

**TOWN OF CHEEKTOWAGA
MEETING NO. 7
APRIL 5, 1999**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of April, 1999 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; Ronald Marten, Building and Plumbing Inspector; William Conway, Assessor; Bruce Chamberlin, Chief of Police; Walter Domino, Assistant Town Engineer; James Kirisits, Town Attorney; Christopher J. Kowal, Highway Superintendent; Patricia Wojcik; Director of Senior Services; Salvatore LaGreca, Chairman of Planning Board; Earl Loder, Disaster Coordinator.

I. RESOLUTIONS

Item No. 2 Motion 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 March 31, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$258,470.33
HIGHWAY FUND	79,482.59
TRUST & AGENCY	11,584.51
PART TOWN FUND	3,457.49
HUD CDBG FUND	1,458.48
HUD HOUSING REHABILITATION FUND	8,654.14
RISK RETENTION FUND	92,232.21
SPECIAL DISTRICTS FUND	276,016.29
CAPITAL FUND	<u>102,586.93</u>
	\$833,942.97

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 3a Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Walnut Capital Partners has made application and requested the Rezoning from R-Residence and C-Retail Business District to C-Retail Business District for property located at Genesee Street and Pine Ridge Road, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on April 19, 1999 at 6:30 P.M., at the Cheektowaga Town Hall located at 3301 Broadway.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

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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 April 19, 1999 at 7:00 P.M. at the Town Hall, 3001 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 8th day of April, 1999, said amendments being set forth in the Notice of Hearing.



NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, corner of Broadway and Union Road, in said Town of Cheektowaga on April 19, 1999 at 7:00 P.M., to consider the advisability of adopting amendments to Chapter 76 of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE V

Schedules

§76-545, Schedules X, Parking prohibited shall be amended by deleting therefrom the following:

- | | | |
|----------------|------------|---|
| BEACH ROAD | east side: | from the north curbline of Cleveland Drive to a point one hundred fifteen (115) feet north. |
| ANDREWS AVENUE | west side: | from the north curbline of Genesee Street to a point fifty (50) feet north. |

§76-150, Schedules III, One way streets, shall be amended by adding thereto the following:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Limits</u>
Shores Alley	North	Entire Length

§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>
Shores Alley	North	Ellicott Road
Colonial Court	South	Cleveland Drive

ARTICLE X

Schedules

§76-545, Schedule X, Parking prohibited, shall be amended by adding thereto the following:

- | | | |
|----------------|------------|--|
| BEACH ROAD | east side: | from the north curbline of Cleveland Drive to a point seventy-five (75) feet north of Garden Road. |
| ANDREWS AVENUE | west side: | from the north curbline of Genesee Street to the south curbline of Neibert Place. |

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK
Item No. 3b cont'd.

Dated: April 5, 1999

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Richard M. Moleski



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Cheektowaga Town Clerk received sealed bid proposals for the furnishing of clothing for various Youth and Recreation programs, AND

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

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RESOLVED, that bids be awarded to the following bidders meeting specifications for the 1999, 2000 and 2001 calendar years:

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

Pine Ridge Enterprises
8386 N. Main Street
Eden, New York 14057

Apple Imprints
2336 Bailey Avenue
Buffalo, New York 14211

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

Upon roll call

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

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

WHEREAS, bids were duly received by the Town Board at a bid opening on March 30, 1999, 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 C. J. Krantz Topsoil, Inc., 8960 Lapp Road, Clarence Center, New York 14032, 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

* SEE NEXT PAGE FOR ATTACHMENT

Item No. 4c Motion By Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of two (2) trucks with 33 cubic yard refuse packer bodies and rotary cart lifters for the Sanitation Department, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

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

RESOLVED, that the contract for the furnishing of two (2) trucks with 33 cubic yard refuse packer bodies and rotary cart lifters be awarded to Buffalo Truck Center, Inc., 271 Dingens Street, Buffalo, New York 14206 for their bid in the amount of \$260,196.00 for two (2) 1999 Volvo WX64 Trucks with Leach 2R11-33 Refuse Packer Bodies; one (1) packer to be equipped with two (2) Perkins Rotary Cart Lifters and one (1) packer to be equipped with an overhead hydraulic winch, said bid being the lowest evaluated bid an overhead hydraulic winch; said bid being the lowest evaluated bid meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that funds are available in Account #1500-8160-2501 for this purpose.

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. 5 Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, School Zone safety enhancements on William Street fronting the Theodore Roosevelt School have been recommended by the Town Police Department Traffic Division to include pole mounted flashing beacons and improved signage, AND

WHEREAS, contractor quotations have been secured for the referenced public works project in accordance with the Town's adopted purchasing policy, NOW, THEREFORE BE IT

RESOLVED, that the contract for the furnishing and installation of the aforementioned School Zone safety enhancements be awarded

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Spoth Enterprises Inc.
8746 Lakeshore Road
Angola, New York 14006

for their submission of the lowest quotation in the amount of \$6,950.00 dated March 15, 1999 and, BE IT FURTHER

RESOLVED, that the subject school zone enhancements work shall be chargeable to Account No. 5704-1440-9606 and, BE IT FURTHER

RESOLVED, that the Town Engineer be and hereby is directed and authorized to file a service application with NYSEG to secure the necessary electrical connections to serve the electrically operated beacons.

Upon roll call

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

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

WHEREAS, it is in order that bids be advertised for the North-South Creek Park Trail System and Park Improvements in the Town of Cheektowaga, AND

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

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the park improvements, said notice to be published in THE CHEEKTOWAGA TIMES, THE CHALLENGER, THE BUFFALO CRITERION and THE BUFFALO NEWS and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 28th day of April, 1999 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

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 28th day of April, 1999 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for North-South Creek Park Trail System and Park Improvements and related work, for furnishing all labor, materials, tools, equipment, including, but not limited to; installation of a 6' wide paved trail, resurfacing basketball courts, and park benches, 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.

Item No. 6a cont'd.

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. Copies may be secured from the Town Clerk's Office upon payment of \$50.00 per set of contract documents. Deposits shall be in the form of two (2) \$25.00 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

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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 North-South Creek Park Trail System and Improvements and Related Work".

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

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 EXECUTIVE ORDERS NO. 11246 AND 11375 AS INCLUDED HEREIN. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THESE ORDERS WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT ARE EXPLAINED IN THE SPECIFICATIONS.

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 an 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.

Item No. 6a cont'd.

Richard M. Moleski
Town Clerk
Town of Cheektowaga

DATED: April 5, 1999



Upon roll call

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

NAYES: 0

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ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, it is in order that bids be advertised for the furnishing of equipment, operators and laborers for the Installation and Repair of Sanitary/Storm Sewers in Cedargrove Circle, Phase I, in the Town of Cheektowaga, AND

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

RESOLVED, that this request be granted and the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment, operators and laborers for said Installation and Repair of Sanitary/Storm Sewers in Cedargrove Circle, Phase I, said notice to be published in the CHEEKTOWAGA TIMES, THE CHALLENGER and THE BUFFALO NEWS and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 28th day of April, 1999 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

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NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 28th day of April, 1999, at 11:00 A.M., local time, in the Town Hall, Town of Cheektowaga, New York, for Furnishing Equipment, Operators and Laborers for the Installation and Repair of Sanitary/Storm Sewers in the Town of Cheektowaga, and in accordance with the Contract Documents, therefore, including Specifications, Instructions to Bidders, etc., prepared by the Cheektowaga Engineering Department for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the above office and at the office of the Town Clerk at his office in Town Hall, Broadway and Union Roads, Cheektowaga, New York. Copies may be secured at the office of the Town Clerk.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227 and marked as "Proposal for the 1999 Community Development Block Grant Sanitary/Storm Sewer Program".

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

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

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

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

Item No. 6b cont'd.

Project activities are Federally financed under Title I Community Development Act of 1974, as amended. The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater. All bidders must comply with Section 3 Requirements for the Provision of Training Employment and Business Opportunities, the President's Executive Order 11246, as amended and Non-Discrimination and Equal Employment Opportunity requirements as set forth in the contract documents.

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

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

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TOWN OF CHEEKTOWAGA

Richard M. Moleski
Town Clerk

Dated: April 5, 1999



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

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

WHEREAS, pursuant to Part 617 of the State Environmental Quality Review Act of the Environmental Conservation Law, the Erie County Department of Environment and Planning has referred to the Town of Cheektowaga an unlisted action for the purpose of having Erie County being declared Lead Agency for the action, AND

WHEREAS, the action entails the acquisition of two parcels comprising approximately 2.5 acres of land at 707 Cayuga Creek Road by Erie County with subsequent leasing of these parcels to the Town of Cheektowaga for open space and related activities as an expansion of a previous lease agreement with Erie County, AND

WHEREAS, since the Town of Cheektowaga leases and has established an open space, "Cayuga Creek Nature Reserve", comprising approximately 55 acres adjacent to these parcels, AND

WHEREAS, the Town has recognized the need to preserve the unique natural features along the Cayuga Creek floodway and floodplain, AND

WHEREAS, acquisition of these parcels and subsequent leasing to the Town will present an opportunity to provide a transition area between the reserve and the residentially developed area along Cayuga Creek Road, AND

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WHEREAS, the acquired parcels, with additional appropriate landscaping such as trees, can maintain the aesthetics of the reserve and general area, AND

WHEREAS, this Town Board has reviewed the Environmental Assessment Form and related materials submitted with the referral, NOW, THEREFORE BE IT

RESOLVED, that this Town Board, concurs with the Erie County Department of Environment and Planning that Erie County should be designated as Lead Agency for this action and, BE IT FURTHER

RESOLVED, that the Town Building Inspector, as Intake Officer for the Town, send a copy of this resolution to Erie County.

Upon roll call

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

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

WHEREAS, an application was submitted by Debbie Dueringer to rezone, from RA-Residential Apartment to NS-Neighborhood Services, a single family house at 2845 William Street to establish a beauty salon, AND

WHEREAS, the site will have adequate off-street parking for the business, AND

WHEREAS, the Zoning Officer of the Town has reviewed the proposal and compared it to the William/Losson Study conducted by URS Greiner and found the proposal consistent with uses in the area and with projected uses for the area, AND

Item No. 8a cont'd.

WHEREAS, the applicant has agreed to work with the Town and adjacent neighbors to formulate a unified parking plan and also has agreed not to use the site for daycare operations now or in the future, AND

WHEREAS, the Advisory Committee, at its meeting held on February 17, 1999 rendered the determination shown on the attached memo dated February 18, 1999, 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

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Item No. 8b Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak
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 Commonwealth Sport Fund L.L.C. to rezone 21.7± acres of vacant land at 550 Cayuga Road known as the "Nob Hill Quarry" and develop a Project on the site, AND

WHEREAS, the Project would consist of a building containing an Olympic size ice rink, an NHL size ice rink, a 48-tee driving range and a 300 seat restaurant/lounge having a footprint area of approximately 170,000 s.f., AND

WHEREAS, the Project includes a 5,000 s.f. office building near Cayuga Road and a parking lot for 1,260 cars, AND

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WHEREAS, the Town of Cheektowaga has referred this Project to the U.S. Army Corps of Engineers, Niagara Frontier Transportation Authority, Federal Aviation Administration, Erie County Department of Environment and Planning, the New York State Department of Environmental Conservation and the Greater Buffalo-Niagara Regional Transportation Council, AND

WHEREAS, the responding agencies have agreed that the Town of Cheektowaga should act as Lead Agency in this matter, AND

WHEREAS, the Project was referred to Town reviewing groups which have commented on the Project, AND

WHEREAS, the Traffic Safety Commission and the Conservation Advisory Council have both recommended that the Town Board issue a positive declaration for the Project, AND

WHEREAS, the Cheektowaga Traffic Safety Commission has further recommended that the traffic study be reviewed by an outside consultant, AND

WHEREAS, the Advisory Committee (EAC), at its meeting held on March 17, 1999 rendered the determination shown on the attached memo dated March 18, 1999, said determination being the recommendation that a positive declaration be issued for the Project, AND

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations made by the Environmental Advisory Committee and other reviewing groups, AND

WHEREAS, this Town Board, in accordance with 6 NYCRR Part 617 "State Environmental Quality Review", believes that, minimally, the following potential adverse environmental impacts relating to this Project are present and should be addressed in greater detail in the form of a Draft Environmental Impact Statement (DEIS):

1. Apparent incompatibility of the project with operations of the Greater Buffalo Niagara International Airport;
2. Apparent creation of a material conflict with the Town's current plans or goals as officially approved and adopted in the form of the Master Plan and Zoning Maps;
3. Apparent impairment of the character or quality of existing community or neighborhood character;
4. Potential adverse change to existing traffic levels;

Item No. 8b cont'd.

5. Potential adverse change to noise levels;
6. Potential adverse change to ground and surface water quality or quantity;
7. Potential for exposing of hazardous materials during construction;
8. Proposed destruction of an existing "Waters of the U.S." and creation of a new open water to replace it;

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby issues a positive declaration and determines that a Draft Environmental Impact Statement (DEIS) for the Project must be prepared by the Developer and be submitted to this Town Board and the Town Environmental Advisory Committee and, BE IT FURTHER

RESOLVED, that the above identified adverse environmental impacts and any other potential impacts, as determined by the Town through the scoping process, be addressed in the DEIS and, BE IT FURTHER

RESOLVED, that the Town Building Inspector, as Intake Officer for the Town, prepare, file and publish a positive declaration for this Project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.12 of the SEQRA regulations.

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MOTION BY COUNCILMEMBER JAWOROWICZ AND SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER ROGOWSKI AND COUNCILMEMBER MAZUR TO TABLE THE ABOVE RESOLUTION, ITEM 8B.



Item No. 9 Motion By Unanimous, Seconded by Unanimous

WHEREAS, Kristin Vivian commenced a civil lawsuit against the Town, claiming damages for certain personal injuries, including a trimalleolar fracture of the left ankle, when she fell into a drainage ditch at, in or near [the football field] in Stiglmeier Park on August 24, 1996, AND

WHEREAS, the Town's liability claims administrator has investigated the aforesaid claim, and both the claims administrator and defense counsel for the Town have requested authority to settle the aforesaid action,

NOW, THEREFORE BE IT RESOLVED, that attorneys from the lawfirm of Hurwitz & Fine, P.C. be and they hereby are authorized to execute and procure all papers to effectuate such settlement such settlement and compromise.

Upon roll call

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

Item No. 10a Motion By Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, Grant monies are available from the New York State Department of Environmental Conservation through the Municipal Waste Reduction and Recycling Program, AND
Item No. 10a cont'd.

WHEREAS, the Town desires to submit a pre-application requesting monies to purchase recycling bins for use by the residents of Cheektowaga, NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary pre-application, forms, etc. to be submitted to the New York State Department of Environmental Conservation for the purpose of securing this grant and, BE IT FURTHER

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

Upon roll call

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

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

WHEREAS, Grant monies are available from the Erie County Physical Activity Coalition through the Healthy Living for Older Adults Grant Programs, AND

WHEREAS, the Town of Cheektowaga Department of Senior Services seeks grant monies in the amount of \$500 to offer programming to increase the physical activity of senior citizens, NOW, THEREFORE BE IT

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RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Physical Activity Coalition for the purpose of securing this grant and, BE IT FURTHER

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

Upon roll call

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

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

WHEREAS, the Town, in its 1999 budget, allocated moneys to certain cultural and non-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:

Item No. 10c cont'd.

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Garden Club	\$ 500.00
Cheektowaga Art Guild	1,000.00

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 1999 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. 7
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Item No. 10d Motion By Councilmember Jankowiak, Seconded by Councilmember Swiatek

WHEREAS, the Town wishes to dispose of a number of surplus motor vehicles and equipment no longer needed for Town use, AND

WHEREAS, sale of surplus property by the Town is authorized by Section 64 of the Town Law of the State of New York, AND

WHEREAS, Scherrer Auctions will sell such motor vehicles and equipment at a public auction in accordance with its letter dated March 7, 1999, a copy of which is attached hereto, NOW, THEREFORE BE IT

RESOLVED, that the Town hereby retains Scherrer Auctions, 808 Borden Road, Cheektowaga, New York as per the attached proposal, to conduct a sale of the surplus Town vehicles and equipment identified on the attached list at a public sale to the highest responsible bidder at an auction to be held on April 24, 1999, at a commission of 5% on large equipment and 7% on small items and, BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is authorized to execute any and all documents that may be required to effectuate the sale and transfer of all said vehicles and equipment.

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. 7
APRIL 5, 1999

Item No. 10e Motion By Councilmember Jaworowicz, Seconded by Councilmember Swiatek

WHEREAS, the County of Erie has appropriated \$8,100.00 for the Cheektowaga Justice Court for the purpose of three computer stations and one copier, AND

WHEREAS, to obtain this funding, the County of Erie requires the Town of Cheektowaga to enter into a contract for same, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a contract with the County of Erie and any other documents necessary for \$8,100.00 in funding for the Town Justice Court.

Upon roll call

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

Item No. 11 Motion By Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Temporary MEO-A in the Sanitation Department, AND

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

WHEREAS, Daniel Carrier, currently employed as a MEO-B in the Recycling Department bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Daniel Carrier of XXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Temporary MEO-A in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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Upon roll call

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

Item No. 12 Motion By Councilmember Mazur, Seconded by Councilmember Johnson

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

TRAFFIC MAINTENANCE - Laborer - \$6.50 per hour

Thomas Wnuk, Jr.	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXXXXX	Immediately
Daniel Barber	XXXXXXXXXXXXXXXXXX, Depew	XXXXX	"

MAIN PUMP STATION - Laborer - \$6.25 per hour

Joshua Strell	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXXXXX	Immediately
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Item No. 12 cont'd.

EFFECTIVE

RECYCLING DEPARTMENT - Laborer - \$6.00 per hour

John Balbuzoski	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	Immediately
Donald Karl	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
John Palczynski	XXXXXXXXXXXX, Cheektowaga	XXXXX	"
Marvin Rowland	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Jeffrey Speaker	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Robert Cook	XXXXXXXXXXXX, Cheektowaga	XXXXX	"

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Anthony Marinaccio	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	Immediately
James Karalus	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Walter Gardon	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Daryl Pischka	XXXXXXXXXXXX, Cheektowaga	XXXXX	"
Lucas McCuiston	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXXX	"
Todd Stucke	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Richard Gramza	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Jarrett Sinclair	XXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXX	"
Gordon Hagmier	XXXXXXXXXXXXXXXXXXXX, Cheektowaga	XXXXXX	"

Upon roll call

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

Item No. 13 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:

From Part-Time to Seasonal
(effective April 12th - April 18th, 1999)

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19th. BE IT FURTHER RESOLVED, that they revert to their Part-Time status effective April

Laila Desjardins
Mary Beth Seivert

Upon roll call

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

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

WHEREAS, the 1999 Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN) business meeting and "Exploring Economic, Electronic and Financial Crimes in our Society" Information Sharing Conference, is being held in Atlantic City, New Jersey, April 19-23, 1999, AND

WHEREAS, Lt. Starr is our primary representative in MAGLOCLN and his attendance is mandatory and, MAGLOCLN will cover transportation and lodging expense and the Police Department will be responsible for the registration fee and meal expenses which will amount to \$305.00, NOW, THEREFORE BE IT

Item No. 14 cont'd.

RESOLVED, that the Chief of Police is authorized to send Lt. Starr to this annual meeting and that the time he spends at this training be authorized as normal duty time. This expense will be charged to line 0100-3120-4085 and 0100-3120-4093.

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 15 Building Permits
Received and Filed.

Item No. 16 Supervisor's Statement of Funds - February, 1999
Received and Filed.

Item No. 17 Cheektowaga Public Library Annual Report - 1999
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 18a Summons and Complaint: Valerie Kennedy, Temporary Administrator of the Estate of Antwon D. Thomas 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. 18b Summons and Complaint: Aquatech Associates, Inc. vs. Belleuve Fire District #9 and the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; and Allied Claims Insurance Carrier.
Received and Filed.

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- Item No. 19a Notice of Claim: Carol Dotzler 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. 19b Notice of Claim: Nancy Nestorowich 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. 19c Notice of Claim: Lillian Peck 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. 19d Notice of Claim: Dawn Carrick 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. 19e Notice of Claim: Sally Cegielski 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. 19f Notice of Claim: Robert Baker vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20 Petition: Residents of Alaska Street Request the Construction of Storm Sewers to Prevent Street and Basement Flooding
Received and Filed.



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

Upon roll call

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



IV. SUSPENSION OF RULES

Item No. 21 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

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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 F.J. Wailand & Associates as engineer for Miken Companies to construct a 16,410 s.f. addition to their facility at 75 Boxwood Lane, AND

WHEREAS, the project will be located on the east side of the building and will be for the climate-controlled storage of paper products used in the printing presses, AND

WHEREAS, the applicant, after meeting with various reviewing groups, has revised the plans by adding: additional landscaping to screen the apartment and townhouse complex to the east, a solid fence for screening along the east property line and submitted data showing the climate-control equipment will not cause noise, AND

WHEREAS, the applicant has agreed to make every effort to reduce noise emanations from the climate-control should there be any problems in the future, AND

WHEREAS, the Advisory Committee, at its meeting held on March 17, 1999 rendered the determination shown on the attached memo dated March 18, 1999, AND

Item No. 21 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 find 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

MEETING NO. 7
APRIL 5, 1999

Item No. 22 Motion By Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of Al Hausbeck, former Assemblyman and Carl Calabrese, father of the Supervisor of Tonawanda. This meeting was adjourned at 8:55 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 8
April 19, 1999**

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 19th day of April, 1999 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; Jim Kirisits, Town Attorney; Sal LaGreca, Chairman of the Planning Board; Captain Town Rowan, Police Department; Pat Wojcik, Director of Senior Services; Bill Pugh, Town Engineer; Mark Wegner, Working Foreman-Facilities Department; Bob Sprada, Deputy Highway Superintendent; Chris Kowal, Highway Superintendent; Ron Marten, Supervising Building and Plumbing Inspector; Bob Kaczmarek, Supervising Accountant; Jerry Gabryszak, Director of Community Development.

