J. Krasinski XXXXXXXXXXXXXXXXXXXX

Recreation Attendant I - \$5.15
Nick Wierzbicki XXXXXXXXXXXXXXXXXXXX

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

Item No. 22c Motion by Councilmember Mazur, 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:

Item No. 22c cont'd

EFFECTIVE

RECYCLING DEPARTMENT - \$6.00 PER HOUR

Edward Pozdyn, Jr.	XXXXXXXXXXXXXXXXXXXX Chktg.,	XXXXXXXX	Immediately
Michael Full	XXXXXXXXXXXXXXXXXXXX, Chktg.,	XXXXX	"
Anthony Marinaccio	XXXXXXXXXXXXXXXXXXXX, Chktg,	XXXXX	"

MAIN PUMP STATION - \$6.00 PER HOUR

Todd Bush	XXXXXXXXXXXXXXXXXXXX, Chktg,	XXXXX	Immediately
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POLICE DEPARTMENT/TRAFFIC MAINTENANCE DEPT. - \$6.50 PER HOUR

Thomas Wnuk	XXXXXXXXXXXXXXXXXXXX, Chktg,	XXXXX	Immediately
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FACILITIES DEPARTMENT - \$6.00 PER HOUR (0100-7110-1491)

Paul Ivanowski	XXXXXXXXXXXXXXXXXXXX, Depew	XXXXX	Immediately
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FACILITIES DEPARTMENT - \$6.00 PER HOUR (0100-1625-1491)

James Rogowski	XXXXXXXXXXXXXXXXXXXX, Depew	XXXXX	Immediately
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SUPERVISOR'S OFFICE - \$6.00 PER HOUR

Lisa Nowicki	XXXXXXXXXXXXXXXXXXXX., Depew	XXXXX	Immediately
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek,
Jankowiak and Mazur
NAYES: 0
ABSENT: 0

Item No. 23 Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

BE IT RESOLVED that the following individuals be and hereby are hired as **PART-TIME** employees in the various departments listed, not to exceed 19 hours on a weekly basis, in

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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 (Police Matron) - \$10.420/per hour

Elizabeth Sankey XXXXXXXXXXXX, Chktg, XXXXX Immediately

SANITATION DEPARTMENT - \$6.00 per hour

Andrew Cianflone XXXXXXXXXXXXXXXXXXXX, Depew XXXXX Immediately

and BE IT FURTHER

RESOLVED that Mary Morris and Suzanne O'Neill, currently employed as Seasonal Employees in the Assessor's Office be and hereby are transferred to Part-time employees in the same department, effective June 15, 1998, and BE IT FURTHER

RESOLVED that Lynn Kawczynski, currently employed as a Seasonal Employee in the Youth & Recreation Department, be and hereby is transferred to Part-time in the Police Department, effective June 15, 1998.

Item No. 23 cont'd

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

Item No. 24 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following Youth and Recreation employees be and hereby are transferred and/or upgraded, effective June 22nd:

From Cedargrove Camp to Camp Flamingo - 7310.1810
Heather Menchini (seasonal)

Sports Rotation - 7140.1645
Supervisor I - \$6.40
Mindy Greenauer (seasonal)

Recreation Attendants 7140.1614/Theater 7140.1651
Recreation Attendant IV - \$5.90
Tammy Schumacher (part-time)

FROM PART-TIME TO SEASONAL

New Programs - 7140.1813
Mark Ostempowski

Lifeguards - 7180.1903
Level II - WSI - \$6.40
Jonathan Chapp

Theater - 7140.1651
Recreation Attendant II - \$5.40
Courtney Hoerner

FROM SEASONAL TO PART-TIME

Constance Stewart

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

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

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

WHEREAS, funds are presently available under the Buffalo-Cheektowaga Tonawanda Consortium, Summer Youth Programs, and

WHEREAS, the Summer Youth Program starts on July 6, 1998, participants work a minimum of 24 hours per week, \$5.15 per hour, unless stated differently, and a termination date not to exceed August 30, 1998, 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:

Albenasi, Charles	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Astyk, Aaron	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Baer, Virginia	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Baluzoski, Kimberly	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX

Item No. 25 cont'd

Belisle, Joshua	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Binga, Corey	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Bisantz, Brian	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Bishop, Edward	XXXXXXXXXXXXXXXXXXXXX	
Bodish, Nicole	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Borucki, Pamela	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Bridges, Ray Jr.	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Brockner, Andrew	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Bui, Minh	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Camm, Amanda	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Cieslewicz, Brandie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Columbo, David	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
DelValle, Felicia	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
DiNunzio, Jennifer	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Monitor/Counselor \$11.59		
Donovan, Ricky	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Duszkiewicz, Melissa	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Elias, Maria	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Fasciana, Danielle	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Fix, Maggie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Flucker, Ericz	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Frank, Andre	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Frisicaro, Vincent	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Princ. Counselor \$15.77		
Gaffney, Joel	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Giudice, Salvatore	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Glenn, Jarrod	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Gonzales, Thomas	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Gorski, Mark	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Grabowski, Thomas	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Green, James	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Guthridge, Melanie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Haas, Sean	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Halle, Nicole	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Hamilton, Michelle	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Hance, Robyn	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Havernick, Sharie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Hayes, Holly	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Holakowski, Anthony	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Howard, John	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Huer, Jennifer	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX
Kaczmarek, Stephanie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXXXXX

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

Jeffrey, Marie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Kulinski, Christopher	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Lagowski, Tammy	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Lamb, Charles	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Laprell, Robin	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Laskowski, Lukasz	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Laskowski, Paul	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Lasota, Brandon	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Lasota, Peter	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Latalas, Trevor	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Linden, Jessica	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Lombardo, Roy	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
MacQueen, Dawn	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Mamon, John	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Marciniak, Jason	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Margowski, Karen	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Mead, Craig	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Metzger, Herbert	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Miller, Barbara	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Niowski, George	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Nowicki, Stacey	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Orth, Michael	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX

Item No. 25 cont'd

Polakiewicz, Jessica	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Price, Danielle	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Pulley, Shauna	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Rathwell, Alexis	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Richards, Jessica	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Richards, Justine	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Runfola, Gina	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Runfola, Sarah	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Sajewski, Michael	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Schindler, Matthew	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Sciandra, Cory	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Sciandra, Dana	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Stoj, Cindie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Stone, Carolyn	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Stone, Valerie	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Szyborski, Johnathon	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Tonsoline, Peter	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Princ. Counselor \$15.77		
Viles, Robert III	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Ward, Kevin	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Weaver, Shelly	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Wilkes, Amber	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Williams, Brandon	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Windsor, Thomas	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Witek, Todd	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Wolowiec, Michael	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Wozniak, Mark	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Wysocki, Daniel	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Young, Robert	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Ziolkowski, Michael	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Zogaria, Joseph	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX
Branka, Jacquelyn	XXXXXXXXXXXXXXXXXXXXX	XXXXXXXXXX

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 26a Minutes of Cheektowaga Planning Board - May 14, 1998
Received and Filed.

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

Item No. 26b Minutes of Cheektowaga Traffic Safety Commission
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 27 Summons & Complaint - Corinne Starr as mother & natural guardian of Christopher Schweitzer 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. 28a Notice of Claim - State Farm Insurance Companies for Edward Kohn vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Recycling Department.
Received and Filed.

Item No. 28b Notice of Claim - Buffalo Municipal Housing Authority 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. 28c Notice of Claim - Melissa Glow vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department; Engineering Department.
Received and Filed.

Item No. 28d Notice of Claim - Maria & Paul Castricone 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.

V. SUSPENSION OF RULES

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

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

Item No. 29 Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 169 Currier Avenue, Sloan, New York, and

WHEREAS, the owners of said property have applied for a mortgage loan from Rochester Community Savings Bank for the purpose of refinancing existing mortgage debt at a lower interest rate, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998**

WHEREAS, Rochester Community Savings Bank has conditioned its approval of the owner's mortgage on the subordination of the Town's mortgage to that of Rochester Community Savings Bank, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Rochester Community Savings Bank, with an office located at 1722 Walden Avenue, Cheektowaga, NY 14225, in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 169 Currier Avenue, Sloan, NY 14212.

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

Item No. 30 Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, the Congress of the United States has passed, and the President of the United States has signed into law, the National Affordable Housing Act of 1990 created the HOME Program under which the Secretary of Housing and Urban Development is authorized to make grants to States and units of general local government to help finance investments in affordable housing, and

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

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

RESOLVED that the Supervisor of the Town of Cheektowaga is hereby authorized to execute a three-year Cooperation Agreement with the Towns of Amherst and Tonawanda for federal Fiscal Year 1999, 2000 and 2001 for the purpose of forming a Consortium to participate in the HOME Investment Partnership Program.

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

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

WHEREAS, the Southwestern Convention of volunteer firemen is scheduled to be held in August of 1999, and

WHEREAS, Doyle Hose Company No. 1 is the designated host fire company for the aforesaid scheduled convention, and

WHEREAS, the Southwestern Convention Committee has requested a resolution from the Supervisor and the Town Board of the Town of Cheektowaga that the Town of Cheektowaga will accept the aforementioned Southwestern Convention,

NOW, THEREFORE, BE IT RESOLVED that the Town of Cheektowaga hereby announces that it is pleased to accept the August, 1999 Southwestern Convention, and BE IT FURTHER

RESOLVED that within applicable laws, budgets and personnel, all town departments are hereby encouraged to cooperate with Doyle Hose Company No. 1 and the Southwestern Convention Committee so as to ensure a safe and successful convention.