I. FROM THE TABLE

Item No. 2 Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak
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 Commonwealth Sport Fund L.L.C. to rezone 21.7± acres of vacant land at 550 Cayuga Road known as the "Nob Hill Quarry" and develop a Project on the site, and

WHEREAS, the Project would consist of a building containing an Olympic size ice rink, an NHL size ice rink, a 48-tee driving range and a 300 seat restaurant/lounge having a footprint area of approximately 170,000 s.f., and

WHEREAS, the Project includes a 5,000 s.f. office building near Cayuga Road and a parking lot for 1,260 cars, and

WHEREAS, the Town of Cheektowaga has referred this project to the U.S. Army Corps of Engineers, Niagara Frontier Transportation Authority, Federal Aviation Administration, Erie County Department of Environment and Planning, the New York State Department of Environmental Conservation and the Greater Buffalo-Niagara Regional Transportation Council, and

WHEREAS, the responding agencies have agreed that the Town of Cheektowaga should act as Lead Agency in this matter, and

WHEREAS, the Project was referred to Town reviewing groups which have commented on the Project, and

WHEREAS, the Traffic Safety Commission and the Conservation Advisory Council have both recommended that the Town Board issue a positive declaration for the Project, and

Item No. 2 cont'd

MEETING NO. 8
April 19, 1999

WHEREAS, the Cheektowaga Traffic Safety Commission has further recommended that the traffic study be reviewed by an outside consultant, and

WHEREAS, the Advisory Committee (EAC), at its meeting held on March 17, 1999 rendered the determination shown on the attached memo dated March 18, 1999, said determination being the recommendation that a positive declaration be issued for the Project, and

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

WHEREAS, this Town Board, in accordance with 6 NYCRR part 617 "State Environmental Quality Review", believes that, minimally, the following potential adverse environmental impacts relating to this Project are present and should be addressed in greater detail in the form of a Draft Environmental Impact Statement (DEIS):

1. Apparent incompatibility of the project with operations of the Greater Buffalo Niagara International Airport;
2. Apparent creation of a material conflict with the Town's current plans or goals as officially approved and adopted in the form of the Master Plan and Zoning Maps;
3. Apparent impairment of the character or quality of existing community or neighborhood character;
4. Potential adverse change to existing traffic levels;
5. Potential adverse change to noise levels;
6. Potential adverse change to ground and surface water quality or quantity;
7. Potential for exposing of hazardous materials during construction;
8. Proposed destruction of an existing "Waters of the U.S." and creation of a new open water to replace it;

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby issues a positive declaration and determines that a Draft Environmental Impact Statement (DEIS) for the Project must be prepared by the Developer and be submitted to this Town Board and the Town Environmental Advisory Committee, and BE IT FURTHER

RESOLVED that the above identified adverse environmental impacts and any other potential impacts, as determined by the Town through the scoping process, be addressed in the DEIS, and BE IT FURTHER

RESOLVED that the Town Building Inspector, as Intake Officer for the town, prepare, file and publish a positive declaration for this Project with the appropriate agencies and the applicant and otherwise make same available in accordance with Section 617.12 of the SEQRA regulations.

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

**SEE NEXT PAGE(S) for ATTACHMENT

II. PUBLIC HEARINGS

**MEETING NO. 8
April 19, 1999**

Item No. 3 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. Said amendments being as follows:

ARTICLE V

Schedules

§76-545, Schedules X, Parking prohibited shall be amended by deleting therefrom the following:

BEACH ROAD	east side:	from the north curblin of Cleveland Drive to a point one hundred fifteen (115) feet north.
ANDREWS AVENUE	west side:	from the north curblin of Genesee Street to a point fifty (50) feet north.

§76-510, Schedules III, One way streets, shall be amended by adding thereto the following:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Limits</u>
Shores Alley	North	Entire Length

§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>
Shores Alley	North	Ellicott Road
Colonial Court	South	Cleveland Drive

ARTICLE X

Schedules

§76-545, Schedule X, Parking prohibited, shall be amended by adding thereto the following:

BEACH ROAD	east side:	from the north curblin of Cleveland Drive to a point seventy-five (75) feet north of Garden Road.
ANDREWS AVENUE	west side:	from the north curblin of Genesee Street to the south curblin of Neibert Place.



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

III. RESOLUTIONS

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

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

Item No. 4 cont'd

<u>GENERAL FUND</u>	
FROM: 0100-1110-1371 Clerk	\$ 1,200.00
0100-1315-4321 Data Processing Service	3,100.00

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0100-9010-8121	Social Security	39,200.00
0100-9010-8121	Social Security	8,250.00
0100-1330-1090	Interest & Penalties	50,000.00
0100-1910-2401	Interest Earnings	50,000.00
0100-1355-4561	Contracted Services	3,000.00
0100-1355-4411	Petition Filing Refunds	1,200.00
0100-1410-4001	Office Supplies	1,575.00
0100-1450-1799	Election Inspectors	1,175.00
0100-1430-4751	Employee Assistance	1,625.00
0100-1440-1492	Seasonal Labor	1,300.00
0100-1625-1491	Part-time Laborer	475.00
0100-1625-4217	Utilities	4,000.00
0100-3120-1541	Patrolmen	6,700.00
0100-3310-1491	Seasonal Traffic Control	2,200.00
0100-5132-4221	Gas	2,200.00
0100-6250-1951	Enrollee Wages	100.00
0100-7110-1411	Cleaner	325.00
0100-7110-2304	Park Equipment	25.00
0100-7140-1651	Theater Workshop Salaries	3,500.00
0100-7620-1121	Director	400.00
0100-7620-1373	Attendants	300.00
0100-7321-4000	Contracted Expenses	310.00

TO:	0100-1110-1374	Other Clerical	\$	1,200.00
	0100-1315-4431	Equipment Maintenance		3,100.00
	0100-9010-8111	Police Retirement		39,200.00
	0100-9010-8151	Group Life		1,250.00
	0100-9010-8975	Retirement Buyouts		7,000.00
	0100-9902-9703	Risk Retention Transfers		100,000.00
	0100-1355-1351	Senior Clerk		1,850.00
	0100-1355-1403	Property Appraisal Technician		2,350.00
	0100-1410-1361	Clerk-Stenographer		425.00
	0100-1410-1376	Senior Clerk		325.00
	0100-1410-1391	Part-time Clerical		825.00
	0100-1450-4342	Polling Place		1,175.00
	0100-1430-1400	Administrative Clerk		1,500.00
	0100-1430-4502	Legal		125.00
	0100-1440-1402	Principal Engineering Assist		1,300.00
	0100-1625-1431	Maintenance Worker		75.00
	0100-1625-1452	Building Maintenance Worker		400.00
	0100-1625-4202	Telephone		4,000.00
	0100-3120-1112	Police Chief		1,200.00
	0100-3120-1153	Assistant Chief		4,500.00
	0100-3120-1581	Matrons		1,000.00
	0100-3310-1430	Senior Traffic Maint. Worker		2,100.00
	0100-3610-4001	Office Supplies		100.00
	0100-5010-1171	Deputy Superintendent		2,200.00
	0100-6250-1953	Clerical		100.00
	0100-7110-1201	General Crew Chief		325.00
	0100-7110-2201	Office Equipment		25.00
	0100-7140-1639	Hockey Salaries		200.00
	0100-7140-4601	Aid to Youth		3,300.00
	0100-7620-1361	Senior Clerk		600.00
	0100-7610-1385	Recreation Specialist		100.00
	0100-7321-1100	Project Director		10.00
	0100-7321-1300	Program Coordinator		200.00
	0100-7321-1400	Administrative Assistant		100.00

PART TOWN FUND

FROM:	0800-3620-1755	Part-time Housing Inspector	\$	700.00
	0800-9010-8121	Social Security		1,400.00

Item No. 4 cont'd

TO:	0800-3620-1700	Housing Inspector	\$	700.00
	0800-9010-8902	FICA Allocations		1,400.00

RISK RETENTION FUND

FROM:	1000-1910-2798	Appropriated Fund Reserve	\$	500,000.00
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TO: 1000-1932-4730 Liability Claims \$ 500,000.00

SPECIAL DISTRICTS FUND

FROM: 1500-8160-4160 Diesel Fuel \$ 10,000.00
1500-8173-1410 Recycling Driver 46,000.00
1500-8160-8143 Retiree Medical Insurance 700.00
2300-8123-4432 Sewer Repairs 100.00
2500-8125-2501 Office Equipment 1,000.00
2500-8125-4217 Utilities 500.00
2500-8125-8121 Social Security 9,000.00
2500-8135-1301 Assistant Superintendent 100.00

TO: 1500-8160-1414 MEO B Labor \$ 40,000.00
1500-8173-1409 Recycling Labor 6,000.00
1500-8160-4453 Building Repairs 10,000.00
1500-8160-8141 Medical Insurance 700.00
2300-8123-4440 Plant Grounds Maintenance 100.00
2500-8125-2505 Other Equipment 1,000.00
2500-8125-4438 Sewer Repairs 500.00
2500-8125-8141 Medical Insurance 9,000.00
2500-8135-1391 Part-time Clerical 100.00

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

Item No. 5 Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to April 16, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 688,207.75
HIGHWAY FUND	218,689.99
TRUST & AGENCY	9,653.94
PART TOWN FUND	1,544.66
HUD CDBG FUND	1,501.37
HUD HOUSING REHABILITATION FUND	34,685.00
RISK RETENTION FUND	78,729.00
SPECIAL DISTRICTS FUND	1,095,525.71
CAPITAL FUND	8,439.23
	\$ 2,136,976.65

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

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

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

Item No. 6a 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

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. 8
April 19, 1999**

WHEREAS, an application was submitted by Leona Construction to construct a 10,800 s.f. storage buildings at 999 Aero Drive, and

WHEREAS, the building would be used for the storage of construction materials and equipment, and

WHEREAS, the applicant has agreed to install the landscaping that had been previously approved by not maintained/installed, and

WHEREAS, the applicant has agreed to pave portions of the property and will seek a variance from the Zoning Board of Appeals for other portions intended for the storage of heavy equipment, and

WHEREAS, the Advisory Committee at its meeting held on April 7, 1999 rendered the determination shown on the attached memo dated April 8, 1999, 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, Rogowski, Johnson, Swiatek, Jankowiak and Mazur
NAYES: 0
ABSENT: Councilmember Jaworowicz

**SEE NEXT PAGE(S) for ATTACHMENT

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

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

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

**MEETING NO. 8
April 19, 1999**

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 C & S Engineers for the construction of a 10,800 s.f. storage building at 47 Anderson Road, and

WHEREAS, the building would be used for the storage of hardwoods for Thruway Hardwood & Plywood Corporation, occupant of the premises, and

WHEREAS, the applicant has included landscaping along the east property line, visible from the New York State Thruway, which the Planning Board approved at their meeting of April 8, 1999 with some changes, and

WHEREAS, the applicant has revised the drainage plan to continue to allow storm waters to flow into existing wetlands without disturbing them, and

WHEREAS, the Advisory Committee at its meeting held on April 7, 1999 rendered the determination shown on the attached memo dated April 8, 1999, 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, Rogowski, Johnson, Swiatek, Jankowiak and Mazur
NAYES: 0
ABSENT: Councilmember Jaworowicz

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 6c 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

MEETING NO. 8
April 19, 1999

WHEREAS, an application was submitted by C & S Engineers for rezone from RA-Residential Apartment District to C-Retail Business District, 1.65 ± acres of vacant land at the rear of 760 Dick Road, the Comfort Suites Hotel, and

WHEREAS, the proposal is to expand the hotel with sixty (60) additional rooms and appropriate off-street parking, and

WHEREAS, the owner of the property has reaffirmed the commitments made for the original rezoning, and

WHEREAS, the owner will provide a conservation easement to the Town of Cheektowaga for the property to the west of the rezoning parcel thereby eliminating a planned townhouse development and any other further development to the west, and

WHEREAS, the Advisory Committee at its meeting held on March 3, 1999 rendered the determination shown on the attached memo dated March 4, 1999, 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, Rogowski, Johnson, Swiatek, Jankowiak and Mazur
NAYES: 0
ABSENT: Councilmember Jaworowicz

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 6d Negative Declaration - S.E.Q.R. - 2810 Union Road
This item was withdrawn.

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

WHEREAS, Debbie A. Dueringer has petitioned for the rezoning from RA-Apartment District to NS-Neighborhood Services District of property owned by her and located at 2845 William Street, Cheektowaga, New York, which property is more particularly described in the legal description published with the Legal Notice of public hearing on this rezoning, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 15th day of March, 1999 at 6:30 o'clock P.M., after publication and service of the notices required by the

**MEETING NO. 8
April 19, 1999**

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 Debbie A. Dueringer for the rezoning from RA-Apartment District to NS-Neighborhood Service District of the property specified in the legal description published in the Legal Notice for the public hearing on this rezoning 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.

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, James L. Busshart has made application and requested the rezoning of property located at 2804 Union Road from C-Retail Business District to MS-Motor Services District, NOW, THEREFORE, BE IT

RESOLVED that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on May 3, 1999 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

MEETING NO. 8
April 19, 1999

AFFIDAVIT - NEXT PAGE

Item No. 8b Motion 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 May 3, 1999 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 22nd day of April, 1999, said amendments being set forth in the Notices of Hearing.



NOTICE OF PUBLIC HEARING

MEETING NO. 8
April 19, 1999

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 May 3, 1999 at 7:00 P.M. to consider the advisability of adopting amendments to Chapter 76 of the code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

ARTICLE I

General Provisions

§76-20 Pavement markings shall be amended to read as follows:

76-20 Pavement markings

The traffic pavement markings upon New York State roadways, are applicable to town and county roadways in the Town of Cheektowaga. Said markings, when placed upon town and county roadways, shall have the same meaning and effect as similar markings upon state roadways in this town. Violations of such markings upon said town and county roadways shall be subject to the same penalties as violations of such markings on state roadways.

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

Dated: April 19, 1999

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

Item No. 9 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Community Drive Park project for which bids were received and publicly opened on March 30, 1999, and

WHEREAS, said bids were referred to Frank T. Brzezinski, Landscape Architect, for analysis, tabulation and report, a report which is hereto attached and contained in the planning consultant's letter of April 14, 1999 to the Community Development Director, and

WHEREAS, said report recommends that the bid be awarded to Titan Development, Inc. for the submission of the lowest responsible total bid price and meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED that the contract for the Community Drive Park Project be and hereby is awarded to:

**MEETING NO. 8
April 19, 1999**

Titan Development, Inc.
8534 Seaman Road
Gasport, New York 14067

for the bid price of \$105,500.00, which includes the base bid price of \$77,500.00 plus the bid price for Alternate Numbers 1 through 6 inclusive, totaling \$28,000.00, said bid being the lowest meeting the requirements of the specifications and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of the Town Board, is directed and authorized to sign an agreement with said Titan Development, Inc. for the Community Drive Park Project, and BE IT FURTHER

RESOLVED that this project will be paid from Community Development Funds.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 10a Motion by Councilmember Rogowski, Seconded by Councilmember Jankowiak

WHEREAS, it is in order that bids be advertised for a Preventative Maintenance and Service Agreement for Various Town Municipal Buildings, and

WHEREAS, service provided under the Preventative Maintenance and Service Agreement is to encompass building Temperature Control and Energy Monitoring Equipment; Heat, Vent, Air Conditioning and Mechanical Equipment consisting of pumps, air handling units, fans, boilers, air conditioning equipment, thermostats, air compressors, valves and dated devices used to control HVAC equipment and generators, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Preventative Maintenance and Service Agreement, said Notice to be published in the Cheektowaga Times, and BE IT FURTHER

RESOLVED that sealed bid proposals will be received on the 12th day of May, 1999 at 11:00 a.m., Eastern Daylight Savings Time in the Cheektowaga Town Hall Council Chambers at a public bid opening to be held for said purpose.

MEETING NO. 8
April 19, 1999



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, Erie County, New York on the 12th day of May, 1999 at 11:00 A.M., Eastern Standard Time, in the Town Hall in the Town of Cheektowaga, New York for a Preventative Maintenance Agreement for Various Town Municipal Buildings. Work under this agreement is to encompass building temperature control and energy saving equipment, HVAC and mechanical equipment consisting of pumps, air handling units, fans, boilers, air conditioning equipment, thermostats, air compressors, valves and related devices used to control HVAC equipment in buildings throughout the Town. Work includes scheduled inspection of system components, record keeping and report generation. Work required on an "as needed" basis will include trouble-shooting and repair of system components.

Documents are on file in the office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 prior to the bid opening.

Copies of the proposed Contract Documents and Instructions to Bidders may be examined at the above office. Specifications may be obtained from this office upon payment of \$50.00 per set of documents.

The envelopes containing the bids must be sealed, addressed to the Town of Cheektowaga, Erie County, New York, and must be designed as "Bid for A Preventative Maintenance Agreement for Various Town Municipal Buildings".

Any bid not delivered in person shall be mailed to the office of the Town Clerk, Town of Cheektowaga, Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 prior to the bid opening.

Any bidder returning the documents in good condition within thirty (30) days following the award of the contract or rejection of the bids will be refunded the deposit. Any bidders requesting more than one (1) set of documents may purchase the excess. No refund will be made for documents received after this thirty (3) day period.

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

Item No. 10a cont'd

Each proposal must be accompanied by a certified check for a sum equal to ten percent (10%) 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 ten (10%) of the amount of the bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute such further security as may be required for the faithful performance of the contract.

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

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

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

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

MEETING NO. 8
April 19, 1999

RICHARD M. MOLESKI
Town Clerk

Dated: April 19, 1999



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town of Cheektowaga has been notified by Digital/Compaq Corporation that the Town's Accounting Computer is not in Y2K compliance and it was informed by the vendor that the current Vax Ultrix Operating System will not be supported after June 30, 1999, and

WHEREAS, the Accounting department has undertaken a study to determine the feasibility of migrating to a PC computer network in anticipation of Town-wide networking, which study proved to be acceptable to all respects, and

WHEREAS, the Accounting Department has prepared bid specifications for the acquisition and installation of the hardware, software and networking for its department and various other Town departments, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish the attached Notice to Bidders in the Cheektowaga Times, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is designated as the officer to open bids on the aforesaid at a public bid opening to be held on May 3, 1999 at 11:00 A.M. in the Cheektowaga Town Hall Council Chambers.



MEETING NO. 8
April 19, 1999

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 3rd day of May, 1999 at 11:00 A.M., in the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York 14227 for the Purchase and Installation of Computer Equipment for Various Town Departments.

Copies of the Specifications and Instructions for Bidders for such bid item may be examined and secured at the Town Clerk's Office in the Cheektowaga Town Hall.

All bids must be enclosed in a sealed envelope marked "Price Quotes for Various Computer Equipment" and delivered to the Town Clerk prior to the bid opening on May 3, 1999 at 11:00 A.M.

Each proposal must be accompanied by a bid bond or certified check in the amount equal to 5% of the amount of the bid payable to the Town of Cheektowaga. The successful bidder will be required to furnish a performance bond acceptable to the Town

The Town of Cheektowaga reserves the right to reject any and all bids, to waive any informalities in, or to make an award to other than the lowest bidder, should it be deemed to be in the best interests of the Town.

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

Dated: April 19, 1999

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting in Fall, 1999,

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

RESOLVED that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, May 5, 1999 at 11:00 A.M. in the Council Chambers of the Cheektowaga Town Hall.



NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

**MEETING NO. 8
April 19, 1999**

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on Wednesday, May 5, 1999 at a public bid opening at 11:00 AM at the Town Hall located on Broadway, New York for the purpose of furnishing new trees for Fall, 1999 tree planting.

Specifications for new trees may be picked up at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 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 19, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 10d Motion by Councilmember Jankowiak, Seconded by Councilmember Swiatek

WHEREAS, it is in order that bids be advertised for the purchase of three (3) 1998 model, medium size sedans for the motor pool, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of said vehicles for the motor pool, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 5th day of May, 1999 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 by the Town of Cheektowaga on May 5, 1998 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of three (3) Medium Size Sedans (Program Vehicles) for the motor pool.

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

MEETING NO. 8
April 19, 1999

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: June 19, 1999



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Cheektowaga Sewer Maintenance Department has requested authorization to purchase one (1) 1999 Chevrolet, three (3) ton, 4x2, dump truck, as specified in State Contract No. PC54247 in the total amount of \$24,341.00, and

WHEREAS, funds for said purchase have been budgeted and are available from Account No. 2500-8125-2305, NOW, THEREFORE, BE IT

RESOLVED that the Cheektowaga Town Board hereby authorizes the Sewer Maintenance Department to purchase one (1) 1999 Chevrolet, three (3) ton, 4x2, dump truck from:

Robert Green Truck Div.
P.O. Box 8002
Rock Hill, New York 12775

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

Item No. 11b Award of Bid - Senior Citizen Van
This item was withdrawn.

**MEETING NO. 8
April 19, 1999**

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

WHEREAS, the Local Government Records Management Improvement fund was created in 1989 to provide technical assistance and grants to establish, improve or enhance records management programs in New York's more than 4300 local governments, and

WHEREAS, a sunset date for the LGRMIF was established in the original legislation to permit its operation as a five-year experiment, and

WHEREAS, the LGRMIF operated successfully and supported essential advisement and grants projects purposely to improve the management of records and information in local governments, and

WHEREAS, the New York State Legislature in 1995 extended the sunset date to December 31, 2000, and

WHEREAS, the LGRMIF and the programs it supports continue to operate at a high standard of excellence and provide direct and significant benefit to local governments at no cost to the taxpayers, and

WHEREAS, Town of Cheektowaga benefited from technical assistance, training, publications and 9 grants totaling \$232,958 supported by the LGRMIF, and

WHEREAS, the LGRMIF continues to be critically important to the fulfillment of the many records and information related responsibilities of local government name, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga supports the elimination of said sunset provisions of December 31, 2000 in order to make the LGRMIF permanent.

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

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

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 May 23, 1999 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.

MEETING NO. 8
April 19, 1999



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 April 19, 1999, 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 May 23, 1999.

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) 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 \$34.00 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: April 18, 1999

RICHARD M. MOLESKI
Town Clerk

Item No. 13 cont'd

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

**SEE NEXT PAGE(S) for ATTACHMENT

MEETING NO. 8
April 19, 1999

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

WHEREAS, by lease dated October 3 1977, this Town Board agreed to lease to the Randall Benderson 1993-1 Trust ("Benderson Trust") certain Town-owned lands located at the southwest corner of Union Road and George Urban Boulevard for a parking lot for an adjacent business, and

WHEREAS, Benderson Trust is in the process of financing the property with First Colony Life Insurance Company and, as a requirement of such financing, the Town needs to execute a Landlord's Certificate, and

WHEREAS, the Town Attorney's Office has reviewed the Landlord's Certificate and has determined that it will not effect the Town's interests in this property or the lease, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to execute the aforementioned Landlord's Certificate on behalf of the Town.



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

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



Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

MEETING NO. 8
April 19, 1999

WHEREAS, by lease dated October 3 1977, this Town Board agreed to lease to the Randall Benderson 1993-1 Trust ("Benderson Trust") certain Town-owned lands located at the southwest corner of George Urban west and Union Road, for a parking lot for an adjacent business, and

WHEREAS, Benderson Trust is in the process of financing the property with First Colony Life Insurance Company and, as a requirement of such financing, the Town needs to execute a Landlord's Certificate, and

WHEREAS, the Town Attorney's Office has reviewed the Landlord's Certificate and has determined that it will not effect the Town's interests in this property or the lease, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is directed to execute the aforementioned Landlord's Certificate on behalf of the Town.