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

TOWN OF CHEEKTOWAGA
MEETING NO. 12
June 15, 1998

ABSENT: 0

Item No. 32 Motion by Councilmember Johnson, Seconded by Councilmember Jaworowicz
to adjourn the meeting.
Time Adjourned: 8:05 P.M.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 22, 1998**

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 22nd day of June, 1998 at 6:15 o'clock P.M. there were:

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

ABSENT: 0

Also present was: Richard M. Moleski, Town Clerk.

Item No. 2 Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

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

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

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

WHEREAS, an application was submitted by Pyramid Company of Buffalo ("Applicant") to add approximately 345,000 square feet of gross leasable area to the approved 417,000 square feet, and

WHEREAS, the project involves construction of four-level ramps, two-level ramps, four-level stores and two-level stores, and

WHEREAS, the project was referred to the New York State Department of Transportation, New York State Department of Environmental Conservation, U.S. Army Corps of Engineers, Niagara Frontier Transportation Authority, and New York State Thruway Authority, and

WHEREAS, a number of concerns were identified in the course of review, including traffic, landscaping, pedestrian access, drainage and visual impacts, and

WHEREAS, the applicant, as mitigation measures, has agreed to construct/install/establish a number of improvements, and

WHEREAS, the applicant will construct a sidewalk along Galleria Drive from the east end of the Target store property to the west end of the Gateway/Taco Bell property, and

WHEREAS, the applicant will install a sidewalk from the Walden Avenue entrance at Duke Road into the mall property and where sidewalks cannot be installed, pavement markings or other markings will designate pedestrian access routes, and

WHEREAS, the applicant will install landscaped berms behind homes, contiguous with Nokomis Park, most affected visually by the additions, and

WHEREAS, the applicant will enhance the berm located at the west end of Fath Drive, and

WHEREAS, the applicant will install a drainage system in Nokomis Park to alleviate wet conditions in the park, and

Item No. 2 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 22, 1998**

WHEREAS, the applicant will landscape the northeast corner of Walden Avenue and Galleria Drive, the perimeter of the drainage basin bordering Galleria Drive and the end of the former Conrail right-of-way at Union Road next to Fazoli's restaurant, and

WHEREAS, the applicant will install traffic signals at two entrances to the mall along Galleria Drive and at McKesson Parkway and Union Road, and

WHEREAS, the applicant will repave McKesson Parkway to bring the road to minimum Town standards, install curbs on McKesson Parkway, install a sidewalk on the north side of the parkway and enhance the landscaping, and

WHEREAS, the applicant will re-stripe Galleria Drive to create a fifth lane-turning lane from the area of Galleria Drive and Union Road to the west ring road, and

WHEREAS, the applicant will perform all other road improvements as agreed to with the New York State Department of Transportation and New York State Thruway Authority, and

WHEREAS, the applicant demonstrated to the Town Engineer that there will be no impact to the existing drainage systems, and

WHEREAS, the Advisory Committee at its meeting held on June 10, 1998 rendered the determination shown on the attached memo dated June 11, 1998, and

WHEREAS, the Planning Board has received the project plans and has recommended approval at their June 11, 1998 meeting, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 22, 1998**

WHEREAS, the Town of Cheektowaga is the owner of property located on the southwest corner of George Urban Boulevard and Union Road, which property has been leased to Benderson Development Company for the erection of a retail building, and

WHEREAS, New York State Electric & Gas Corporation has requested an easement from the Town across this property for the location of overhead electric lines, and

WHEREAS, the Town Engineer has reviewed this matter and has no objection to the granting of the proposed easement, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to execute the aforementioned easement agreement with New York State Electric & Gas Corporation, and BE IT FURTHER

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

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



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

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on June 22, 1998, adopted a resolution authorizing the granting of an electric utility easement for the construction and maintenance of an overhead utility line and appurtenances over and across property owned by the Town of Cheektowaga located at the southwest corner of George Urban Boulevard and Union Road in the Town of Cheektowaga.

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

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

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

Dated: June 22, 1998

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

Item No. 4 Motion by Councilmember Swiatek, Seconded by Councilmember Mazur to adjourn the meeting.
Time Adjourned: 6:30 P.M.

TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 22, 1998

RICHARD M. MOLESKI
Town Clerk