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

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

WHEREAS, General Municipal Law Article 5-G authorizes municipalities and districts to make joint purchases of goods, and

WHEREAS, recent deregulation of public utility energy markets has made possible open market purchase of natural gas at substantial savings over purchases made from regulated public utilities, and

Item No. 15a

WHEREAS, aggregation of gas purchases permits the purchase of large amounts of natural gas at low prices, and

WHEREAS, the County of Erie purchases natural gas in the open market for county purchases, and

WHEREAS, the County of Erie is willing to purchase natural gas on behalf of other municipal corporations and districts in order to increase savings to all joint purchasers, and

WHEREAS, the Town of Cheektowaga believes that it is in its best interest to enter a joint purchasing agreement with the County of Erie, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be authorized and directed to enter into a contract between the Town of Cheektowaga and the County of Erie for the purchase of joint purchases of natural gas on the open market, and BE IT FURTHER

RESOLVED that said contract requires that all natural gas purchases shall be competitively bid, and BE IT FURTHER

RESOLVED that any consultant services necessary to effectuate such purchases shall be contracted by the County of Erie pursuant to request for proposal and in accordance with Section 19.08 of the Erie County Administrative Code, as that the costs of such services payable by natural gas purchasers shall not exceed eight cents (\$.08) per thousand cubic feet of natural gas, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga shall accept and pay the County of Erie for natural gas delivered on behalf of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED that the contract shall be reviewable annually by the parties.

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

MEETING NO. 8
April 19, 1999

Item No. 15b Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, this Town Board, by resolution, previously entered into a contract with the County of Erie for the joint purchase of natural gas on the open market, and

WHEREAS, the Town of Cheektowaga has a lighting agreement with National Fuel Gas Distribution Corporation ("National Fuel") for the maintenance, repair and supply of gas for street lighting within the Town, and

WHEREAS, as a result of the Town entering into the aforesaid contract with Erie County, the Town needs to execute an addendum to the lighting agreement with National Fuel, and

WHEREAS, National Fuel has prepared and forwarded such agreement to the Town for execution, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached Addendum to Lighting Agreement with National Fuel.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the Town, in its 1999 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 1998 funding 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	\$2,150.00

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 1999 Town budget, subject to audit and approval of a properly signed Town voucher.

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

**SEE NEXT PAGE(S) for ATTACHMENT

MEETING NO. 8
April 19, 1999

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

WHEREAS, Grant monies are available from the Erie County Department of Youth Services, and

WHEREAS, the Town of Cheektowaga Department of Youth, Parks and Recreational Services seeks grant monies to offer additional programming for youth residing in the southeastern area of the Town, NOW, THEREFORE, BE IT

RESOLVED that Grantmakers Advantage, Inc., the Town 's grant consultants, be authorized and directed to complete the necessary application, forms etc. to be submitted to the Erie County Department of Youth Services for the purpose of securing this grant, and BE IT FURTHER

RESOLVED that the Director of Youth, Parks and Recreational Services and the Supervisor be and hereby are authorized and directed to execute all documents pertaining to the application and to the acquisition of said funding.

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

Item No. 15e Motion 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 owners of the property located at 97 Southcrest, Cheektowaga, New York, for a housing rehabilitation loan not to exceed \$49,500.

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

MEETING NO. 8
April 19, 1999

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

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

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

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

RESOLVED that the Supervisor be and hereby is authorized to execute a subrecipient agreement with the Cheektowaga Economic Development corporation pertaining to the use and expenditure of Community Development block Grant funds for the 1998-99 Program Year, including an additional allocation of up to \$5,000 from the 198-99 Program Year budget.

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

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

WHEREAS, the position of General Crew Chief, also sometimes known as General Foreman, currently exists in the Sanitation/Recycling Department, and

WHEREAS, the aforesaid position is currently vacant, and is not under any collective bargaining unit of the Town, and

WHEREAS, after careful and thorough study and deliberation, the members of this Town Board believe that bona fide financial benefits and economies will result in the abolishment of the aforesaid budgeted position of General Crew Chief in the Sanitation/Recycling Department, NOW, THEREFORE, BE IT

RESOLVED that the position of General Crew Chief in the Sanitation/Recycling Department be and the same is hereby abolished, and BE IT FURTHER

RESOLVED that personnel in the office of the Town's Coordinator of Employee Relations notify the Commissioner of Personnel of the County of Erie of the aforesaid change in personnel.

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

Item No. 17a Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak
Councilmember Johnson

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

WHEREAS, the law provides that, after a refuse and garbage district has been established, the town board, may "employ a sufficient number of persons and provide the necessary equipment to collect such garbage, refuse and waste matter, at the expense of said refuse and garbage district", and

WHEREAS, the Town employees persons and owns equipment deemed necessary for the collection and disposal of garbage, as well as recyclable materials, and

**MEETING NO. 8
April 19, 1999**

WHEREAS, Christopher J. Kowal, the Superintendent of Highways of the Town of Cheektowaga, has informed this Town Board that he is able to perform the additional duties of supervising the operation and function of the Sanitation/Recycling Department, including but not limited to, supervising all department employees; keeping appropriate time and material records; certifying payrolls; preparing department rules, practices and procedures; maintaining discipline; as well as any and all other matters relating to supervision and control; and he has also stated that such additional duties will not interfere with the performance of his duties and responsibilities as Superintendent of Highways under the Highway Law, NOW, THEREFORE, BE IT

RESOLVED that Christopher J. Kowal be and hereby is assigned to the duties of supervision of Sanitation/Recycling, effective immediately, at a salary of \$12,000.00 per year, and BE IT FURTHER

RESOLVED that the salary for the duties of Sanitation/Recycling and all costs and expenses incurred in the performance of the aforesaid additional supervising duties and responsibilities shall be chargeable to the Consolidated Refuse and Garbage District fund.

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

Item No. 17b Motion by Councilmember Jankowiak, Seconded by Councilmember Johnson
Supervisor Gabryszak

WHEREAS, Section 32 of the Town Law provides for the Town Board to assign additional duties to its elected Superintendent of Highways, and

WHEREAS, the position of General Crew Chief in the Sanitation/Recycling Department has been abolished, and

WHEREAS, this Town Board under Section 32 of the Town Law is assigning the additional duties of supervision of Sanitation/Recycling to the Superintendent of Highways, and

WHEREAS, the Superintendent of Highways is accepting the additional duties, NOW, THEREFORE, BE IT

RESOLVED that effective immediately Christopher J. Kowal will be assigned the duties of supervision of Sanitation/Recycling at a salary of \$12,000 chargeable to the Consolidated Refuse and Garbage District fund.

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

Item No. 18 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:

	<u>EFFECTIVE</u>
<u>RECYCLING DEPARTMENT</u>	
Donald Karl	Immediately
James Vaccaro	"
Robert Cook	"
Robert Marchewka	"
<u>FACILITIES DEPARTMENT</u>	
David Roman	Immediately

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

MEETING NO. 8
April 19, 1999

ABSENT: Councilmember Jaworowicz

Item No. 19a 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, not to exceed 24 weeks in a calendar year, 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.

Soccer - 7140.1636

Recreation Attendant I - \$5.15

Shannon Fletcher XXXXXXXXXXXX XXXXX

Recreation Attendant III - \$5.65

Ben Stein XXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXX

Shaun Rozenwicz XXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXX

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

Item No. 19b 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:

		<u>EFFECTIVE</u>
<u>SEWER MAINTENANCE - Laborer - \$6.00 per hour</u>		
Jason Dormann	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	Immediately
William Dormann, Jr.	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Michael O'Sullivan	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Justin Maly	XXXXXXXXXXXXXXXXXXXX, Sloan XXXXX	"
Timothy Andrezejewski	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
John Arcese	XXXXXXXXXXXXXXXXXXXX, Depew XXXXX	"
<u>RECYCLING DEPARTMENT - Laborer - \$6.00 per hour</u>		
Shawn McMahon	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Daniel Biniaszewski	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
Christopher Rutledge	XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
<u>MAIN PUMP STATION - Laborer - \$6.25 per hour</u>		
Aaron Kuczmariski	XXXXXXXXXXXXXXXXXXXX, Depew XXXXX	"
<u>FACILITIES DEPARTMENT - Laborer - \$6.00 per hour</u>		
Jeff Szymanski	XXXXXXXXXXXX, Cheektowaga XXXXX	"
Steven Kresin	XXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX	"
Adam Nagy	XXXXXXXXXXXX Depew, XXXXX	"
Patrick Nagy	XXXXXXXXXXXX, Depew, XXXXX	"
Mark Wood	XXXXXXXXXXXXXXXXXXXX, Depew, XXXXX	"
James Robinson	XXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX	"
John Mazgaj	XXXXXXXXXXXXXXXXXXXX, Cheektowaga, XXXXX	"

and

WHEREAS, this Town Board previously appointed Walter Gardon and Gordon Hagmier to the positions of Laborer (Seasonal) in the Facilities Department at the rate of \$6.00 per hour, effective April 6, 1999, and

WHEREAS, their hourly rate should have been \$8.50 per hour and 7.50 per hour, respectively, NOW, THEREFORE, BE IT

RESOLVED that Walter Gardon hereby be hired as Laborer (Seasonal) in the Facilities Department at the hourly rate of \$8.50 effective April 6, 1999, and BE IT FURTHER

**MEETING NO. 8
April 19, 1999**

RESOLVED that Gordon Hagmier hereby be hired as Laborer (Part-Time) in the Facilities Department at the hourly rate of \$7.50 per hour effective April 6, 1999.

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

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

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

EFFECTIVE

SEWER MAINTENANCE - Laborer - \$6.00 per hour
Jacob Wilder XXXXXXXXXXXXX, Cheektowaga, XXXXX Immediately

SANITATION DEPARTMENT - Laborer - \$6.00 per hour
William Brady XXXXXXXXXXX, Cheektowaga XXXXX "

Item No. 20 cont'd

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour
Brian Wielinski XXXXXXXXXXXXXXX, Cheektowaga XXXXX Immediately

and

WHEREAS, this Town Board previously appointed Margaret Viscuso to the position of Police Matron (Part-Time) in the Police Department at the rate of \$10.42 per hour, effective March 16, 1999, and

WHEREAS, her hourly rate should have been \$12.50 per hour, NOW, THEREFORE, BE IT

RESOLVED that Margaret Viscuso hereby be hired as Police Matron (Part-Time) in the Police Department at the hourly rate of \$12.50 effective March 16, 1999.

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 21a Minutes of Cheektowaga Traffic Safety Commission - March 16, 1999
Received and Filed.

Item No. 21b Minutes of Cheektowaga Planning Board - March 11, 1999
Received and Filed.

Item No. 22 Office of Emergency Services - Quarterly report from January to June, 1999
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 23 Summons & Complaint - Maria A. & Paul Castricone, Jr. 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.

MEETING NO. 8
April 19, 1999

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

Item No. 24b Notice of Claim - Jacqueline F. Glinski 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. 24c Notice of Claim - Donald T. Lepkowski 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.

VI. SUSPENSION OF RULES

Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson 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. 25 Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Police Executive Research Forum (PER) is holding the 1999 Annual Meeting on April 28th - May 1st, 1999 in San Francisco, CA., and

WHEREAS, Chief Chamberlin is requesting authorization to attend this meeting. Workshops and guest speakers will cover topics in such current issues in Community Matters: Sustaining Community Partnerships; Do Your Troops Know What You Don't, The Internet and You, and How it Will Change; The Future of the COPS Program; Community Policing to Community Government: Making the Transition; Police Unions and the Chief: Does it Have to be Contentious?. The Police Department will be responsible for the registration, lodging and travel not to exceed the amount of \$1,000, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to attend this meeting. The expenses will be charged to line 0100-3120-4085 and 0100-3120-4093.

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

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

WHEREAS, bids were received for the Replacement of Sidewalks in various locations in the Town of Cheektowaga and opened on March 30, 1999

WHEREAS, it was brought to the attention of the Town that there was an error in the Bid Specifications that require the Town to reject and rebid, NOW, THEREFORE, BE IT

RESOLVED that the bids hereby are rejected, and BE IT FURTHER

RESOLVED that a new Notice to Bidders will be advertised in the future..

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

MEETING NO. 8
April 19, 1999

ABSENT: Councilmember Jaworowicz

Item No. 27 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, James H. & Janet M. Cooper have made application and requested the rezoning of property located at 2810 Union Road from MS-Motor Services 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 3, 1999 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

Item No. 28 Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur to adjourn the meeting
Time Adjourned: 8:40 PM.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 9
MAY 3, 1999**

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 3rd day of May, 1999 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; Ronald Marten, Building and Plumbing Inspector; James Kirisits, Town Attorney; Christopher J. Kowal, Highway Superintendent; Salvatore LaGreca, Chairman of Planning Board; Robert Kaczmarek, Supervising Accountant; John Schaller, Assistant Chief of Police; Kenneth Kopacz, Director of Youth and Recreational Services; William Pugh, Town Engineer; Jerome Gabryszak, Community Development Director; and Thomas Rowan, Police Captain.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss amending 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 that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:



ARTICLE I

General Provisions

§76-20 Pavement markings shall be amended to read as follows:

76-20 Pavement markings

The traffic pavement markings upon New York State roadways, are applicable to town and county roadways in the Town of Cheektowaga. Said markings, when placed upon town and county roadways, shall have the same meaning and effect as similar markings upon state roadways in this town. Violations of such markings upon said town and county roadways shall be subject to the same penalties as violations of such markings on state roadways.



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

**MEETING NO. 9
MAY 3, 1999**

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

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

GENERAL FUND

From:	0100-1410-1361	Clerk Steno	\$65,078.00
	0100-1410-1375	Telephone Operator	31,791.00
	0100-1910-2799	Appropriated Fund Balance	1,284.49
	0100-1415-8000	Employee Benefits	215.51
	0100-1415-4001	Purchased Services	443.00
To:	0100-1410-1376	Senior Clerk Typist	\$96,869.00
	0100-1415-1600	Personnel	1,943.00

HUD-CDBG FUND

From:	0700-1096-0704	Contingency	\$13,200.00
To:	0700-1096-2400	Cedargrove Heights Recreation Improvements	\$13,200.00

SPECIAL DISTRICTS FUND

From:	1500-8160-1124	General Foreman	\$49,592.41
To:	1500-8160-1105	Supervisor of Sanitation/ Recycling	\$ 8,300.00
	1500-1910-4711	Contingency	41,292.41

Upon roll call

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 and Warrants are submitted to the Town of Cheektowaga prior to April 30, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 497,738.55
HIGHWAY FUND	275,968.75
TRUST & AGENCY	14,736.36
PART TOWN FUND	4,531.59
HUD CDBG FUND	13,141.75
HUD HOUSING REHABILITATION FUND	31,770.00
RISK RETENTION FUND	67,478.59
SPECIAL DISTRICTS FUND	237,817.48
CAPITAL FUND	<u>\$ 223,663.40</u>
	\$1,366,846.47



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER JANKOWIAK TO AMEND THE ABOVE RESOLUTION , ITEM 4, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



Item No. 4 cont'd.

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to April 30, 1999 are hereby approved and made a part hereof:

MEETING NO. 9
MAY 3, 1999

GENERAL FUND	\$ 497,738.55
HIGHWAY FUND	275,968.75
TRUST & AGENCY	14,736.36
PART TOWN FUND	4,531.59
HUD CDBG FUND	13,141.75
HUD HOUSING REHABILITATION FUND	31,770.00
RISK RETENTION FUND	67,478.59
SPECIAL DISTRICTS FUND	237,817.48
CAPITAL FUND	<u>\$ 223,813.40</u>
	\$1,366,996.47

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 5a Order Calling for Public Hearing: Bond (Walden Commerce Exchange - Road
Construction)

AFFIDAVIT - NEXT PAGE

Item No. 5b Order Calling for Public Hearing: Bond (Walden Commerce Exchange - Site Lighting
Construction)

AFFIDAVIT - NEXT PAGE

MEETING NO. 9
MAY 3, 1999

Item No. 5c Order Calling for Public Hearing: Bond (Walden Commerce Exchange - Sanitary Sewer Construction)

AFFIDAVIT - NEXT PAGE

MEETING NO. 9
MAY 3, 1999

Item No. 5d Order Calling for Public Hearing: Bond (Walden Commerce Exchange - Storm Sewer Construction)

AFFIDAVIT - NEXT PAGE

MEETING NO. 9
MAY 3, 1999

Item No. 5e Order Calling for Public Hearing: Bond (Walden Commerce Exchange - Water Main Construction)

AFFIDAVIT - NEXT PAGE

MEETING NO. 9
MAY 3, 1999

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

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

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

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

**MEETING NO. 9
MAY 3, 1999**

WHEREAS, an application was submitted by Walnut Capital Partners to rezone, from R-Residential and C-Retail Business to C-Retail Business, properties at the corner of Genesee Street and Pine Ridge Road and Genesee Street and Pine Ridge Terrace, AND

WHEREAS, the site is presently occupied by a funeral home, NFTA bus turnaround and four houses, all of which would be demolished, AND

WHEREAS, the developer after meeting numerous times with town officials and various reviewing groups has revised the plan to incorporate mitigation measures such as additional landscaping and the placement of benches on Genesee Street, AND

WHEREAS, the developer has agreed to construct a building facade of brick and decorative windows that will be more in harmony with the existing architecture of the area, AND

WHEREAS, the Advisory Committee, at its meeting held on March 17, 1999 rendered the recommendation shown on the attached memo dated March 18, 1999, 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. 6b Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

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

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

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

WHEREAS, an application was submitted by Walnut Capital Partners, to re-develop 2320 Genesee Street and construct an NFTA bus turnaround, AND

MEETING NO. 9
MAY 3, 1999

WHEREAS, the project will involve the demolition of the former Pine Ridge Furniture and remodeling of the building presently occupied by a drugstore, AND

WHEREAS, the applicant, after meeting with various reviewing groups as well as residents of the area, has revised the plans by adding additional landscaping and paving, AND

WHEREAS, the applicant has agreed to widen Andrews Avenue to better accommodate turning buses, adjust the driveway to Genesee Street to meet NYS Department of Transportation standards and provide easements for the existing public sewer lines on the site, AND

WHEREAS, the Advisory Committee, at its meeting held on March 17, 1999 rendered the recommendation shown on the attached memo dated March 18, 1999, 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. 6c 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 Thomas Torella to rezone 2810 Union Road from MS-Motor Service District to C-Retail Business District, AND

WHEREAS, the building was formerly used as a muffler repair shop, AND

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WHEREAS, the applicant intends to use the premises for a prepared food store with a small amount of seating, AND

WHEREAS, the applicant has agreed to install four (4) trees in the front yard when the NYSDOT Union Road project is completed, AND

WHEREAS, the Advisory Committee, at its meeting held on April 7, 1999 rendered the recommendation shown on the attached memo dated April 8, 1999, 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. 7a Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Benderson Development Co., Inc. has petitioned for the rezoning from RA-Apartment District to C-Retail Business District of property owned by it and located at 760 Dick Road, Cheektowaga, New York, which property is more particularly described in the legal description published with the Legal Notice of public hearing on this rezoning, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of April, 1999 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,

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NOW, THEREFORE BE IT RESOLVED, that the application of Benderson Development Co., Inc for the rezoning from RA-Apartment District to C-Retail Business District of the property specified in the legal description published in the Legal Notice for the public hearing on this rezoning 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

Item No. 7b Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Walnut Capital Partners has petitioned for the rezoning from R-Residence District and C-Retail Business District to C-Retail Business District of property owned by others and located at the corner of Genesee Street and Pine Ridge Road, Cheektowaga, New York, which property is more particularly described in the legal description published with the Legal Notice of public hearing on this rezoning, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of April 1999 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,

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NOW, THEREFORE BE IT RESOLVED, that the application of Walnut Capital Partners for the rezoning from R-Residence District and C-Retail Business District to C-Retail District of the property specified in the legal description published in the legal Notice for the public hearing on this rezoning 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

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

WHEREAS, this Town Board held a public hearing on April 19, 1999 and May 3, 1999 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 hearings being held in accordance with Notice thereof which was duly published as required by law, at which hearings an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1.

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

ARTICLE I

General Provisions

§76-20 Pavement markings shall be amended to read as follows:

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76-20 Pavement markings

The traffic pavement markings upon New York State roadways are applicable to town and county roadways in the Town of Cheektowaga. Said markings, when placed upon town and county roadways, shall have the same meaning and effect as similar markings upon state roadways in this town. Violations of such markings upon said town and county roadways shall be subject to the same penalties as violations of such markings on state roadways.

ARTICLE V

Schedules

§76-545, Schedules X, Parking prohibited shall be amended by deleting therefrom the following:

BEACH ROAD	east side:	from the north curbline of Cleveland Drive to a point one hundred fifteen (115) feet north.
ANDREWS AVENUE	west side:	from the north curbline of Genesee Street to a point fifty (50) feet north.

§76-510, Schedules III, One way streets, shall be amended by adding thereto the following:

<u>Name of Street</u>	<u>Direction of Travel</u>	<u>Limits</u>
Shores Alley	North	Entire Length

§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>
Shores Alley	North	Ellicott Road
Colonial Court	South	Cleveland Drive

ARTICLE X

Schedules

§76-545, Schedule X, Parking prohibited, shall be amended by adding thereto the following:

BEACH ROAD	east side:	from the north curbline of Cleveland Drive to a point seventy-five (75) feet north of Garden Road.
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Item No. 7c cont'd.

ANDREWS AVENUE	west side:	from the north curbline of Genesee Street to the south curbline of Neibert Place.
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Section 2. Time to take effect.

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

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

Section 3. Territorial Application

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

Section 4. Publication.

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

Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, the Senior Services Department is in need of a van for use in the transportation program for the elderly, AND

WHEREAS, the State of New York General Services Office has awarded the State contract for the purchase of a 1999 Dodge Ram 2500 Van, State Contract No. PC54196, and such contract permits local governments, including the Town of Cheektowaga, to purchase vans under such contract, AND

WHEREAS, the Community Development Block Grant Program budget includes funds for the purchase of a van for use by the Senior Citizens Department, NOW, THEREFORE BE IT

RESOLVED, that the purchase of a 1999 Dodge Ram 2500 Van for use by the Senior Citizens Department be and hereby is awarded to:

Northtown Dodge
2020 Niagara Falls Boulevard
Tonawanda, New York 14150

at a base price of \$15,123.00, with options not to exceed \$3,800.00 AND BE IT

FURTHER RESOLVED, that funding for the purchase of said van shall be appropriated from the Community Development Block Grant Program budget.

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Upon roll call

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

Item No. 9a Motion By Councilmember Rogowski, 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 for use by the Cheektowaga Highway Department.

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

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on May 19, 1999.



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER JANKOWIAK TO TABLE THE ABOVE RESOLUTION, ITEM 9A, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



Item No. 9b Motion By Councilmember Rogowski, Seconded by Councilmember Jankowiak

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of ONE (1) NEW AND UNUSED, 1999 or 2000 MODEL TRAILER MOUNTED, STUMP GRINDER for use by the Cheektowaga highway Department.

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

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on May 19, 1999.



TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive proposals for the purchase of ONE (1) NEW AND UNUSED 1999 or 2000 MODEL, TRAILER MOUNTED STUMP GRINDER TON at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on May 19, 1999 at 11:00 A.M.

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Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk, at his office located at Town Hall, Cheektowaga, New York. Bids must be enclosed in an opaque envelope plainly marked 'BIDS FOR ONE (1) NEW AND UNUSED 1999 or 2000 MODEL, TRAILER MOUNTED STUMP GRINDER'.

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

Richard Moleski
Town Clerk

Date: May 3, 1999

Published: May 6, 1999



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 10 Amend PILOT Agreement Regarding French Road Commons
This item was withdrawn.

Item No. 11a Motion By Councilmember Rogowski, Seconded by Councilmember Mazur

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 Opening Day Parade for its Little League on May 15, 1999 at 9:30 A.M. along Cleveland Drive, Harlem Road and Huth Road, AND

WHEREAS, this Board has reviewed the application submitted by Cleveland Hill Baseball, Inc., which application has been approved by the Police Departments, and has no objection to same, AND

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

1. 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

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NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cleveland Hill Baseball, Inc. for its opening day parade to be held on May 15, 1999 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. 11b Motion By Councilmember Rogowski, Seconded by Councilmember Mazur

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

WHEREAS, the Cheektowaga Southside Little League has made application to hold its Opening Day Parade on June 5, 1999 at 1:00 P.M. from Doyle I Fire Company (William Street at Alaska), then east on William Street to Standard Parkway, then north on Standard Parkway to ITT Standard, AND

WHEREAS, this Board has reviewed the application submitted by Cheektowaga Southside Little League, which application has been approved by the Police Department, and has no objection to same, AND

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

Item No. 11b cont'd.

1. Submittal of plan for sanitary facilities
2. Submittal of site plan
3. Requirement that application be made at least 60 days prior to the date of the special event
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 Southside Little League for its Opening Day Parade to be held on June 5, 1999 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. 12 Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

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WHEREAS, Gary A. Lachina, on behalf of his infant son Andrew M. Lachina, commenced a civil lawsuit against the Town claiming damages for certain personal injuries, which occurred on June 15, 1995, AND

WHEREAS, the Town's liability claims administrator has investigated the aforesaid claim, and both the claims administrator and defense counsel for the Town have requested authority to settle the aforesaid action,

NOW, THEREFORE BE IT RESOLVED, that attorneys from the law firm of Chelus, Herdzik & Speyer, P.C. be and they hereby are authorized to execute and procure all papers necessary to effectuate such settlement and compromise.

Upon roll call

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

Item No. 13 Motion By Councilmember Rogowski, Seconded by Councilmember Johnson

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, Los-Green, Inc., the developer of the Losson Green Estates Subdivision, Phase 9, has submitted a Public Improvement Permit application, plans and specifications and permit fee for the installation of Elmleaf Drive, and related infrastructure, AND

WHEREAS, the Town Engineer and Town Superintendent of Highways have reviewed the plans and specifications and find that the design of the subject improvements conform with established Town requirements, NOW, THEREFORE BE IT

RESOLVED, that the Public Improvement Permit be and hereby is approved for the construction of Elmleaf Drive and related improvements and, BE IT FURTHER

Item No. 13 cont'd.

RESOLVED, that the permit fee in the amount of \$4,575.56 be deposited in the Public Improvement Permit Account that was established for receipt and disbursement of such fees.

Upon roll call

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

Item No. 14 Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, abandoned structure at 22 Gruner Road, Cheektowaga, New York SBL #113.01-1-5 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors Office is owned by Robert M. Schultz, 1939 Harlem Road, Buffalo, New York 14212, AND

WHEREAS, these conditions required that the Town of Cheektowaga Building Inspections Department take immediate steps to safeguard and secure the second story broken windows in the vacant structure to protect the health and safety of others, NOW, THEREFORE BE IT

RESOLVED, that all openings in this structure be boarded over and secured 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

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

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

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

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

Upon roll call

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

* SEE NEXT PAGE FOR ATTACHMENT

Item No. 15b Motion 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.

<u>VEHICLE MAKE & YEAR</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
1992 Ford	AA 4804	569

Upon roll call

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

Item No. 16a Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, the New York State Department of Transportation ("NYSDOT") has let the contract for the reconstruction of Genesee Street, from the Buffalo City line to the Greater Buffalo International Airport, in the City of Buffalo and Town of Cheektowaga, identified as CPIN 5463.01.301, AND

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WHEREAS, as part of such highway construction project, the Town of Cheektowaga and City of Buffalo have requested that the NYSDOT include as a project betterment, the construction of a signature gateway at the intersection of Genesee Street and East End Avenue, AND

WHEREAS, Subdivision 27 of Section 10 of the State Highway Law enables the Commissioner of Transportation, upon the request of a municipality, to perform for and, at the expense of such municipality, include specified work within a State-let contract, AND

WHEREAS, the Town of Cheektowaga is lead agency under a \$355,280.00 County of Erie Grant Contract for the performance of this work and other work for the Genesee Street Corridor Enhancement and Gateway Project, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby formally requests the NYSDOT to make provision for the aforementioned signature gateway improvements betterment as part of the Genesee Street reconstruction project and, BE IT FURTHER

RESOLVED, that the Town agrees to deposit with the Comptroller of the State of New York funding in the amount of \$69,500.00 to finance the cost of the signature gateway, said moneys to be appropriated from moneys received from the aforesaid County of Erie Grant Contract and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town Board, the Public Utility Work Agreement HC-140 submitted by the NYSDOT (betterment) for the aforesaid project and, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga hereby obligates itself and directs the Town Superintendent of Highways to maintain that portion of the signature gateway in the Genesee Street right-of-way which is within the Town of Cheektowaga.

Item No. 16a cont'd.

Upon roll call

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

Item No. 16b Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, the New York State Department of Transportation ("DOT") is the owner of the Babcock Street Bridge, AND

WHEREAS, the DOT is proposing the replacement of the Babcock Street Bridge (PIN 5753.67), and the installation of a temporary pedestrian bridge as a pedestrian detour for the Babcock Street Bridge Project, AND

WHEREAS, the DOT has offered to modify the proposed pedestrian bridge and to deliver this pedestrian bridge to the Town after the Babcock Street Bridge Project is completed, subject to certain conditions, AND

WHEREAS, the Town is interested in acquiring the Babcock Street pedestrian bridge for its Rails to Historic Trails multi-use pathway project as a means to cross Union Road north of Como Park Boulevard in the vicinity of the Erie County Water Authority property, AND

WHEREAS, the DOT has requested that the Town enter into the attached Memorandum of Understanding with it in connection with this matter, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to enter into a Memorandum of Understanding and any and all other agreements with the DOT concerning the receipt, installation and maintenance of the pedestrian bridge over Union Road and, BE IT FURTHER

RESOLVED, the Town's Local Funding Share for this project, in an amount not to exceed \$5,430.00, shall be appropriated from budget line item number 5705.1440.9607.

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Upon roll call

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

Item No. 16c Motion By Councilmember Mazur, Seconded by Supervisor Gabryszak

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 \$862,000 for the 1999 Program Year, AND

WHEREAS, it is necessary to execute a Grant Agreement with the Department of Housing and Urban Development for Fiscal Year 1999 Community Development Block Grant funding, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Grant Agreement with the Department of Housing and Urban Development for the 1999 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. 16d Motion 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 55 Campbell Road, Cheektowaga, New York, AND

WHEREAS, the owner of said property has applied for a mortgage loan from Centex Home Equity for the purpose of refinancing existing mortgage debt and other expenses at a lower interest rate, AND

WHEREAS, Centex Home Equity has conditioned approval of the mortgage on the subordination of the Town's mortgage to that of Centex Home Equity, AND

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 allow for lower, more affordable mortgage payments for the owner, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Centex Home Equity, 3100 McKinnon Street, Suite 250, Dallas, Texas, 75201, as recommended by the Town Director of Community Development in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 55 Campbell Road, Cheektowaga, New York.

Upon roll call

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

Item No. 16e Motion By Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided assistance for housing rehabilitation under the Rental Rehabilitation Grant Program to the owner of property located at 14 Springfield Drive, Cheektowaga, New York, AND

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WHEREAS, the Town has retained a programmatic lien on said property in order to induce compliance with applicable federal regulations and grant conditions, AND

WHEREAS, the owner of said property, Mr. Richard Burzynski, has requested the Town to subordinate its lien on said property in favor of Charter One Bank, AND

WHEREAS, the Town's lien on said property is scheduled to expire as of July 7, 1999, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a subordination agreement with Charter One Bank, with an office at 40 Franklin Street, Rochester, New York 14604, relating to the property located at 14 Springfield Drive, Cheektowaga, New York.

Upon roll call

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

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

WHEREAS, Medaille College has established a Criminal Justice Program (CRJ 377 Field Experience) for its students to give them on the job experience and specific educational goals within the curriculum, AND

WHEREAS, this internship program allows students to earn unit credits in school for such internship and such internship is non-paid, AND

Item No. 16f cont'd.

WHEREAS, Elizabeth Sankey, a student at Medaille College, has expressed field experience in the Justice Court, AND

WHEREAS, Medaille College carries general liability and workers compensation insurance to cover its interns, AND

WHEREAS, the Town Justices have agreed to the internship of Elizabeth Sankey through Medaille College, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby accepts the non-paid internship of Elizabeth Sankey through Medaille College, said internship to take place in the Cheektowaga Justice Court for the time period of ninety (90) hours and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Agreement with Medaille College for this internship.

Upon roll call

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

Item No. 16g Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

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

**MEETING NO. 9
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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 28, 1999 - August 29, 1999.

BUDGET LINE: 7140.4516

Upon roll call

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

Item No. 16h Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Youth and Recreational Services Department is requesting the use of the gym and equipment from Cleveland Hill Union Free School District to hold the summer Gymnastics Program for the period of June 28, 1999 through August 19, 1999, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute the Cleveland Hill Union Free School District's "Application for Use of A School Facility" on behalf of the Youth and Recreational Services Department.

Upon roll call

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

Item No. 17a Motion By Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, the Town Board has adopted various bond resolutions in anticipation of a Town Bond Underwriting prior to May, 1999, AND

WHEREAS, the Town Financial Advisor, Munistat Services, Inc., feels it is important to the Town that certain designated Town Officials be present for a meeting with Mood's Investor Service for a credit rating review, AND

WHEREAS, Moody's Credit Review team has undertaken a change and new personnel are in place with limited knowledge of the Town, AND

WHEREAS, the Town has not had such a credit review since April, 1997 and the Town's fiscal and economic conditions have changed, AND

WHEREAS, the Financial Advisor is recommended that the Supervisor and the Supervising Accountant be present to address all the issues and inquiries relating to the Town's activities, AND

WHEREAS, the Town Board is in agreement with this recommendation, and is desirous in making this presentation, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor and the Supervising Accountant be and hereby are authorized to travel to Moody's in New York City and, BE IT FURTHER

RESOLVED, that the Town shall reimburse the above named individuals for their reasonable and necessary expenses incurred in attending such meeting out of budget line number 0100-1910-4082 not to exceed \$1,500.

Upon roll call

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

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

**MEETING NO. 9
MAY 3, 1999**

WHEREAS, Chief Bruce Chamberlin holds a seat on the advisory board of the National Law Enforcement & Technology Center (NLETC). They will be holding a meeting on May 10-12, 1999 in Burlington, Vermont.

WHEREAS, Chief Chamberlin is requesting authorization to attend this meeting. This advisory board is comprised of about 20 people from police and correction agencies. The board reviews various technology applications for policing and correction purposes. NOW, THEREFORE BE IT

RESOLVED, that Chief Chamberlin is authorized to attend this board meeting. Chief Chamberlin's expenses will be covered by the NLETC with no expense to the Town.

Upon roll call

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

Item No. 17c Motion By Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Watson Intelligence Training Center in Cambridge, Massachusetts is holding a computer software train the trainer program from May 9-12, 1999.

Item No. 17c cont'd.

WHEREAS, the Cheektowaga Police Department has purchased the computer software program known as Watson to analyze major criminal cases and crime patterns. The types of crime pattern analysis made possible with this software application are key, critical components in both improving the solution of complex criminal investigations and uncovering crime patterns. Our current involvement with several federally-funded grants requires the use of problem solving models to achieve their goals and objectives.

WHEREAS, Chief Chamberlin is requesting authorization to send Capt. Thomas Rowan to this training. The Cheektowaga Police Department will be responsible for transportation, lodging, and tuition amounting to approximately \$1,570.00. Capt. Rowan will use a Town Vehicle for transportation to and from this training, NOW, THEREFORE BE IT

RESOLVED, that Chief Chamberlin is authorized to send Capt. Rowan to this training, and that the time he spends there be authorized as normal duty time. The expense will be charged to lines 0100-3120-4093 and 0100-3120-4085.

Upon roll call

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

Item No. 17d Motion 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 7-9, 1999 in Syracuse, New York 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 Western New York Conference on the Aging will fund 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 \$290 from budget account 0100-7620-4681.

Therefore, permission is granted to attend this Conference.

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MAY 3, 1999**

Upon roll call

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

Item No. 17e Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, Escom Software Services, Ltd. is holding a Regional Class Training in Toronto, Canada from June 6th-8th, 1999 entitled "Escom - Class Regional Trainings", AND

WHEREAS, these sessions will provide an overview of the concepts needed to extract data and create new reports or customize existing reports using Crystal Reports, and also provide the knowledge and skills needed to install, maintain and troubleshoot Class workstations and Database Services, BE IT

RESOLVED, that Paul Marchewka, Recreation Supervisor in the Youth and Recreation Department, be authorized to attend said computer training and that he be reimbursed the necessary training (\$500.00; 01-7310-4681), transportation (\$120.00; 01-1910-4083) and meals and lodging expenses (\$360.00; 01-7310-4191).

RESOLVED, that due to the specific nature of the training (skill proficiency), the requirement for a written report is waived.

Item No. 17e cont'd.

Upon roll call

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

Item No. 17f Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, New York State now requires that all swimming pools with over 3,000 square feet of surface area be maintained by a qualified swimming pool treatment operator, AND

WHEREAS, failure to provide such a qualified pool treatment operator could result in closure of the pool by the Health Department, BE IT

RESOLVED, that Michelle Kunkel, Program Leader in the Youth and Recreational Services Department, be authorized to attend a Pool Certification Seminar, being held at Buffalo State College on May 22nd and May 23rd, 1999, at a total cost not to exceed \$158., and, BE IT FURTHER

RESOLVED, that due to the specific nature of the training (skill proficiency), the requirement for a written report is waived.

Line Item No. 01-1910-0004-4083
01-7310-0004-4681

Upon roll call

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

Item No. 17g Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, it is a requirement of the State of New York Health Department to have employees trained in responding to emergencies, AND

WHEREAS, this certification is required for the issuance of camp permits, BE IT

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RESOLVED, that the following Youth and Recreation employees be authorized to attend an American Red Cross seminar entitled "Responding to Emergencies in Hamburg, New York on May 15th, 22nd and June 5, 1999,

- * Peter Odrobina
- * Amie Godzich
- * Mary Murphy
- * Mindy Keiser
- * Christina Karlinski
- * Robert Swiatkowski

BE IT RESOLVED, that the Youth and Recreation Department pay the necessary training expenses, not to exceed, \$780. (Line Item 01-7310-0004-4681) and, BE IT FURTHER

RESOLVED, that due to the specific nature of this training (skill proficiency), the requirement for a written report is waived.

Upon roll call

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

Item No. 18 Motion By Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, this Town Board by resolution dated May 19, 1997 engaged the engineering consulting firm of Pratt & Huth Associates to perform a detailed flood plain analysis and re-evaluation of the flood hazard boundaries for Scajaquada Creek Tributary T-1 to ensure that flood plain boundaries accurately depict current conditions, and to establish base flood elevations, AND

WHEREAS, the Flood Study Report has been submitted to the Federal Emergency Management Agency (FEMA) in support of a request for a Letter of Map Revision (LOMR), AND

WHEREAS, the Federal Emergency Management Agency, as stated in a letter dated February 19, 1999, requires the submission of additional engineering analysis utilizing F.H.W.A. methodology for the study area, not included in the current scope of engineering services, NOW, THEREFORE BE IT

RESOLVED, that the firm of Pratt & Huth Associates, 60 Earhart Drive, Williamsville, New York 14211 is hereby retained to provide additional field survey and engineering analysis as required by F.E.M.A. in order to support the Town's LOMR request in accordance with the proposal submitted to the Town Engineer and dated April 28, 1999 at a fee not to exceed \$6,465.00 and, BE IT

RESOLVED, that funds for said services shall be chargeable to Account No. 4000-8140-4581.

Upon roll call

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

Item No. 19a Motion By Councilmember Mazur, Seconded by Councilmember Swiatek

BE IT RESOLVED, the Town Board hereby creates the position of Plumbing Inspector (Part-Time) in the Building and Plumbing Department, pursuant to Civil Service Laws and Rules effective immediately.

Upon roll call

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

MEETING NO. 9
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Item No. 19b Motion By Councilmember Mazur, Seconded by Councilmember Swiatek

BE IT RESOLVED, the Town Board hereby creates the position of Housing Inspector (Par-Time) in the Building and Plumbing Department, pursuant to Civil Service Laws and Rules immediately.

Upon roll call

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

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

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

WHEREAS, such position was duly advertised, AND

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

Item No. 20 cont'd.

WHEREAS, Jeff A. Ramelb applied for this position and meets all of the requirements for such position, NOW, THEREFORE BE IT

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

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

RESOLVED, that Jeffrey A. Ramelb, of XXXXXXXXXXXXXXXXXXXX, Peru, New York XXXXX be and hereby is appointed to the position of Coordinator of Employee Relations, effective June 1, 1999, at an annual salary of \$58,000 and, BE IT FURTHER

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

Upon roll call

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

Item No. 21 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 as indicated:

Part-Time/Seasonal status effective 5/3/99
Rate increases effective 5/10/99

Soccer - 7140.1636
Recreation Attendant VI - \$6.40
Lynne Butts
(presently Part-Time)

Sports Camps - 7140.1813
Recreation Attendant VII - \$6.65
Steve Ciemcioch

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(Seasonal)

In-Line Hockey - 7140.1640
Recreation Attendant VII - \$6.65
Jacques Desjardins
(Seasonal)

Sport Camps - 7140.1646
Recreation Attendant VI - \$6.40
Mary Murphy
(Seasonal)

Sport Camps - 7140.1646
Recreation Leader VI - \$7.40
Peter Odrobina
(Seasonal)

Item No. 21 cont'd.

Let's Walk - 7140.1611
Recreation Leader III - \$6.65
Cheryl Stucke
(Seasonal)

In-Line Hockey - 7140.1640
Recreation Leader V - \$7.15
Eugene Pytlewski
(presently Part-Time)

Sports Camps - 7140.1646
Recreation Attendant V - \$6.15
Jason Wheeler
(Seasonal)

Hockey - 7140.1639
Recreation Leader IV - \$6.90
Matt Bean
(presently Part-Time)

Rink Guard - 7140.1611
Recreation Attendant IV - \$7.15
(presently Part-Time)
Glenn Au

Sport Camps - 7140.1646
Recreation Attendant VII - \$6.65
Mark Ostempowski
(Seasonal)

Theater - 7140.1651/In-Hockey - 7140.1640
Recreation Leader I - \$6.15
Jillian Pytlewski
(Seasonal)

Seasonal

Dartwood Camp - 7140.1632
Supervisor VI (Site Director IV - \$7.65
Dawn Smith

Camp Flamingo - 7310.1803

Program Supervisor - \$12.90
Deborah Fleetwood

Supervisor IV (Activity Director II) - \$7.15
Jennifer Etzel

Supervisor III (Activity Director I) - \$6.90
Paula Panasiewicz

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

Supervisor VI (Activity Director IV) - \$7.65
Victor Nosal

Supervisor IV (Activity Director II) - \$7.15
Daniel Quigley

Item No. 21 cont'd.

Camp Crabapple - 7310.1802

Assistant Program Coordinator (Nurse) - \$10.15
Barbara Walters

Supervisor III (Activity Director I) - \$6.90
Kristen Catalano

Seasonal

Arts and Crafts Rotation - 7140.1648

Recreation Attendant II - \$5.40
Catherine Taber

Recreation Supervisor II - \$6.65
Kimberly Mahoney
Jill Zarazinski

Recreation Supervisor V - \$7.40
Jill Matuszewski

Sports Rotation - 7140.1645

Recreation Attendant II - \$5.40
Joe Halter

Recreation Attendant V - \$6.15
Craig Mahalic

Recreation Supervisor II - \$6.65
Mindy Greenauer
Stephanie King

Seasonal

Sports Rotation - 7140.1645
Recreation Supervisor I - \$6.40
Lisa Santomaggio
(transfer from present line)

From Part-Time to Seasonal

Administrative Interns - 7310.1804
Colleen Keiser

Arts and Crafts Rotation - 7140.1648
Andrea Ketterl

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Soccer - 7140.1636

Tony Pierino

Upon roll call

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 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 Town of Cheektowaga Employees Association:

Item No. 22a cont'd.

EFFECTIVE

SANITATION DEPARTMENT - Laborer - \$7.00 per hour

Christine Klaffka XXXXXXXXXXXXXXXX Cheektowaga XXXXX Immediately

BUILDING AND PLUMBING DEPARTMENT - Plumbing Inspector - \$10.00 per hour

Donald O'Neill XXXXXXXXXXXXXXXXXXXX, Sloan XXXXX Immediately

BUILDING AND PLUMBING DEPARTMENT - Housing Inspector - \$9.50 per hour

Gerald Gill XXXXXXXXXXXXXXXXXXXX, Depew XXXXX Immediately
Ronald Stepnick XXXXXXXXXXXXXXXXXXXX, Depew XXXXX "

Upon roll call

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, effective May 3, 1999:

Soccer - 7140.1636

Recreation Attendant I - \$5.15

Scott Becker XXXXXXXXXXXXXXXX XXXXX

Sports Rotation - 7140.1645

Recreation Attendant I - \$5.15

Melissa King XXXXXXXXXXXXXXXX XXXXX

Recreation Attendant II - \$5.40

Brian Stachewicz XXXXXXXXXXXXXXXX XXXXX
Randy Matuszewski XXXXXXXXXXXX XXXXX

Arts and Crafts Rotation - 7140.1648

Recreation Attendant I - \$5.15

Stephanie Gerace XXXXXXXXXXXXXXXXXXXX XXXXX
Eleana Kehrer XXXXXXXXXXXXXXXXXXXX XXXXX

Recreation Attendant II - \$5.40

Amy McGill XXXXXXXXXXXXXXXX XXXXX

Recreation Attendant III - \$5.65

Adam Kehrer XXXXXXXXXXXXXXXX XXXXX
Erin O'Brien XXXXXXXXXXXXXXXX XXXXX

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Camp Cedargrove - 7140.1631

Site Director II - \$7.15

Amy Wetmore XXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Camp Flamingo - 7310.1803

Supervisor III (Activity Director I) - \$6.90

Costanza Germann XXXXXXXXXXXX XXXXX

Administrative Interns - 7310.1804

Recreation Attendant IV - \$5.90

Rebecca Volk XXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Item No. 22b cont'd.

Upon roll call

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 Rogowski

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

EFFECTIVE

RECYCLING DEPARTMENT - Laborer - \$6.00 per hour

Paul Lorefice XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX Immediately
Shawn McMahon XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX 4/20/99

TOWN CLERK'S OFFICE - Clerk - \$6.00 per hour

Jennifer Farugia XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXXImmediately
Sarah Kosicki XXXXXXXXXXXXXXXXXXXX, Depew XXXXX "

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

John Bolszic XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX Immediately
David Michalski XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX "
Christopher Ziems XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX "
Michael Stachewicz XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX "
Daniel Binaszewski XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX "

FACILITIES DEPARTMENT - Laborer - \$7.00 per hour

Michael Papero XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXXImmediately

RECYCLING DEPARTMENT - Laborer - \$6.00 per hour

David Grzedzicki XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX Immediately
John Kasperek XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX "
Bryan Kazmierczak XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX "
Wesley Michaels XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX "

Upon roll call

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

MEETING NO. 9
MAY 3, 1999

III. DEPARTMENTAL COMMUNICATIONS

Item No. 23 Building Permits
Received and Filed.

Item No. 24 Supervisor's Statement of Funds - March, 1999
Received and Filed.

IV. GENERAL COMMUNICATIONS

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

Item No. 25b Notice of Claim: C & C Contracting Inc. vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; and Highway Department.
Received and Filed.

Item No. 26 Order to Show Cause: C & C Contracting Inc. vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirsits, Town Attorney; and Highway Department.
Received and Filed.

Item No. 27 Motion By Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of Gertrude Mietlicki, mother of James Mietlicki, President of the Walden Street Taxpayers Association. This meeting was adjourned at 8:45 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO, 10
May 17, 1999**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 17th day of May, 1999 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

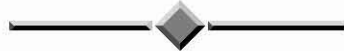
Also present were: Richard M. Moleski, Town Clerk; Jim Kirisits, Town Attorney; Sal LaGreca, Chairman of the Planning Board; Bruce Chamberlin, Chief of Police; Bill Pugh, Town Engineer; Mark Wegner, Working Foreman-Facilities Department; Ron Marten, Supervising Building and Plumbing Inspector; Jerry Gabryszak, Director of Community Development.

I. FROM THE TABLE

Item No. 2 Motion by Councilmember Rogowski, 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 for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Town Clerk located at the Town Hall, Broadway and Union Road, Cheektowaga, NY 14227, between the hours of 9:00 AM and 4:30 PM, Monday thru 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 AM on June 2, 1999.



NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

Sealed proposals will be received and considered by the Cheektowaga Town Board on Wednesday, June 2, 1999 at a public bid opening at 11:00 A.M. at the Town Hall located on Broadway in the Town of Cheektowaga, NY 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, NY between the hours of 9:00 AM and 4:30 PM, 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, NY 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.

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

Dated: May 17, 1999

Item No. 2 cont'd

MEETING NO. 10
May 17, 1999

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

AFFIDAVIT - NEXT PAGE

II. PUBLIC HEARINGS

MEETING NO. 10
May 17, 1999

Item No. 3a This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed Bond for the Walden Commerce Exchange - Road Construction, 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.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved. See Item No. 5a for Decision.

Item No. 3b This public hearing was withdrawn. A new resolution calling for a public hearing on this Bond, Item No. 27, will be presented at the end of this meeting.

Item No. 3c This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed Bond for the Walden Commerce Exchange - Sanitary Sewer Construction, 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.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved. See Item No. 5c for Decision.

Item No. 3d This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed Bond for the Walden Commerce Exchange - Storm Sewer Construction, 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.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved. See Item No. 5d for Decision.

Item No. 3e This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed Bond for the Walden Commerce Exchange - Water Main Construction, 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.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved. See Item No. 5e for Decision.

III. RESOLUTIONS

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 May 14, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 537,629.23
HIGHWAY FUND	491,677.46
TRUST & AGENCY	8,360.06

Item No. 4 cont'd

PART TOWN FUND	\$ 7,520.32
HUD-CDBG FUND	3.00
HUD HOUSING REHABILITATION FUND	52,878.93

MEETING NO. 10
May 17, 1999

RISK RETENTION FUND	201,383.86
SPECIAL DISTRICTS FUND	556,201.08
CAPITAL FUND	<u>59,416.87</u>
	\$1,915,070.81

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

Item No. 5a Decision on Bond - Walden Commerce Exchange - Road Construction

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 5b Decision on Bond - Walden Commerce Exchange - Site Lighting Construction
This item was withdrawn. See Item No. 27 for a new resolution calling for a public hearing regarding this Bond.

Item No. 5c Decision on Bond - Walden Commerce Exchange - Sanitary Sewer Construction

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**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 5d Decision on Bond - Walden Commerce Exchange - Storm Sewer Construction

**SEE NEXT PAGE(S) for ATTACHMENT

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Item No. 5e Decision on Bond - Walden Commerce Exchange - Water Main Construction

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, this Town Board advertised for bids for "New Trees for the Town's Tree Planting Program for Fall, 1999" by resolution dated April 19, 1999, and

WHEREAS, the Town received only one bid on this item, and the prices quoted were higher than expected, and

WHEREAS, the Town Highway Department has advised this Town Board that there are other bidders who wish to bid on this project, NOW, THEREFORE, BE IT

RESOLVED that bids resulting from the aforesaid advertisement for bids be and hereby are rejected.

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

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

WHEREAS, the Office of Economic and Community Development is in need of a vehicle for use in conjunction with its Housing Rehabilitation Loan Program and other related Departmental business, and

WHEREAS, the State of New York General Services Office has awarded the State contract for the purchase of a 1999 Ford Taurus LX, State Contract No. PC54050, and such contract permits local governments, including the Town of Cheektowaga, to purchase vans under such contract, and

WHEREAS, the cost of said vehicle is an eligible expense under the Community Development Block Grant program and CDBG funds are available for the purchase of said vehicle, NOW, THEREFORE, BE IT

RESOLVED that the purchase of a 1999 Ford Taurus LX for use by the Office of Economic and Community Development be and hereby is awarded to:

Geneva Ford Sales, Inc.
849 Canandaigua Road
Geneva, NY 14456

at a base price of \$14,568.00, with options not to exceed \$100.00, and BE IT FURTHER

RESOLVED that funding for the purchase of said van shall be appropriated from the Community Development Block Grant Program budget.

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

Item No. 8a Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Town Clerk received sealed bid proposals on May 3rd, 1999 for the purchase and installation of computer equipment for various departments, and

WHEREAS, this equipment is urgently needed to meet the Town's Y2K compliance schedule of September 30th, 1999, and

WHEREAS, such analysis tabulation and report has been completed by the Supervising Accountant, and

WHEREAS, the following bidders submitted their sealed bids to the Town Clerk:

Item No. 8a cont'd

Ikon Office Solutions Technology Service 303 Cayuga Road Buffalo, New York 14225 Amount	\$146,795.00
Inacom Information Systems 301 Cayuga Road - Suite 100 Buffalo, NY 14225 Amount	\$130,103.00
Western New York Computer Systems 15 Hazelwood - Suite 106 Amherst, NY 14228	

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Amount \$132,238.22
Note - Did not bid phase II connectivity

NOW, THEREFORE, BE IT

RESOLVED that the bid be award to Inacom Information Systems in meeting the specifications, and BE IT FURTHER

RESOLVED that the costs resulting from the awarding of this bid are funded through the following Accounts #5710-1315-9717 and #5710-1315-9706.

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, a Notice to Bidders was duly published for receipt of bids for a three (3) year Preventative Maintenance and Service Agreement for Heat, Ventilation, Air Conditioning and Generators at various Town owned buildings, which bids were received and publicly opened on May 12, 1999, and

WHEREAS, bids were reviewed by William L. Wielinski, Facilities Director, for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a Bid Tabulation Summary, and

WHEREAS, said report recommends that the bid be awarded to Mollenberg-Betz, Inc. 300 Scott Street, Buffalo, New York 14204-2293, for the Base Bid total price of \$184,745.00, NOW, THEREFORE, BE IT

RESOLVED that the bid for a three (3) year Preventative Maintenance and Service Agreement for Heat, Ventilation, Air Conditioning and Generators at various Town-owned buildings be and hereby is awarded to Mollenberg-Betz, Inc., at a total Base Bid price of \$184,745.00 and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a contract for such services with Mollenberg-Betz, Inc., and BE IT FURTHER

RESOLVED that funds for said action are available from Facilities Department accounts 0100-1625-4432 and 0100-7110-4451, and Libraries Account 0100-7410-4439.

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 Jankowiak
Councilmember Rogowski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the North Creek/South Creek Park Trail System and Park Improvements, which bids were duly received and opened at the April 28th, 1999 public bid opening, and

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

WHEREAS, bids were reviewed by Allan Blachowski, Principal Engineer Assistant, 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 and installation of a trail system and park improvements be and hereby is awarded to Northeast Diversification, Inc., P.O. Box 351,

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Lancaster, New York 14086 for submitting the lowest bid meeting the specifications in the amount of \$50,164.50.

ITEM

I	Mobilization	\$1,000.00
II	Paved Pathway	\$14,965.00
IIA	Resurfacing Basketball Courts	\$8,079.50
IIB	Basketball Court Color Seal	\$2,640.00
III	Clearing, Grubbing Stockpile Topsoil	\$3,000.00
IV	Drainage	\$600.00
V	Backfill	\$80.00
VI	Grade Seed	\$2,000.00
VII	Contingent Items	\$2,000.00
VIII	Not Awarded	
IX	Park Benches	\$4,800.00
X	Volleyball Court	\$9,500.00
XI	Timber Ballards	\$1,500.00

and BE IT FURTHER

RESOLVED that funds are available in the following accounts: 5402-7110-9801, 5402-7110-9425, 5402-1910-9399 and 5629-7110-0025.

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the New York State Department of Transportation ("DOT") is in the process of designing the reconstruction of a portion of Union Road between William Street and Losson Road in the Town of Cheektowaga, and

WHEREAS, as part of such project, the DOT will be creating two (2) left-hand turn lanes from Union Road southbound onto Losson Road eastbound, and

WHEREAS, this Town Board is concerned that this action may place even more vehicular traffic onto Losson Road, a residential street which has only one land eastbound and westbound, and

Item No. 9a cont'd

WHEREAS, there are three (3) churches, a public library, Stiglmeier Park, the Reinstein Woods Nature Preserve and numerous residences along Losson Road, and

WHEREAS, increased traffic caused by the aforementioned two (2) left-turn lanes may create problems along Losson Road with respect to parking and pedestrian safety on such highway, and

WHEREAS, the Depew/Cheektowaga Taxpayers Association, Inc. has gone on record opposed to the two (2) left turn lanes from Union Road onto Losson Road, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby goes on record in opposition to any action by the DOT which would have the effect of increasing traffic along William Street and Losson Road, and BE IT FURTHER

RESOLVED that this Town Board hereby memorializes the DOT to undertake an area-wide study to redistribute traffic away from William Street, Losson Road, Bennett Road and Como Park

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Boulevard; and to research other solutions (e.g. Broadway ramps to the Thruway, Lancaster North-South Corridor, relocation of toll booths on Thruway) to reduce traffic on the aforementioned streets located in the Town of Cheektowaga, and BE IT FURTHER

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

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

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

WHEREAS, the Buffalo and Erie County Public Library Board issued its Strategic Service Plan for 1999-2023, and

WHEREAS, this Strategic Service Plan calls for the closing of the Cheektowaga South Branch Library on William Street, and

WHEREAS, this Town Board feels that the closing of the South Branch Library would have a significant negative impact on the William Street Neighborhood both in terms of property values and quality of life, and

WHEREAS, this Board feels that the South Branch Library is extensively used by many of the residents of the William Street area, many of whom walk to such library and do not have the means to travel to other libraries, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby memorializes the Buffalo and Erie County Public Library Board, the Erie County Executive and the Erie County Legislature to take all action necessary to ensure that the Cheektowaga South Branch Library is not closed, and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Buffalo and Erie County Public Library Board, County Executive Dennis T. Gorski, County Legislator Raymond Dusza, County Legislator Gregory Olma and to the Clerk of the Erie County Legislature.

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 Mazur

WHEREAS, the Town of Cheektowaga needs to perform certain drainage-related work along an existing ditch in the Cedargrove Heights area of the Town, and

WHEREAS, in order to perform such work, the Town needs to enter onto property owned by the Maryvale Drive Presbyterian Church, and

WHEREAS, Maryvale Drive Presbyterian church has agreed to grant the Town a temporary easement over its property to perform the necessary drainage work, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforementioned temporary easement from Maryvale Drive Presbyterian Church.

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

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

WHEREAS, the Town of Cheektowaga has received a petition from the Cheektowaga Economic Development Corporation ("CEDC") for infrastructure improvements for a new roadway to be known as "Walden Commerce Drive", and

WHEREAS, the town has initiated bond proceedings to construct and improve such property as a public/town road, NOW, THEREFORE, BE IT

RESOLVED that the property described on the attached Schedule A be and hereby is dedicated as a Town Highway known as "Walden Commerce Drive", and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to file a certified copy of this resolution in the Erie County Clerk's Office.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

BE IT RESOLVED that the New York State Electric & Gas Corporation be and hereby is authorized to install one (1) 5200 lumen high pressure sodium luminaire on Rehm Road, Pole 15, to provide for improved highway illumination at an annual increase to the General Lighting District of \$115.37, in accordance with the attached proposal dated May 4, 1999.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the Town will receive an advance payment of \$4,000.00 from the County of Erie to increase its service to "at risk" youth as a result of savings in the PINS/JD Diversion Program, and

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

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

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

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

NAYES: 0

ABSENT: 0

Item No. 14a Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

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

WHEREAS, the Southline Athletic Association has made application to hold its Annual Memorial Day Parade on May 31, 1999 beginning at the Garden Village Plaza, then proceeding east on French Road to Towers Boulevard, to North Seine Drive, to the Southline baseball diamonds, and

WHEREAS, this Board has reviewed the application submitted by Southline 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 Southline Athletic Association for its parade to be held on May 31, 1999 beginning at 9:15 a.m., and BE IT FURTHER

RESOLVED that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such 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. 14b Motion 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 North Cheektowaga Amateur Athletic Association has made application to hold its Little League Parade on June 5, 1999 beginning at Maryvale Primary School, then proceeding down Nagel Drive to George Urban Boulevard to the Tops Plaza, and

WHEREAS, this Board has reviewed the application submitted by North Cheektowaga 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

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RESOLVED that this Town Board hereby approves the aforementioned application of the North Cheektowaga Athletic Association for its parade to be held on June 5, 1999 beginning at 12:00 noon, and BE IT FURTHER

RESOLVED that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure compliance with Section 1660 (a) (6) of the Vehicle and Traffic Law.

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

Item No. 14c Motion 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, an

WHEREAS, the Stanley G. Falk School has made application to hold its School Field Event Days on June 4 and 11, 1999 (rain days June 7 and 14, 1999) at Dingens Street Park, and

WHEREAS, this Board has reviewed the application submitted by Stanley G. Falk School, which application has been approved by the Facilities Department and has no objection to same, and

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

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

NOW, THEREFORE, BE IT

Item No. 14c cont'd

RESOLVED that this Town Board hereby approves the aforementioned application of the Stanley G. Falk School for its School Field Days at Dingens Street Park to be held on June 4 and 11, 1999 (rain days - June 7 and 14).

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

Item No. 15a Motion by Councilmember Rogowski, Seconded by Councilmember Swiatek

WHEREAS, the County of Erie has realized a savings in the PINS/JD Diversion Program and has agreed to pass along \$4,000.00 to the Town of Cheektowaga to increase its service to "at risk" youth; and

WHEREAS, the Department of Youth and Recreational Services has a need to continue to provide services to children residing in the Single parent families which comprise almost 17 percent of our total households; and

WHEREAS, the TOWN will enter into an agreement with the Be-A-Friend Program, Inc. to provide assistance to Cheektowaga youth through its Big Brother/Big Sister Program with these funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized and directed to sign the attached agreement between the TOWN and the COUNTY to advance said funds.

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

Item No. 15b Motion 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, a grant of Rental Rehabilitation funds was previously made for rehabilitation work at the property located at 21-33 Sierra Drive, and

WHEREAS, the owner of the said property has requested additional funding to carry out eligible repairs to said property, and

WHEREAS, the Director of Community Development has recommended approval of said request, NOW, THEREFORE, BE IT

RESOLVED that Rental Rehabilitation grant funds in the amount of \$1,300.00 are approved for the property located at 21-33 Sierra Drive, and that the Supervisor is hereby authorized to execute an amendment to the existing grant agreement with the owner of said property, Mrs. Florence Sowa, for said funding.

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

Item No. 15c Motion by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, the New York State Department of Transportation (NYSDOT) proposes to rehabilitate the two (2) bridge structures which carry the Kensington Expressway over Beach Road identified as Pin 5512.35.121, and

WHEREAS, the NYSDOT, as part of said bridge reconstruction project, has modified contract provisions to include a polyester formed in place liner to be installed in Town owned sanitary sewer facilities to protect the pipeline integrity during pile driving operations, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga hereby grants permission to the NYSDOT to perform the necessary sanitary sewer modifications and adjustment providing that such modifications, as designed and constructed, meet the approval of the Town Engineer, and BE IT FURTHER

RESOLVED that all costs associated with the modifications to the Town Sanitary Sewer District No. 5 facilities are to be borne by the NYSDOT as an integral part of the highway reconstruction project, and BE IT FURTHER

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

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

Item No. 16 Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

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

EFFECTIVE

SEWER MAINTENANCE

David Tomasello

Immediately

RECYCLING DEPARTMENT

Daniel Biniaszewski

5/06/99

Shawn McMahon

4/28/99

David Grzedzicki

5/13/99

Chris Rutledge

5/13/99

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

NAYES: 0

ABSENT: 0



Motion by Councilmember Rogowski, Seconded by Councilmember Johnson to dispense with reading the names in Item No. 17, and the voting was as follows:

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

NAYES: 0

ABSENT: 0

Item No. 17 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

Item No. 17 cont'd

POOLS

Beach and Pool Supervisors - 7180.1902

From Part-time to Seasonal
(effective June 7th)

Pool Director 0 \$13.75

Brian Hansen

Special Program Director - \$11.90

Cathy Giles

Pool Supervisor - (Town Park 1) - \$9.79

Jacqueline Houser

Pool Supervisor - (Town Park 2) - \$9.49

Gregory Bean

Pool Supervisor - (Maryvale 1) - \$8.65

Margaret Brezowski

Head Lifeguard - (Maryvale 2) - \$8.40

Darryl Lindell

Head lifeguard - (Dingens 1) - \$8.15

Beth Kawczynski

Lifeguards - 7180.1903

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Level 5 - \$7.65
Timothy Skrzydlewski

Level IV - WSI - \$7.40
Elizabeth Sinski

Level IV - \$7.15
Aaron Grupka
Stephanie Ketterl

Level II - \$6.15
Shawn Mertz

From Part-time to Seasonal
(Immediately)

Jay Paradowski
Tammy Shumadher

From Part-time to Seasonal
(effective May 17th - 23rd)

Mary Beth Seivert
Laila Desjardins
Ann Sheldon
Renee Fuller
Barb Odrobina
Connie Stewart
Joy Donnelly Smih

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Cheektowaga Town Board previously created the Cheektowaga Traffic Safety Commission to make recommendations to the Town Board on various matters relating to traffic safety in the Town, and

WHEREAS, the Town Board has appointed various voting members to such Commission, and

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended Town resident, Paul F. Gasiewicz, a civil engineer for the NYS DOT, for appointment to fill a current vacancy on the commission, and

WHEREAS, there is a need to have certain Town Officers and employees appointed to non-voting ad hoc positions on such Commission to provide expert assistance to and advise members of such Commission, NOW, THEREFORE, BE IT

RESOLVED that Paul F. Gasiewicz be appointed as a voting member of the Cheektowaga Traffic Safety Commission, and BE IT FURTHER

RESOLVED that the following referenced Town officers and employees be and hereby are appointed as non-voting ad hoc members of the Cheektowaga Traffic Safety Commission, effective immediately:

Town Engineer William R. Pugh, P.E.

Police Department Sergeant in Charge of Traffic David Prezepiora

Special Prosecutor James Vallone

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

NAYES: 0

ABSENT: 0

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

WHEREAS, a vacancy exists in the position of Laborer's Aide in the Recycling Department, NOW, THEREFORE, BE IT

RESOLVED that the following be and hereby is appointed to the position of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective May 18, 1999:

Richard Booker XXXXXXXXXXXXXXX, Cheektowaga, XXXXX

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

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

WHEREAS, two vacancies exist in the position of Motor Equipment Operator - B in the Sanitation department, and

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

WHEREAS, Joseph Korabek, currently employed as a Laborer in the Sanitation Department, and James McCloskey, also employed as a Laborer in the Sanitation Department, bid on said vacancies and meet all the necessary qualifications, NOW, THEREFORE, BE IT

Item No. 18c cont'd

RESOLVED that Joseph Korabek of XXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX and James McCloskey of XXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX be and hereby are appointed to the position of Motor Equipment Operator - B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective May 17, 1999.

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

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

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation department, and

WHEREAS, David Orlikowski, currently employed as a Laborer in the Sanitation Department Semi-Automated Division, meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that David Orlikowski of XXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective April 26, 1999.

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

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

WHEREAS, two vacancies exist in the position of Laborer in the Sanitation Department, and

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

WHEREAS, Thomas Marten, currently employed as a Laborer in the Highway Department, and Dale Galley, currently employed as a Light Motor Equipment Operator in the Recycling Department, bid on said vacancies and meet all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Thomas Marten of XXXXXXXXXXXXXXXX, Cheektowaga XXXXX and Dale Galley of XXXXXXXXXXXXXXXX, Cheektowaga XXXXX be and hereby are appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective May 11, 1999.

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

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

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department Semi-Automated Division, and

Item No. 18f 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, John Szczepanik, currently employed as a Motor Equipment Operator - B in the Highway Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that John Szczepanik of XXXXXXXXXXXXXXXX, Cheektowaga XXXXX be and hereby is appointed to the position of Laborer in the Sanitation Department Semi-Automated Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective May 12, 1999.

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

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

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

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

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three years and expiring at the time of reappointment to said Board of Directors positions but no later than May 31, 2002; Casimir Kozminski, James Antkowiak, Jack Patterson and Stanley Gajewski.

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



Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak to dispense with the reading of the names in Items 20A & 20B, and the voting was as follows:

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 Rogowski

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

		<u>EFFECTIVE</u>
<u>FACILITIES DEPARTMENT - Laborer - \$6.00 per hour</u>		
Loren Bauer	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	Immediately
Gregory Saxe	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"
<u>POLICE DEPARTMENT - Clerical - \$6.00 per hour</u>		
Krista Wierzbicki	XXXXXXXXXXXXXXXXXX., Cheektowaga XXXXX	Immediately
<u>RECYCLING DEPARTMENT</u>		
Thomas Porto	XXXXXXXXXXXXXXXXXXXXX, Depew XXXXX	Immediately
Jeffrey Speaker	XXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX	"

and

WHEREAS, this Town Board previously appointed five (5) individuals to the position of Laborer in the Recycling Department at the rate of \$6.00 per hour, effective May 3, 1999, and

WHEREAS, their hourly rate should have been \$7.00 per hour, NOW, THEREFORE,
BE IT

RESOLVED that:

- Paul Lorefice
- David Grzedzicki
- John Kasperek
- Bryan Kazmierczak
- Wesley Michaels

be and hereby are hired as Laborers (Seasonal) in the Recycling Department at the hourly rate of \$7.00 effective May 3, 1999.

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

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ABSENT: 0

Item No. 20b 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, effective immediately:

Youth Conservation Corps

Crew Supervisors - 7310.1811

Level II - \$8.90

John Kulesz XXXXXXXXXXXXXXXXXXXXXXXX
Anthony Kalisz, III XXXXXXXXXXXXXXXXXXXXXXXX

Level I - \$8.70

Todd Bush XXXXXXXXXXXXXXXXXXXXXXXX

Youth Leader - \$6.30

Paul Gasiewicz, II XXXXXXXXXXXXXXXXXXXXXXXX
Paul Ray XXXXXXXXXXXXXXXXXXXXXXXX
David Schiess XXXXXXXXXXXXXXXXXXXXXXXX

Item No. 20b cont'd

Basketball

Basketball - 7140.1654

Recreation Attendant V - \$6.15

Marisa Fallacaro XXXXXXXXXXXXXXXXXXXXXXXX

Camps

Camp Flamingo - 7310.1803

Activity Director I - \$6.90

Maria Vanelli XXXXXXXXXXXXXXXXXXXXXXXX

Pools

Beach and Pool Supervisors - 7180.1902

Pool Supervisor (Dingens) - \$9.56

Kurt Hansen XXXXXXXXXXXXXXXXXXXXXXXX

Head Lifeguard (Town Park) - 8.45

Mark Przybysz XXXXXXXXXXXXXXXXXXXXXXXX

Lifeguards - 7180.1903

Level V - \$7.65

Jonathan Bialek XXXXXXXXXXXXXXXXXXXXXXXX

Level IV - \$7.15

Jeffrey Bartel XXXXXXXXXXXXXXXXXXXXXXXX
Tamara Krawczk XXXXXXXXXXXXXXXXXXXXXXXX

Level III - \$6.65

Adam Connor XXXXXXXXXXXXXXXXXXXXXXXX
Amanda Suriani XXXXXXXXXXXXXXXXXXXXXXXX
Caitlin Vanderbush XXXXXXXXXXXXXXXXXXXXXXXX
Melissa Luczkowiak XXXXXXXXXXXXXXXXXXXXXXXX
Natalie Michalski XXXXXXXXXXXXXXXXXXXXXXXX
Samantha Garcea XXXXXXXXXXXXXXXXXXXXXXXX
Jennifer Strobele XXXXXXXXXXXXXXXXXXXXXXXX
Caroline Lewis XXXXXXXXXXXXXXXXXXXXXXXX

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Level II - \$6.15

Eric Burns	XXXXXXXXXXXXXXXXXXXXXXXXXX
Kathleen Mastandrea	XXXXXXXXXXXXXXXXXXXXXXXXXX
Luke Mazur	XXXXXXXXXXXXXXXXXXXXXXXXXX
Christine Klaffka	XXXXXXXXXXXXXXXXXXXXXXXXXX
David Stoklosa	XXXXXXXXXXXXXXXXXXXXXXXXXX
Tracy DiBiasio	XXXXXXXXXXXXXXXXXXXXXXXXXX
Maureen Brezowski	XXXXXXXXXXXXXXXXXXXXXXXXXX
David Schnettler	XXXXXXXXXXXXXXXXXXXXXXXXXX
Lisa Schirching	XXXXXXXXXXXXXXXXXXXXXXXXXX

Level I - \$5.90

Evan Zynda	XXXXXXXXXXXXXXXXXXXXXXXXXX
Courtney Costrino	XXXXXXXXXXXXXXXXXXXXXXXXXX
Jennifer Lynn Bogacz	XXXXXXXXXXXXXXXXXXXXXXXXXX
Alexa Rink	XXXXXXXXXXXXXXXXXXXXXXXXXX

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

Item No. 21 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:

EFFECTIVE

FACILITIES DEPARTMENT - Clerical - \$6.00 per hour

Linda Haungs XXXXXXXXXXXXXXXX, Cheektowaga XXXXX Immediately

SANITATION DEPARTMENT - Laborer - \$6.00 per hour

Edward Pozdyn, Jr. XXXXXXXXXXXXXXXX, Cheektowaga XXXXXImmediately

and

WHEREAS, this Town Board previously appointed Carol Raimando of 96 Northcrest, Cheektowaga 14225 to the position of Clerk (Part-Time) in the Sanitation Department, NOW, THEREFORE, BE IT

RESOLVED that Carol Raimando a Clerk (Part-Time) in the Sanitation Department be paid the hourly rate of \$7.50 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 Supervisor Gabryszak

WHEREAS, the New York State Department of Criminal Justice Services is conducting the annual K-9 Recertification School in Binghamton, NY June 7-11, 1999, and

WHEREAS, Chief Chamberlin is requesting authorization to send K-9 Officer Daniel Smith to this training. Officer Smith has, once again, been requested to instruct this specialized training, therefore, NYS DCJS 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.

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

Item No. 22b Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Police Academy is conducting a Sex Offense Seminar on May 24-28, 1999 at the State Police Academy in Albany, NY, and

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Det. Gary Edenhofer to this seminar. Topics to be presented include: victimology, interview techniques, homicide assessment and lead tracking, false allegations, sex offender registry, rape typologies, victimization of children, case preparation and legal perspective. The seminar is intended to assist police investigative personnel in dealing with sex offense investigation issues, and

WHEREAS, the Police Department will be responsible for tuition, lodging, meals and travel expenses amounting to approximately \$500.00, NOW, THEREFORE, BE IT

Item No. 22b cont'd

RESOLVED that Chief Chamberlin is authorized to send Det. Edenhofer to this training. The time he spends there will be authorized as normal duty time. The expenses will be charged to lines 0100-3120-4093 and 0100-3120-4085.

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

Item No. 22c Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the U.S. Attorney's Office, Law Enforcement Committee is sponsoring the Asset Forfeiture/Financial Investigation Conference in Chautaugua, New York, May 26-28, 1999, and

WHEREAS, this conference will cover criminal activity trends in the Western District of New York and Southern Ontario, federal and state forfeiture statutes, financial investigation techniques, adoptive forfeiture/equitable sharing, Canadian proceeds of crimes, creating and operating a forfeiture unit and sessions on significant issues in the forfeiture area, and

WHEREAS, Chief Chamberlin is requesting authorization to send Det. Harry Bollman and Det. Robert Walker to the conference. The Police Department will be responsible for registration and lodging expenses amounting to approximately \$414.00. A police vehicle will be used for transportation to and from this conference, NOW, THEREFORE, BE IT

RESOLVED that the above Detectives are authorized to attend this conference, and that the time spent there be authorized as normal duty time. The expense will be charged to 0600-0881.

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 23a Cheektowaga Traffic Safety Commission - minutes of meeting of April 20, 1999
Received and Filed.

Item No. 23b Cheektowaga Planning Board - minutes of meeting of April 8, 1999
Received and Filed.

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Item No. 24 Records & Inventory Management Program Year End Report for 1998
Received and Filed.

Item No. 25 Annual Financial Report Update Document for Fiscal Year 1998
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 26a Notice of Claim - Marie & George Seabolt 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. 26b Notice of Claim - Donald J. Frank, Sr. 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. 26c Notice of Claim - E.C. Water Authority vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Council Office; Allied Claims, Insurance Company.
Received and Filed.

Item No. 26d Notice of Claim - Paul Sciria vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town
Attorney; Council Office; Allied Claims, Insurance Company; Sanitation Department
Received and Filed.

Item No. 26e Notice of Claim - Judith Golas 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.

VI. 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. 27 Call for public hearing - Walden Commerce Exchange - Site Lighting Construction

**SEE NEXT PAGE(S) for ATTACHMENT

MEETING NO. 10
May 17, 1999

Item No. 28 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, Cub Scout Pack 618 has requested permission to conduct a father-son overnight campout on Saturday, June 5, 1999 to Sunday, June 6, 1999 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 the 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 5-6, 1999, and BE IT FURTHER

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

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

Item No. 29 Motion by Supervisor Gabryszak, Seconded by Unanimous to adjourn the meeting in memory of Pat Costrino who served 30 years on the Traffic Safety Commission.
Time Meeting Adjourned: 7:55 P.M.

RICHARD M. MOLESKI
Town Clerk

**TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 11
JUNE 1, 1999**

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 1st day of June, 1999 at 6:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; Christopher J. Kowal, Highway Superintendent; Robert Kaczmarek, Supervising Accountant; Jeffrey Ramelb, Director of Employee Relations; and Bruce Chamberlin, Police Chief.

I. RESOLUTIONS

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

WHEREAS, the Town of Cheektowaga will be sponsoring the 1999 Polish-American Arts Festival in Cheektowaga Town Park from August 20-22, 1999, AND

WHEREAS, the Town has approached various performers, exhibitors and vendors to participate in the 1999 Polish American Arts Festival, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute contracts with the various performers, exhibitors and vendors for the 1999 Polish-American Arts Festival and, BE IT FURTHER

RESOLVED, that moneys for such performers, exhibitors and vendors shall be appropriated from 7550-4374.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 2b Motion By Councilmember Swiatek, Seconded by Unanimous

BE IT RESOLVED, that this Town Board hereby approves and authorizes and directs the Supervisor to execute the 1999-2001 collective negotiations agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

MEETING NO. 11
JUNE 1, 1999

Councilmember Swiatek

WHEREAS, three vacancies exist in the position of Laborers Aide in the Recycling Department, NOW, THEREFORE BE IT

RESOLVED, that the following be and hereby are appointed to the positions of Laborers 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 2, 1999:

Donald Karl	XXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
John Balbuzoski	XXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
Jason Dauscher	XXXXXXXXXXXXXXXXXX Sloan, New York XXXXX

Upon roll call

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

Item No. 4 Motion By Councilmember Swiatek, Seconded by Councilmember Johnson to adjourn this meeting. This meeting was adjourned at 6:10 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 12
JUNE 7, 1999**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th day of June, 1999 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: Mary Holtz, Deputy Town Clerk; Ronald Marten, Building and Plumbing Inspector; James Kirisits, Town Attorney; Salvatore LaGreca, Chairman of Planning Board; Kenneth Kopacz, Director of Youth and Recreational Services; William Pugh, Town Engineer; John Schaller, Assistant Chief of Police; Jeffrey Ramelb, Director of Employee Relations; and Lynn Nenni, Accountant.

I. PUBLIC HEARING

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss the increase and improvement of the Cheektowaga Town-Wide Lighting District. The Supervisor directed the Town Clerk to present proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said proposed improvements are as attached.

* SEE NEXT PAGE FOR ATTACHMENT

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

**MEETING NO. 12
JUNE 7, 1999**

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

GENERAL FUND

From:	0100-1910-4711	Contingency	\$ 1,400.00
To:	0100-7550-4376	Patriotic Commission	\$ 1,400.00

HIGHWAY FUND

From:	0300-9131-9211	Bond Interest	\$ 5,000.00
	0300-1910-2799	Appropriated Fund Balance	\$ 18,500.00
To:	0300-5110-4469	Disposal Cost	\$ 5,000.00
	0300-5130-2407	Highway Equipment	\$ 18,500.00

PART TOWN FUND

From:	0800-3620-1753	P.T. Housing Aide	\$ 8,142.00
To:	0800-3620-1755	P.T. Housing Inspector	\$ 8,142.00

SPECIAL DISTRICTS FUND

From:	1500-1910-4711	Contingency	\$ 11,150.00
To:	1500-8160-4475	Consultants	\$ 11,150.00

CAPITAL FUND

From:	5913-6989-4116	Tree Landscaping Buffalo	\$ 9,500.00
	5913-1910-2797	Erie County Grant	\$355,280.00
To:	5913-6989-4104	Construction of Gateway Signature	\$ 9,500.00
	5913-6989-4101	Lighting Fixtures	35,280.00
	5913-6989-4102	Bus Shelters Cheektowaga	5,000.00
	5913-6989-4112	Bus Shelters Buffalo	5,000.00
	5913-6989-4103	Gateway Design Services	5,000.00
	5913-6989-4104	Construction of Gateway Signature	60,000.00
	5913-6989-4105	Landscaping Cheektowaga Shrub	10,000.00
	5913-6989-4115	Landscaping Buffalo	5,000.00
	5913-6989-4116	Tree Landscaping Buffalo	20,000.00
	5913-6989-4107	Architectural Design Services	10,000.00
	5913-6989-4108	Code Enforcement Cheektowaga	100,000.00
	5913-6989-4118	Code Enforcement Buffalo	100,000.00

Upon roll call

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 and Warrants are submitted to the Town of Cheektowaga prior to June 4, 1999 are hereby approved and made a part hereof:

Item No. 4 cont'd.

GENERAL FUND	\$ 507,534.29
--------------	---------------

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HIGHWAY FUND	84,288.22
TRUST & AGENCY	15,209.88
PART TOWN FUND	6,541.16
HUD CDBG FUND	50,809.93
HUD HOUSING REHABILITATION FUND	6,449.12
HUD RENTAL REHABILITATION FUND	1,300.00
RISK RETENTION FUND	45,471.76
SPECIAL DISTRICTS FUND	464,543.71
CAPITAL FUND	<u>70,005.00</u>
	\$1,252,153.07

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 5 Adoption of Resolution and Order After Public Hearing Regarding Town-Wide
Lighting District

AFFIDAVIT - NEXT PAGE _

* SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, James L. Busshart has petitioned for the rezoning from C-Retail Business
District to MS-Motor Services District of property owned by him and located at 2804 Union Road,

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JUNE 7, 1999

Cheektowaga, New York, which property is more particularly described in the legal description published with the Legal Notice of public hearing on this rezoning, AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 3rd day of May, 1999 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 James L. Busshart for the rezoning from C-Retail Business District to MS-Motor Services District of the property specified in the legal description published in the Legal Notice for the public hearing on this rezoning 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

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

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

MEETING NO. 12
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WHEREAS, Section 12 of such ordinance authorizes an applicant to appeal to this Town Board to vary or modify this requirement if an applicant can attest to and prove certain matters, AND

WHEREAS, the Pyramid Company of Buffalo has appealed to this Town Board from the requirement that Kahunaville an amusement arcade, is not 500 feet from a R-District boundary, AND

WHEREAS, Kuhunaville is proposing to locate in the northerly portion of the Walden Galleria Mall in the location formerly leased by Q-Zar which location, according to the Building Inspections Department, is less that 500 feet from a R-District boundary, NOW, THEREFORE BE IT

RESOLVED, that a hearing on the application of the Pyramid Company of Buffalo for a variance from the requirement that Kahunaville, an amusement arcade, be at least 500 feet from a R-District boundary be and hereby is scheduled for Monday, June 21, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens may be heard and, BE IT FURTHER

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



LEGAL NOTICE

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, Erie County, New York will meet at the Town Hall, 3301 Broadway, Cheektowaga, New York on the 21st day of June, 1999 at 7:00 P.M., to consider the application of:

PYRAMID COMPANY OF BUFFALO/KAHUNAVILLE

for a Variance to the AMUSEMENT ARCADES ORDINANCE on premises located at:

WALDEN GALLERIA
ONE GALLERIA DRIVE

relative to:

Location of an Amusement Arcade within 500 feet of a R-Residence District boundary

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

Richard M. Moleski
Town Clerk

Dated: June 7, 1999



Item No. 7a cont'd.

Upon roll call

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

NAYES: 0

ABSENT: 0

MEETING NO. 12
JUNE 7, 1999

AFFIDAVIT - NEXT PAGE

Item No. 7b Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, the Town Building Inspections Department and Town Attorney's Office have recommended that the Town's Tree Preservation Law be amended, NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held on the 21st day of June, 1999 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting a local law known as "A Local Law to Amend the Tree Preservation Law" and, BE IT FURTHER

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JUNE 7, 1999

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



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 21st day of June, 1999 at 7:00 P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York to consider and discuss and, if need be, enact a proposed local law entitled "A Local Law to Amend the Tree Preservation Law, which local law provides, in substance as follows:

Local Law Intro No. 99-1

A Local Law to Amend the Tree Preservation Law

This Local Law would amend Sections 74-4 and 74-5 of the Tree Preservation Law to:

1. Provide revised time frames for approval of tree removal permits and appeals of permit denials.
2. Provide for replacement trees and/or monies to be paid when trees are to be removed.

A copy of the complete text of such local law is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

Richard M. Moleski
Town Clerk

Dated: June 7, 1999



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 7c Call for Public Hearing: Consolidation of Sanitary Sewer Districts

* SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 12
JUNE 7, 1999

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

WHEREAS, bids were duly received by this Town Board at a public bid opening held on May 19, 1999, for the purchase of One (1) New and Unused, 1999 or 2000 Model, Trailer Mounted, Stump Grinder as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bid for the purchase of One (1) New and Unused, 1999 or 2000 Model, Trailer Mounted, Stump Grinder be awarded to Baschmann Services, Inc., 1101 Maple Road,

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Elma, New York 14059 after trade-in, with the Remote Control Option at a total bid price of \$18,480.00, said bidder being the lowest responsible bidder meeting specifications and, BE IT FURTHER

RESOLVED, that monies be charged to line item 0300-5130-2407.

Upon roll call

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

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

WHEREAS, as a result of advertisement, bids were received on April 28, 1999 for the furnishing of equipment and operators for the installation and repair of sanitary/storm sewers in Cedargrove Circle, Phase I, during the calendar year of 1999 in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Allan Blachowski, Principal Engineer Assistant, to the Town Board dated June 2, 1999, NOW, THEREFORE BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for the installation and repair of sanitary/storm sewers in Cedargrove Circle in the Town of Cheektowaga be awarded to Nichols, Long & Moore Construction Corporation, 149 Gunville Road, Lancaster, New York 14086 for submission of the lowest bid meeting the specifications as per the unit prices of:

Item 1	Single Axle Dump	\$200.00 per 8 hour day
Item 2	Tandem Dump	415.00 per 8 hour day
Item 3	Rubber Tire Backhoe	225.00 per 8 hour day
Item 4	Laborers	530.00 per 8 hour day
Item 5	Crawler Hydraulic Backhoe	695.00 per 8 hour day
Item 6	Front End Loader	225.00 per 8 hour day
Item 7	Walk Behind Saw	1.00 per 8 hour day
Item 8	Vermeer Road Saw	1.00 per 8 hour day
Item 9	Equipment Truck - A	1.00 per 8 hour day
Item 10	Equipment Truck - B	1.50 per 8 hour day
Item 11	Shield 6' x 8'	1.00 per 8 hour day
Item 12	Shield 8' x 16'	1.00 per 8 hour day
Item 13	Transport Shield	1.00 per 8 hour day
Item 14	Roller (small)	1.00 per 8 hour day

and, BE IT FURTHER

RESOLVED, that payment for said equipment and operators for sanitary/storm sewer projects is to be chargeable on an as-needed basis to Community Development Block Grant funds, in an amount not to exceed \$120,000 and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute the contract for the aforesaid project with Nichols, Long & Moore Construction Corporation.

Item No. 8b cont'd.

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. 12
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Item No. 9 Motion By Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, in accordance with the policies and procedures previously adopted by the Cheektowaga Town Board for the procurement of goods and services, the Youth and Recreational Services Department solicited proposals for bus transportation services for its 1999 summer camp programs, AND

WHEREAS, proposals were received from at least two contractors for the provision of said bus transportation services, AND

WHEREAS, Laidlaw Transit, Inc. submitted the lowest responsible quotation for the provision of said bus transportation services, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby awards the contract for the provision of bus transportation services at a cost of \$8,505.00 for the Youth and Recreational Services Department's 1999 summer camp programs to:

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Laidlaw Transit, Inc.
2306 Walden Avenue
Cheektowaga, New York 14225
(716) 684-4000

Line Item Nos. 7140-4516
7140.4517
7140.4518
7310.4691

Upon roll call

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



MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JANKOWIAK TO
DISPENSE WITH READING THE FEES IN THE FOLLOWING RESOLUTION, ITEM 10, AND THE
VOTING WAS AS FOLLOWS:

Upon roll call

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



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

BE IT RESOLVED, that the following recreational fees be established effective the
Summer and Fall of 1999 and Winter/Spring of 2000:

FEES IN (\$0.00) DENOTE 1998 FEE

YOUTH SPORT CAMP

Summer		Resident	Non-Resident
Per Week/Sport	1 st child	\$71.00 (\$67)	\$96.00 (\$91)
	2 nd child	\$61.00 (\$61)	\$82.00 (\$82)

Item No. 10 cont'd.

DARTWOOD AND CEDARGROVE DAY CAMPS

Summer		Resident	Non-Resident
Per Child All 7 Weeks		\$539.00 (\$532)	\$637.00 (\$637)
Per Child Weekly		\$84.00 (\$78)	\$93.00 (\$93)
Second Child All 7 Weeks		\$539.00 (\$512)	\$617.00 (\$617)
Second Child Weekly		\$84.00 (\$78)	\$93.00 (\$91)

CAMP FLAMINGO

Summer		Resident	Non-Resident
Per Child All 7 Weeks		\$518.00 (\$512)	\$617.00 (\$617)
Per Child Weekly		\$82.00 (\$74)	\$97.00 (\$91)
Second Child All 7 Weeks		\$495.00 (\$404)	\$604.00 (\$593)
Second Child Weekly		\$82.00 (\$74)	\$97.00 (\$91)

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CAMP JI-IK-DO-WAH-GAH

Summer	Resident	Non-Resident
Per Child All 7 Weeks	\$468.00 (\$483)	\$617.00 (\$617)
Per Child Weekly	\$82.00 (\$81)	\$92.00 (\$91)
Second Child All 7 Weeks	\$468.00 (\$459)	\$604.00 (\$593)
Second Child Weekly	\$77.00 (\$76)	\$92.00 (\$91)

CAMP CRABAPPLE

Summer	Resident	Non-Resident
Per Child All 7 Weeks	\$420.00 (\$413)	\$563 (\$547)
Per Child Weekly	\$75.00 (\$73)	\$90.00 (\$88)
Second Child All 7 Weeks	\$397.00 (\$390)	\$515.00 (\$500)
Second Child Weekly	\$90.00 (\$68)	\$90.00 (\$87)

YOUTH SOCCER

Summer	Resident	Non-Resident
First Child	\$41.00 (\$41)	\$56.00 (\$56)
Each Additional	\$31.00 (\$31)	\$46.00 (\$46)
For 3 Weeks/Sports 1 st Child	\$181.00 (\$181)	\$243.00 (\$243)
2 nd Child	\$164.00 (\$164)	\$228.00 (\$228)

LET'S WALK

Year Round	Resident	Non-Resident
	\$14.00 (\$14)	\$19.00 (\$19)
Reg. For Two Sessions at Once	\$23.00 (\$23)	\$33.00 (\$33)

FLAG FOOTBALL

Per Session	Resident	Non-Resident
Youth	\$39.00 (\$29)	\$37.00 (\$37)
Adult	\$270 Per Team and \$8.00 Additional for Non-Resident	

LACROSSE

Summer	Resident	Non-Resident
First Participant	\$51.00 (\$51)	\$67.00 (\$67)

TINY TOTS

Summer	Resident	Non-Resident
Per Child	\$33.00 (\$33)	\$43.00 (\$43)
Second Child	\$30.00 (\$30)	\$40.00 (\$40)

THREE TO GET READY

Summer	Resident	Non-Resident
Per Child	\$39.00 (\$29)	\$39.00 (\$39)
Second Child	\$26.00 (\$25)	\$36.00 (\$35)

Item No. 10 cont'd.

THREE TO GET READY cont'd.

Fall/Winter		
Per Child	\$25.00 (\$25)	\$35.00 (\$35)
Second Child	\$21.00 (\$21)	\$31.00 (\$31)

GYMNASTICS

Summer 2 Day	Resident	Non-Resident
Per Child	\$46.00 (\$46)	\$56.00 (\$56)
Second Child	\$41.00 (\$41)	\$51.00 (\$51)
Fall/Winter		
Per Child	\$30.00 (\$30)	\$40.00 (\$40)
Second Child	\$25.00 (\$25)	\$45.00 (\$45)

TINY TUMBLERS

Summer 3 Yr. Old 1 Day (New)	Resident	Non-Resident
Per Child	\$23.00	\$33.00
Second Child	\$18.00	\$28.00

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4 Yr. Old 2 Day Per Child	\$44.00	\$54.00
Second Child	\$39.00	\$49.00
FRIDAY GYMNASTICS		
Summer Per Child	Resident \$23.00 (\$23)	Non-Resident \$33.00 (\$33)
Second Child	\$18.00 (\$18)	\$28.00 (\$26)
ADVANCED GYMNASTICS		
Summer Per Child	Resident \$51.00 (\$51)	Non-Resident \$61.00 (\$61)
Second Child	\$46.00 (\$46)	\$56.00 (\$56)
Fall/Winter 15 Classes Second Child	\$48.00 (\$35) \$43.00 (\$31)	\$58.00 (\$45) \$53.00 (\$41)
Fall/Winter 30 Classes Per Child	\$91.00 (\$61)	\$101.00 (\$71)
Second Child	\$86.00 (\$55)	\$96.00 (\$65)
AEROBICS (effective 1/1/98)		
Year Round Per Class	Resident \$2.00 (\$2)	Non-Resident \$3.00 (\$3)
YOUTH BASKETBALL		
Fall/Winter Per Participant	Resident \$31.00 (\$31)	Non-Resident \$41.00 (\$41)
SWIMMING		
Summer Youth	Resident \$24.00 (\$23)	Non-Resident \$34.00 (\$33)
Second Child	\$14.00	\$24.00
Toddler	\$14.00 (\$13)	\$24.00 (\$23)
Second Child	\$11.00	\$21.00
Water Aerobics	\$24.00 (\$23)	\$24.00 (\$23)
Adult	\$22.00 (\$22)	\$32.00 (\$32)
Synchronized	\$18.00 (\$17)	\$28.00 (\$27)
Second Child	\$15.00	\$25.00
Water Slide/Animals	\$1.00 (\$1)	\$1.00 (\$1)
Daily User Fee	\$1.00 (\$1)	\$2.00 (\$2)
<u>Item No. 10 cont'd.</u>		
SWIMMING cont'd.		
Fall/Winter Youth	\$23.00 (\$23)	\$33.00 (\$33)
Second Child	\$19.00 (\$19)	\$29.00 (\$29)
Open/Family	\$27.00 (\$27)	\$41.00 (\$41)
Adult	\$16.00 (\$16)	\$26.00 (\$26)
INSTRUCTIONAL TENNIS		
Summer Youth	Resident \$23.00 (\$23)	Non-Resident \$33.00 (\$33)
Adult	\$23.00 (\$29)	\$33.00 (\$39)
ADULT BASKETBALL		
Per Team	\$59.00 (New)	
VOLLEYBALL (teams pay referee fees each week)		
Fall/Winter Indoor	Saturdays Thursday and Friday	\$12 Per Week 18 Per Team 12 Sept-Dec

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18 Jan-May
Non-Residents After 4 Per Team \$10.00 Each

Summer
Outdoor \$75.00 (\$75)

WEE THREE

Fall/Winter	Resident	Non-Resident
Per Child	\$38.00 (\$38)	\$48.00 (\$48)
Second Child	\$33.00 (\$33)	\$43.00 (\$43)
Winter/Spring 12 Week		
Per Child	\$46.00	\$56.00
Second Child	\$41.00	\$51.00

PRE K

1999-2000 Sept-May
Three Days
\$468 Paid in Full at Registration
\$244 Per Session Sept-Feb
\$61 Per Month (8 Months)
Two Day 2-1/2 Hrs
\$390 Paid in Full at Registration (\$304)
\$205 Per Session Sept & Feb (\$162)
\$51.25 Per Month (8 Months)
Additional Fee of \$50 For Non-Residents (\$50)

PUBLIC SKATE

Fall/Winter	
General Admission	\$3.00 (\$3)
	W/RESIDENT DISCOUNT CARD
Children 3 and Under	Free (Free)
Children 4 to 15	\$1.00 (\$1)
Adults 16 and Up	\$2.00 (\$2)
Senior Citizens	\$1.00 (\$1)

LEARN TO SKATE

Fall/Winter	Resident	Non-Resident
Per Individual	\$41.00 (\$39)	\$59.00 (\$59)

Item No. 10 cont'd.

SKATE AND SHOOT

Fall/Winter	
General Admissions	\$7.00 (\$7)
Admission w/Resident Card	\$5.00 (\$5)
First 2 Goalies	Free (Free)

ICE RENTALS

Fall/Winter		
Per Hour	Prime Time	\$124.00 (\$121)
		5:00pm - 11:00pm M-F All day Sat and Sun
	Non-Prime	\$103.00 (\$100)
		8:00am - 5:00pm M-F

DIAMOND PERMITS

Summer (per 2 hour time block)	Resident	Non-Resident
No Lights	\$40.00 (\$35)	\$60.00 (\$50)
Lights	\$70.00(\$65)	\$85.00(\$75)
13 Week Series		
No Lights	\$375.00 (\$350)	\$600.00 (\$500)
Lights	\$675.00 (\$650)	\$850.00 (\$750)

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Additional games added to 13-week series are charged at the regular 2-hour block rate

ADULT SOFTBALL LEAGUES

Summer	League	Franchise Fee
	COED	\$245.00 (\$245)
	Women's	\$245.00 (\$245)
	Men's	\$250.00 (\$250)
	Men's Fast Pitch	\$225.00 (\$225)
	Men's Over 40	\$285.00 (\$285)
	Men's Over 50	\$285.00 (\$285)
	Open Men's	\$425.00 (\$425)
	Men's Over 30	\$250.00 (\$250)
	Men's Modified	\$225.00 (\$225)

**All Non-Residents must pay \$18.00 additional

**Business Teams (Businesses within the Town), all players must work for that business, \$290.00 (\$290). This includes the first 11 on the roster. Non-Residents after 11 must pay \$18 each.

**All Teams are responsible for paying the umpires each week

**All Teams must pay \$15 registration fee directly to ASA.

KIDERCIZE

	Resident	Non-Resident
First Child	\$26.00 (New)	\$52.00 (New)
Second Child	\$21.00 (New)	\$47.00 (New)

ICY HOCKEY

Fall/Winter	Resident		Non-Resident	
	House	Travel	House	Travel
Novice	\$223.00 (\$198)	N/A	\$398.00 (\$373)	N/A
Mite	\$273.00 (\$248)	\$388.00 (\$363)	\$448.00 (\$423)	\$563.00 (\$538)
Squirt	\$323.00 (\$298)	\$438.00 (\$413)	\$498.00 (\$473)	\$613.00 (\$588)
Pee Wee	\$373.00 (\$348)	\$488.00 (\$464)	\$548.00 (\$523)	\$663.00 (\$638)
Bantam	\$423.00 (\$398)	\$538.00 (\$513)	\$598.00 (\$573)	\$713.00 (\$688)
Midget	\$493.00**(\$468)	\$393.00 (\$368)	\$668.00** (\$643)	\$568.00 (\$543)

****NO TRAVEL OR HIGH SCHOOL PLAYERS**

- All head coaches will receive a \$30.00 reduction for one child
- Second child enrolled from a family \$30.000 reduction
- Third child enrolled from a family \$70.00 reduction
- 1999-2000 travel try-out fee \$7.00

Item No. 10 cont'd.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 11a Motion 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 Sunday, June 6, 1999 at 2:00 P.M. beginning at the Reinstein Library on Harlem Road, then proceeding down McNaughton Avenue to the Beverly Hills 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

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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 annual parade to be held on Sunday, June 6, 1999 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. 11b Motion By Councilmember Mazur, Seconded by Councilmember Johnson

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

WHEREAS, the Cheektowaga Patriotic Commission and Cheektowaga Symphony Orchestra have made application to hold Flag Day Ceremonies and Concert in Cheektowaga Town Park on June 13, 1999, AND

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Patriotic Commission and Cheektowaga Symphony Orchestra, which application has been approved by the Police Department, Facilities Department and Youth and Recreational Services Department, and has no objection to same, AND

Item No. 11b cont'd.

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 and Cheektowaga Symphony Orchestra for their Flag Day Ceremonies and Concert to be held on June 13, 1999 in Cheektowaga Town Park.

Upon roll call

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 Mazur

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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 annual War of 1812 parade and commemoration activities on June 13, 1999, said parade to commence on Aero Drive at Wehrle Drive, then proceed 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 Facilities Department, and has no objection to same, AND

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

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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the War of 1812 Cemetery Board of Trustees for its annual War of 1812 parade and commemoration activities to be held on June 13, 1999 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. 12 Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak
Councilmember Swiatek

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

WHEREAS, the portion of Como Park Boulevard from Honorine Drive to Union Road presently has a very narrow should (e.g. 3± feet), AND

WHEREAS, the Town of Cheektowaga has proposed constructing a portion of a bicycle path along Como Park Boulevard, from Stiglmeier Park to Union Road, and, for public safety reasons, needs the should of Como Park Boulevard widened (and paved where necessary) from three (3) feet to twelve (12) feet, AND

WHEREAS, this section of Como Park Boulevard does not presently meet New York State Department of Transportation ("DOT") requirements for a bicycle path due to the substandard width of the shoulder; AND

WHEREAS, the DEP is scheduled to upgrade Como Park Boulevard from Honorine Drive east to Transit Road in the year 2003, AND

WHEREAS, grant moneys are available through the Transportation Enhancement Act for the 21st Century ("TEA-21") to reimburse the DEP for up to 80% of the amount needed to construct the above-mentioned improvements to Como Park Boulevard from Honorine Drive west to Union Road, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby requests the DEP to complete the above referenced improvements to the shoulders of Como Park Boulevard from Honorine Drive to Union Road, and to apply for TEA-21 funding for same if necessary and, BE IT FURTHER

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RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the DEP, County Executive Dennis T. Gorski and Legislator Raymond Dusza.

Upon roll call

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

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

WHEREAS, throughout various areas of the Town of Cheektowaga, sidewalks provide a means for pedestrians to obtain safe access to other residences, businesses, Town facilities and parks, AND

WHEREAS, public sidewalks provide an alternate means of transportation for pedestrians to travel to work and businesses, AND

WHEREAS, there are some areas in the Town where sidewalks are lacking, AND

WHEREAS, the Town Engineering Department, in 1998, prepared a Sidewalk Master Plan which it utilized as a working plan to guide sidewalk development in certain areas of the Town, AND

WHEREAS, in three (3) identified areas of the Town, there is a pressing need to provide for planned sidewalk connections between residences, businesses, Town facilities and parks for public safety reasons, AND

WHEREAS, these areas are identified on the aforesaid Sidewalk Master Plan (revised June 2, 1999) as Phase 1, Phase 2 and Phase 3, AND

WHEREAS, in order to proceed with a planned sidewalk development program in the Town, it is necessary to adopt this Sidewalk Master Plan, NOW, THEREFORE BE IT

Item No. 13 cont'd.

RESOLVED, that this Town Board hereby adopts the aforementioned Sidewalk Master Plan, as revised on June 2, 1999, as the official Sidewalk Master Plan of the Town of Cheektowaga and, BE IT FURTHER

RESOLVED, that such Sidewalk Master Plan shall be kept on file in the Town Clerk's Office and the Building and Plumbing Inspection's Department and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution, together with copies of the Sidewalk Master Plan, to the New York State Department of Transportation and Erie County Department of Public Works, Division of Highways.

Upon roll call

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

WHEREAS, the Town of Lancaster has notified the Town of Cheektowaga, pursuant to Section 239M of the General Municipal Law, that it has received a rezoning petition from NEC Transit William LLC to rezone property at the northeast corner of Transit Road and William Street, AND

WHEREAS, the associated project involves the development of approximately 33 acres of land by constructing stores totaling 270,000 + s.f. and parking for 1395 cars, AND

WHEREAS, the Town of Cheektowaga residents in the southeast quadrant of the town have experienced a rapid and substantial increase in traffic utilizing the east-west roads such as French Road, Losson Road and Como Park Boulevard, AND

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WHEREAS, new developments along the Transit Road corridor may further increase the volumes of traffic during certain period of time, AND

WHEREAS, the increased volume may negatively affect the levels of service at various intersections throughout this area of town and further change the residential character of the area, AND

WHEREAS, it would be beneficial if developments on opposite sides of Transit Road were coordinated as to curb and traffic management measures, as well as setbacks, green space and land use, AND

WHEREAS, the Town Board of the Town of Cheektowaga has previously undertaken a study of prospective land use along Losson Road and is commissioning a corridor study of Transit Road and French Road to determine development trends, potential traffic patterns, conflicts and problem areas, plus possible mitigation measures, AND

WHEREAS, the proposed rezoning and development plan for the northeast corner of Transit Road and William Street, as well as future developments along Transit Road, may further impact existing development and the character of neighborhoods, NOW, THEREFORE BE IT

RESOLVED, that this Town Board requests that the Town of Lancaster review the above noted potential adverse impacts of the subject site and consider the Town of Cheektowaga as an interested and involved agency pursuant to 6NYCRR Part 617 (S.E.Q.R.A.) for this and all developments along our common border with Transit Road and, BE IT FURTHER

RESOLVED, that this Town Board requests that the Town of Lancaster notify the Cheektowaga Town Clerk and Cheektowaga Building Inspector of all developments along Transit Road and submit copies of the plans for same and, BE IT FURTHER

Item No. 14 cont'd.

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to the Town Board of the Town of Lancaster and further to provide any and all project proposals, studies or plans as received relative to Transit Road in the Town of Cheektowaga to the Town of Lancaster for review and comment.

Upon roll call

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

Item No. 15a 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 had been submitted by Ciminelli Development Company to develop 40± acres at the northwest corner of Aero Drive and Scott Place with warehouse/office buildings totaling 652,000± s.f., AND

WHEREAS, the Town Board issued a Negative Declaration on July 20, 1992 for the overall concept plan, AND

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WHEREAS, the applicant has submitted revised, detailed, site plans and is seeking approval for two (2) warehouse/office buildings of 161,800 s.f. on 10± acres of the original site, AND

WHEREAS, the plan has been amended to include concrete curbing, pedestrian walkways and an updated concept plan for the southern portion of the mall property, AND

WHEREAS, the Advisory Committee, at its meeting held on May 19, 1999 rendered the determination shown on the attached memo dated May 24, 1999, 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. 15b 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 Ciminelli Development Company to develop 4039 Genesee Street, AND

WHEREAS, the project concept plan consists of three (3) buildings totaling 117,688 s.f. to be used for warehouse/offices, AND

WHEREAS, the applicant desires to construct the southernmost building of 52,688 s.f., AND

WHEREAS, the applicant has revised the original plan to include additional landscaping, concrete curbing, pedestrian walkways and a public walk on Buell Avenue, AND

WHEREAS, the Advisory Committee, at its meeting held on May 19, 1999 rendered the determination shown on the attached memo dated May 24, 1999, 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

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

* SEE NEXT PAGE FOR ATTACHMENT

Item No. 15c 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 had been submitted by Benderson Development Company Incorporated for the redevelopment of the Thruway Mall property, AND

WHEREAS, the Town Board issued a Negative Declaration on March 3, 1997 for the overall concept plan and the Wal-Mart specifically, AND

WHEREAS, the applicant has submitted updated, detailed, site plans and is seeking approval for several retail buildings, more specifically 30,000 s.f. adjacent to the south side of Wal-Mart, 95,000± s.f. attached to the south and north of Valu City, including a Tops Supermarket, and a fast food restaurant to the east of the bus hub, AND

WHEREAS, the plan has been amended to include additional landscaping and landscaping islands, pedestrians walkways and an updated concept plan for the southern portion of the mall property, AND

WHEREAS, the Advisory Committee, at its meeting held on May 5, 1999 rendered the determination shown on the attached memo dated May 6, 1999, AND

WHEREAS, the Planning Board has recommended approval of the revised site plans as shown in the attached memo dated May 25, 1999, AND

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

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RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment, 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. 15d 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 James Busshart to rezone 2804 Union Road from C-Retail Business to MS-Motor Service, AND

WHEREAS, the Town Board had issued a Negative Declaration for the property rezoned in 1998 to Motor Service with the applicant intending to construct an addition to the building, AND

WHEREAS, the applicant was unable to begin construction within one (1) year of the granting of the rezoning and, as a result, the rezoning was voided per section 82-71 of the Zoning Law of the Town of Cheektowaga, AND

WHEREAS, the applicant now desires to construct a larger addition and therefore again requests a rezoning, AND

WHEREAS, the Advisory Committee, at its meeting held on April 7, 1999 rendered the determination shown on the attached memo dated April 8, 1999, 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

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

* SEE NEXT PAGE FOR ATTACHMENT

Item No. 16a Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the compatibility of such application with the zoning regulations, Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to the Zoning Law of the Town of Cheektowaga, is required to affirm, modify or reject any recommendations submitted to it by the Planning Board, AND

WHEREAS, an application was submitted by Lauer Manguso Architects to convert the former Dickies Donuts and offices at 1435 French Road into a Mighty Taco with a drive through, AND

WHEREAS, the conversion includes the expansion of the parking lot, AND

WHEREAS, the Planning Board, at its meeting held on May 14, 1999 rendered the determination shown on the attached memo dated May 14, 1999, AND

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

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

Upon roll call

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

* SEE NEXT PAGE FOR ATTACHMENT

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Item No. 16b Motion By Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the compatibility of such application with the zoning regulations, Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to the Zoning Law of the Town of Cheektowaga, is required to affirm, modify or reject any recommendations submitted to it by the Planning Board, AND

WHEREAS, an application was submitted by Carl Hasselback to construct an addition of 540 square feet to an existing truck maintenance facility at 2125 Walden Avenue, AND

WHEREAS, the addition will enable the applicant to increase the efficiency of the work performed in the facility, AND

WHEREAS, the Planning Board, at its meeting held on May 14, 1999 rendered the determination shown on the attached memo dated May 14, 1999, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE FOR ATTACHMENT

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 267 Burke Drive, Cheektowaga, New York, SBL #79.20-7-13 and according to the Assessors' Office is owned by William C. Klahn, 14647 Highway, Kent, New York 14612, AND

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

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

Upon roll call

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

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

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 274 Cayuga Road, Cheektowaga, New York, SBL #92.09-1-22.1 and according to the Assessors' Office is owned by Mr. John C. Manley, Jr., c/o Upstate Appraisal, Inc., 280 Cayuga Road, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

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

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WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 218 Ellen Drive, Cheektowaga, New York, SBL #80.20-6-10 and according to the Assessors' Office is owned by Mr. & Mrs. William J. Voak, 218 Ellen Drive, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

Item No. 17d Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 3670 Genesee Street, Cheektowaga, New York, SBL #91.16-2-31 and according to the Assessors' Office is owned by Geraldine S. Weber, 6 Rosemead Lane, Cheektowaga, New York 14227, AND

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

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

Upon roll call

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

Item No. 17e Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 102 Hedwig Avenue, Cheektowaga, New York, SBL #102.45-2-15 and according to the Assessors' Office is owned by Rochester Community Savings Bank, 1215 Superior Avenue, Cleveland, Ohio 44114, AND

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

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

Upon roll call

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

Item No. 17f Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 1251 Losson Road, Cheektowaga,

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New York, SBL #114.20-9-4 and according to the Assessors' Office is owned by Mr. & Mrs. Robert Murawski and Mr. & Mrs. Lawrence Kocienski, 1251 Losson Road, Cheektowaga, New York 14227, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 17g Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 151 Ludwig Avenue, Cheektowaga, New York, SBL #113.49-1-18 and according to the Assessors' Office is owned by Kenneth and Tammy Maraciniak, 151 Ludwig Avenue, Cheektowaga, New York 14227, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 17h Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 36 Northcrest Avenue, Cheektowaga, New York, SBL #91.20-2-54 and according to the Assessors' Office is owned by Thomas Flanigan and James Gianturco, 4 East Rouen Drive, Cheektowaga, New York 14227, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 17i Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 120 Shanley Street, Cheektowaga, New York, SBL #123.27-7-4 and according to the Assessors' Office is owned by James and Nancy Hagen, 120 Shanley Street, Buffalo, New York 14206, AND

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

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

Upon roll call

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

Item No. 17j Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 156 Southcrest Avenue, Cheektowaga, New York, SBL #91.20-3-37 and according to the Assessors' Office is owned by Melvin D. Brown, 2880 Eagles Nest Road, Cheektowaga, New York 14042, AND

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

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

Upon roll call

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

Item No. 17k Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 76 West Sobieski Avenue, Cheektowaga, New York, SBL #92.13-4-24 and according to the Assessors' Office is owned by David King & Jeanine Denisco, 76 West Sobieski Avenue, Cheektowaga, New York 14225, AND

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

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

Upon roll call

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

Item No. 17l Motion By Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 88 West Toulon, Cheektowaga, New York, SBL #125.06-17-50 and according to the Assessors' Office is owned by Willard F. Kratze and Wife, 88 West Toulon Drive, Cheektowaga, New York 14227, AND

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

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

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

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE FOR ATTACHMENT

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Item No. 19a Motion By Councilmember Johnson, Seconded by Councilmember Jankowiak
Councilmember Swiatek

WHEREAS, the Town of Cheektowaga seeks grant monies from the New York State TEA-21 Transportation Enhancement Program for the purpose of constructing sidewalks on portions of Losson Road and French Road, AND

WHEREAS, grant monies are available to pay for a maximum of eighty percent of the costs associated with the project, NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Transportation for the purpose of securing this grant and, BE IT FURTHER

RESOLVED, that the required matching funds for this project, not to exceed \$60,000 will be available from the Town's Year 2000 general budget and, BE IT FURTHER

RESOLVED, that the Cheektowaga Town Board requests formal support for this project from the Greater Buffalo-Niagara Regional Transportation Council and, BE IT FURTHER

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

Upon roll call

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

Item No. 19b Motion By Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owners of the property located at 279 Griffith Street, Sloan, New York, AND

WHEREAS, the owners of said property have applied for a mortgage loan from Fleet Mortgage Corporation for the purpose of refinancing existing mortgage debt at a lower interest rate, AND

WHEREAS, Fleet Mortgage Corporation has conditioned its mortgage approval on the subordination of the Town's mortgage to that of Fleet Mortgage Corporation, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement with Fleet Mortgage Corporation, with its primary office located at 50 Jordan Street, Providence, Rhode Island, 02914, pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 279 Griffith Street, Sloan, New York.

Upon roll call

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

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Item No. 19c Motion By Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owners of the property located at 140 Leonard Post Drive, Cheektowaga, New York, AND

WHEREAS, the owners of said property have applied for a mortgage loan from HSBC Mortgage Corporation for the purpose of refinancing existing mortgage debt at a lower interest rate, AND

Item No. 19c cont'd.

WHEREAS, HSBC Mortgage Corporation has conditioned its mortgage approval on the subordination of the Town's mortgage to that of HSBC Mortgage Corporation, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement with HSBC Mortgage Corporation, with an office located at 2929 Walden Avenue, Depew, New York 14043, pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property at 140 Leonard Post Drive, Cheektowaga, New York.

Upon roll call

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



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER MAZUR TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 20A, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



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

BE IT RESOLVED, that the following individuals be and hereby terminated from the Youth and Recreation Department, effective immediately (Part-Time):

- Anthony Astran
- Breanne Blachura
- John Ciesielski
- Costanza Germann
- Sarah Kosicki
- Kara Lynn Krzykowski
- Samantha Schanne
- Susan Stoklosa
- Kelly Sullivan
- Masoud Toloue
- Melissa Tweedy

Upon roll call

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

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ABSENT: 0

Item No. 20b 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:

Item No. 20b cont'd.

EFFECTIVE

RECYCLING DEPARTMENT

Wesley Michaels

5/29/99

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 21 Motion By Councilmember Mazur, Seconded by Supervisor Gabryszak

BE IT RESOLVED, the Town Board hereby creates the position of Recreation Supervisor in Senior Services, pursuant to Civil Service Laws and Rules effective immediately.

Upon roll call

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 Jankowiak

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department,
AND

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

WHEREAS, Ronald Fenski, currently employed as a LMEO-B in the Recycling Department bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Ronald Fenski of XXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 7, 1999.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 22b Motion By Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Temporary Motor Equipment Operator-B in the Sanitation Department, AND

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

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WHEREAS, Thomas Marten, currently employed as a Laborer in the Sanitation Department bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE BE IT

Item No. 22b cont'd.

RESOLVED, that the Thomas Marten of XXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Temporary 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 7, 1999.

Upon roll call

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

WHEREAS, a vacancy exists in the position of Temporary Laborer in the Sanitation Department Semi-Automated 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, Edward Fialkowski, currently employed as a LMEO-B in the Recycling Department bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Edward Fialkowski of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Temporary Laborer in the Sanitation Department Semi-Automated Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 7, 1999.

Upon roll call

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

Item No. 23a Motion By Councilmember Mazur, Seconded by Supervisor Gabryszak

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

EFFECTIVE

FACILITIES DEPARTMENT - Laborer - \$6.00 per hour

Joshua Bauer XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX 6/01/99

RECYCLING DEPARTMENT - Laborer - \$7.00 per hour

Charles Cobb XXXXXXXXXXXXXXXXXXXX, Depew XXXXXX Immediately
Eric Bakowski XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXXX "
Eric Springer XXXXXXXXXXXXXXXXXXXX, Depew XXXXXX "
Tom Jakubowicz XXXXXXXXXXXXXXXXXXXX Cheektowaga XXXXXX "

AND,

WHEREAS, this Town Board previously appointed four (4) individuals to the position of Laborer in the Recycling Department at the rate of \$6.00 per hour, AND

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Item No. 23a cont'd.

WHEREAS, their hourly rate should have been \$7.00 per hour, NOW, THEREFORE
BE IT

RESOLVED, that:

- Marvin Roland (hired April 6, 1999)
- James Manwarren (hired May 18, 1999)
- John Balbuzoski (hired April 12, 1999)
- John Paluszynski (hired April 5, 1999)

hereby be hired as Laborer (Seasonal) in the Recycling Department at the hourly rate of \$7.00 retroactively to their date of hire.

Upon roll call

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

NAYES: 0

ABSENT: 0



MOTION BY COUNCILMEMBER GABRYSZAK, SECONDED BY COUNCILMEMBER MAZUR TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 23B, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

NAYES: 0

ABSENT: 0



Item No. 23b 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, effective immediately:

CAMPS

Camp Dartwood - 7140.1632

Counselor II - \$5.15

Erin Finn	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Debra Garrison	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Counselor II - \$5.40

Michael Tyszka	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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Counselor III - \$5.90

Jocelyn Jones	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Scott Schreiner	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Cedargrove Camp - 7140.1631

Counselor I - \$5.15

Kristin Drzymala	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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Counselor III - \$5.65

Scott Morris	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Robert Proehl	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Counselor IV - \$5.90

Angela Bies	XXXXXXXXXX	XXXXX
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Camp Flamingo - 7310.1810

Counselor I - \$5.15

Matthew Arnold	XXXXXXXXXXXX	XXXXX
Travis Burkett	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Barbara Czaplicki	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Robert Gladwell	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Nicholas Goff	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Jeremy Hoffman	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Mary Beth May	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Samantha McManus	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Larry Roedl	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Joanna Stein	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Pamela Szeffler	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Jennifer Wagner	XXXXXXXXXX XXXXX	

Counselor II - \$5.40

Donna Griese	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Nicole Kozma	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Katherine Lewis	XXXXXXXXXXXXXXXXXXXXX	XXXXX

Counselor III - \$5.65

Kathryn Astran	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Allison Montroy	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Melissa Uhteg	XXXXXXXXXXXX	XXXXX

Counselor IV - \$5.90

Sara Sinclair	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Amy Wojdyla	XXXXXXXXXXXXXXXXXXXXX	XXXXX

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

Counselor II - \$5.65

Suzanne Brucz

Camp Crabapple - 7310.1802

Counselor III - \$5.65

Angela Kilger	XXXXXXXXXXXXXXXXXXXXX	XXXXX
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POOLS

Lifeguards - 7180.1903

Level I - \$5.90

Laura Wrzesinski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Jason Kuczanski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Melissa Penski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Christopher Garcea	XXXXXXXXXXXX	XXXXX
Mary Kay Brezowski	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Abby Grupka	XXXXXXXXXXXXXXXXXXXXX	XXXXX
Danielle Ketterl	XXXXXXXXXXXXXXXXXXXXX	XXXXX

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Level I (Alternate) - \$5.90

Anthony Viapiano	XXXXXXXXXXXXX	XXXXX
Nicole Mansfield	XXXXXXXXXXXXXXXXXXXX	XXXXX
Emilee Norris	XXXXXXXXXXXXXXXXXXXX	XXXXX
Lori Wittman	XXXXXXXXXXXXXXXXXXXX	XXXXX
April Scherer	XXXXXXXXXXXXXXXXXXXX	XXXXX
Richard Rusiniak	XXXXXXXXXXXXXXXXXXXX	XXXXX
Natalie Barnhard	XXXXXXXXXXXXXXXXXXXX	XXXXX
Melissa Barnard	XXXXXXXXXXXXXXXXXXXX	XXXXX
Michael Pawlowski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Stacy Connor	XXXXXXXXXXXXX	XXXXX
Mark Strobele	XXXXXXXXXXXXXXXXXXXX	XXXXX
Nicholas Adrian	XXXXXXXXXXXXXXXXXXXX	XXXXX

Bathhouse Attendants - 7180.1901

Bathhouse Attendants - Trainee - \$4.25

Ryan Kelly	XXXXXXXXXXXXX	XXXXX
Jeannette Granich	XXXXXXXXXXXXXXXXXXXX	XXXXX
Vicki Everett	XXXXXXXXXXXXXXXXXXXX	XXXXX
Corry Burzynski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Marty Klaffka	XXXXXXXXXXXXXXXXXXXX	XXXXX
Julie Mastandrea	XXXXXXXXXXXXXXXXXXXX	XXXXX
Lindsay A. Selvaggio	XXXXXXXXXXXXXXXXXXXX	XXXXX
Randi Marie Wojcik	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jessica Oddo	XXXXXXXXXXXX	XXXXX
Laura Lynn Brown	XXXXXXXXXXXXX	XXXXX
Greg Fischer	XXXXXXXXXXXXX	XXXXXX
Angela Stallone	XXXXXXXXXXXXX	XXXXX
Nicole Kunkel	XXXXXXXXXXXXXXXXXXXX	XXXXX
Jessica N. Odrobina	XXXXXXXXXXXXXXXXXXXX	XXXXX
Sarah Jaskowski	XXXXXXXXXXXXXXXXXXXX	XXXXX
Ashley Ann Wozniak	XXXXXXXXXXXXXXXXXXXX	XXXXX
Robert Oddo	XXXXXXXXXXXXX	XXXXX
Amy Szymanski	XXXXXXXXXXXXX	XXXXX
Amber Tracy	XXXXXXXXXXXXX	XXXXX
Danielle Burzynski	XXXXXXXXXXXXXXXXXXXX	XXXXXX

Bathhouse Attendants (Alternates) - Trainee - \$4.25

Michael Petruniak	XXXXXXXXXXXXX	XXXXX
Melissa Esposito	XXXXXXXXXXXXXXXXXXXX	XXXXX
Tracy Armstrong	XXXXXXXXXXXXX	XXXXX
Neal Strachan	XXXXXXXXXXXXX	XXXXX
Tom Strachan	XXXXXXXXXXXXX	XXXXX
Steven Kaun	XXXXXXXXXXXXX	XXXXX

THEATER

Theater Workshop - 7140.1651

Recreation Attendant I - \$5.15

Jillian Chwojdak	XXXXXXXXXXXXX	XXXXX
Stacie Chwojdak	XXXXXXXXXXXXXXXXXXXX	XXXXX
Katherine Wagner	XXXXXXXXXXXXXXXXXXXX	XXXXX

LACROSSE

Lacrosse - 7140-1625

Recreation Leader II - \$6.40

Brian Anken	XXXXXXXXXXXXX	XXXXX
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Item No. 23b cont'd.

IN-LINE HOCKEY LINE HOCKEY

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In-Line Hockey - 7140.1640

Recreation Attendant I - \$5.15

Eric Godzich	XXXXXXXXXX	XXXXX
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GYMNASTICS

Gymnastics - 7140.1630

Recreation Attendant I - \$5.15

Brandy Little	XXXXXXXXXXXXXX	XXXXX
Sarah Stortz	XXXXXXXXXXXXXX	XXXXX

YOUTH CONSERVATION CORPS - (YCC)

YCC Participants - 7310.1812 - \$5.15

Adam Schwab	XXXXXXXXXXXXXXXXXX	XXXXX
Jill Jasinski	XXXXXXXXXXXXXXXXXX	XXXXX
Jason Helmbrecht	XXXXXXXXXXXXXXXXXX	XXXXX
Jeff Brado	XXXXXXXXXXXXXXXXXX	XXXXX
Amy Trzaska	XXXXXXXXXXXXXXXXXX	XXXXX
Erik Reihinemer	XXXXXXXXXXXXXXXXXX	XXXXX
Jonathan Menczysnki	XXXXXXXXXXXXXXXXXX	XXXXX
Eric Zenicki	XXXXXXXXXXXX	XXXXX
Rebecca Ann Murray	XXXXXXXXXXXX	XXXXX
Derrick Kowal	XXXXXXXXXXXXXXXXXX	XXXXX
Jeremy Kowal	XXXXXXXXXXXXXXXXXX	XXXXX
Nicole Petruniak	XXXXXXXXXXXXXXXXXX	XXXXX
William Vannelli	XXXXXXXXXXXXXXXXXX	XXXXX
Samantha Jo Wood	XXXXXXXXXXXXXXXXXXXXXX	XXXXX
Kyle Eich	XXXXXXXXXXXXXXXXXX	XXXXX
Travis Burkett	XXXXXXXXXXXXXXXXXX	XXXXX
Leah Rusiniak	XXXXXXXXXXXXXXXXXX	XXXXX
Michael Boland	XXXXXXXXXXXXXXXXXX	XXXXX
Michael Pawlowski	XXXXXXXXXXXXXXXXXXXXXX	XXXXX

CCC Participants (Alternate) - \$5.15

Christopher Pew	XXXXXXXXXXXXXXXXXX	XXXXX
Katie Zaczkowski	XXXXXXXXXXXXXXXXXX	XXXXX
Christopher Meszaros	XXXXXXXXXXXXXXXXXX	XXXXX
Alicia Cianflone	XXXXXXXXXXXXXXXXXX	XXXXX
Neal Strachan	XXXXXXXXXXXXXXXXXX	XXXXX
Karol Szymczuk	XXXXXXXXXXXXXXXXXX	XXXXX
Gregory Grimes	XXXXXXXXXXXXXXXXXX	XXXXX
Roger McGill	XXXXXXXXXXXXXXXXXX	XXXXX
Tom Strachan	XXXXXXXXXXXXXXXXXX	XXXXX
Chad Baker	XXXXXXXXXXXXXXXXXX	XXXXX
Matthew Arnold	XXXXXXXXXXXXXXXXXX	XXXXX
Scott Szarzyński	XXXXXXXXXXXXXXXXXX	XXXXX
Richard Rusniak	XXXXXXXXXXXXXXXXXX	XXXXX
Jarod Bucki	XXXXXXXXXXXXXXXXXX	XXXXX
Scott Wahler	XXXXXXXXXXXXXXXXXX	XXXXX

TENNIS

Tennis - 7140.1642

Recreation Attendant I - \$5.15

Louis Bystrak	XXXXXXXXXXXXXXXXXX	XXXXX
Lisa Wittman	XXXXXXXXXXXXXXXXXX	XXXXX
<u>Item No. 23b cont'd.</u>		

Recreation Attendant II - \$5.40

Nick Wierzbicki	XXXXXXXXXXXXXXXXXX	XXXXX
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Recreation Attendant III - \$5.65

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Justin Krasinski XXXXXXXXXXXX XXXXX

Recreation Attendant IV - \$5.90

Amy Burnicki XXXXXXXXXXXXXXXXXXXX XXXXX

Recreation Attendant V - \$6.15

Eric Burns XXXXXXXXXXXXXXXXXXXX XXXXX

Upon roll call

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

Item No. 23c 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:

EFFECTIVE

SANITATION DEPARTMENT - Laborer - \$6.00 per hour

Andrew Cianflone XXXXXXXXXXXXXXXXXXXX, Depew XXXXX Immediately

Upon roll call

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

Item No. 23d Motion By Councilmember Jaworowicz, Seconded by Councilmember Mazur

WHEREAS, Jamie Holtz, a participant in the Canisius Earning Excellence Program (CEEP) for the summer of 1999, has requested an internship with the Town of Cheektowaga Justice Court, AND

WHEREAS, said salary for this position has been established at \$8.00 per hour, of which \$4.00 of the student wages will be paid by the Town of Cheektowaga and \$4.00 will be subsidized by Canisius College, NOW, THEREFORE BE IT

RESOLVED, that Jamie Holtz of XXXXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX, be and hereby is hired as a Summer Intern in the Justice Court retroactive from May 14, 1999 to and including August 19th, 1999, out of Justice Department Budget #0100-1110-1492.

Upon roll call

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



MOTION BY COUNCILMEMBER GABRYSZAK, SECONDED BY COUNCILMEMBER MAZUR TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 24, AND THE VOTING WAS AS FOLLOWS:

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Upon roll call

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 transferred and/or upgraded, effective immediately:

From Part-Time to Seasonal

Amy Hawrysiak

Part-Time

Recreation Attendant VI - \$6.40 (all lines)

Richard Szprygada

Volleyball - 7140.1627

Recreation Attendant VI - \$6.40

Amy Hughes

From Part-Time to Seasonal

Camps

Dartwood - 7140.1632

Counselor III - \$5.65

Cathleen Cramer

Counselor II - \$5.40

Robert Swiatkowski

Camp Flamingo - 7310.1810

Senior Counselor I - \$6.15

Timothy Isch

Counselor II - \$5.65

Kelly Williams

Michael Rainville

Counselor II - \$5.40

Lisa Robida

Christina Karlinski

Heather Menchini

Brian Pane

Nicole Ritzenhaler

Adam Zakrzewski

Camp JI-IK-DO-WAG-GAH - 7310.1801

Activity Director IV - \$7.65

Maggie Wnuk

Item No. 24 cont'd.

Counselor III - \$5.65

Tracy Malczewski

Melissa Gladwell

Timothy Zgliczynski

Mindy Keiser

Counselor II - \$5.40

Jennifer Odrobina

**From Part-Time to Seasonal
Tennis**

Tennis - 7140.1642

Program Coordinator II - \$7.65
Jason Krasinski

Recreation Attendant II - \$5.40
Peter Greenauer

**From Part-Time to Seasonal
Sports Rotation**

Sports Rotation - 7140.1645

Recreation Attendant II - \$5.40
Kathy Gibbs

**From Part-Time to Seasonal
Youth Conservation Corps - Supervisor - 7310.1811**

YCC Coordinator - \$11.55
Jack Hornung

YCC Education Coordinator II - \$11.55
Roger Newhouse

**From Part-Time to Seasonal
Sport Camps - 7140.1646**

Recreation Attendant IV - \$5.90
Danielle Kashuba

Recreation Leader I - \$6.15
Amie Godzich
(transfer from 7310.1803)

**From Part-Time to Seasonal
Gymnastics - 7140.1630**

Recreation Attendant II - \$5.40
Amy Witt

Recreation Attendant III - \$5.65
Erica D'Amico

Recreation Attendant V - \$6.15
Robin Thompson

Recreation Attendant VI - \$6.40
Eileen Skowronski

Item No. 24 cont'd.

Supervisor II - \$6.65
Kimberly Arnold

Supervisor IX - \$8.40
Cheryl Skowronski

**From Part-Time to Seasonal
Theater**

Theater Workshops - 7140.1651

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Recreation Instructor III - \$5.90
Julie Babulski

Recreation Attendant III - \$5.65
Courtney Hoerner

Seasonal

Soccer - 7140.1636
Recreation Leader IX - \$8.15
(retro to 5/3/99)
Anthony Pierino

Basketball - 7140.1654
Recreation Attendant V - \$6.15
Jay Paradowski

From Seasonal to Part-Time

Volleyball - 7140.1627 - Recreation Attendant V - \$6.15
Softball - 7140.1633 - Recreation Attendant X - \$7.40
Cindy Pietz

Upon roll call

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

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

WHEREAS, the State Law Enforcement Accreditation Council has requested the Chief of Police to attend a meeting in Albany, New York on June 10, 1999.

WHEREAS, the State Law Enforcement Accreditation Council will be considering the Police Department's application of reaccreditation status. Chief Bruce Chamberlin is requesting authorization to attend this meeting. This meeting is part of the application process and is mandatory. The Police Department will be responsible for transportation and lodging amounting to approximately \$125.00. NOW, THEREFORE BE IT

RESOLVED, that Chief Chamberlin is authorized to attend this meeting. The expense 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

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

WHEREAS, Buffalo Crushed Stone, Inc. ("BCS") commenced litigation against the Town of Cheektowaga over its alleged right to expand its existing mining operations at its quarry on Como Park Boulevard in the Town, AND

WHEREAS, many area residents and the Town are concerned over the quality of air, the potential air pollution and health effects from particulates in the air in the area of the BCS quarry, AND

WHEREAS, the Town has retained URS Greiner Woodward Clyde ("URS Greiner") in the past in connection with zoning matters and the BCS quarry, AND

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WHEREAS, URS Greiner has submitted a proposal to the Town wherein it would conduct real-time air monitoring in the area of the BCS quarry for the Town for a fee of \$6,000.00, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby retains URS Greiner to perform the services identified as Task 1 in the attached Professional Services Agreement at a fee not to exceed \$6,000.00 and, BE IT FURTHER

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

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

Upon roll call

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

* SEE NEXT PAGE FOR ATTACHMENT

Item No. 26b Motion By Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, by resolution dated December 7, 1998, this Town Board retained URS Greiner, Inc. (now known as URS Greiner Woodward Clyde) to review future developments along the William Street/Losson Road Corridor to ensure that such development proceed in accordance with the goals and land use plan stated in the William/Losson Corridor Study prepared by URS Greiner, Inc., AND

WHEREAS, the owner of 2911 William Street has submitted an application to the Town of Cheektowaga to develop such property with a 100-unit assisted living facility, AND

WHEREAS, this Town Board wishes to have URS Greiner Woodward Clyde review the application and plans filed by the owner of 2911 William Street as per the attached estimate and proposal, AND

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WHEREAS, the owner of 2911 William Street has reviewed the proposal and cost estimate from URS Greiner Woodward Clyde and has deposited into Town escrow account number 0600-0823, \$2,450.00 for such review, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby authorizes and directs URS Greiner Woodward Clyde to perform the work as stated in the attached proposal for 2911 William Street at a cost not to exceed \$2,400.00 and, BE IT FURTHER

RESOLVED, that moneys for such services shall be appropriated from the escrow account established by the Town (account no. 0600-0823) which was funded with moneys deposited with the Town by Seneca Creek Development, the owner of 2911 William Street.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE FOR ATTACHMENT

III. DEPARTMENT COMMUNICATIONS

Item No. 27 Building Permits
Received and Filed.

Item No. 28 Minutes of Cheektowaga Public Library Board - April 21, 1999
Received and Filed.

Item No. 29 Supervisor's Statement of Funds - April, 1999
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 30 Summons & Complaint: Deborah and Dennis Mikolin vs. Cleveland Hill Union Free School District #3 and the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Facilities Department; and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 31a Notice of Claim: Robert D. West 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. 31b Notice of Claim: Joyce E. Bochmann 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 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. 32 Motion By Councilmember Johnson, Seconded by Supervisor Gabryszak
Councilmember Swiatek

WHEREAS, the Town has previously identified concerns regarding escalating development and traffic volumes within the French Road and Transit Road corridors and the need for updated and, regional master planning within such road corridors by making application to the County of Erie through their Regional Planning Grant Program.

Item No. 32 cont'd.

WHEREAS, the Town is concerned about the explosive growth of development occurring within the Town of Lancaster and the associated regional traffic impacts to the residents of the Town of Cheektowaga, as previously identified during the town's preparation of the William-Losson Corridor Study.

WHEREAS, development pressure within the Transit Road corridor within the Town of Cheektowaga and within the Town of Lancaster is now heightened, due to the recent completion of the Transit Road reconstruction and widening project.

WHEREAS, the Town seeks to identify existing land uses, plan for proposed land uses, identify future traffic trip generation associated with proposed and existing land uses, identify infrastructural deficiencies and/or traffic capacity inadequacies; and share such data with the neighboring communities (Town of Lancaster and the Town of West Seneca) in an effort to integrate and coordinate future land use planning activities so that a regional approach to land use planning can be achieved across neighboring municipal boundaries.

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WHEREAS, the County of Erie has announced that the Town of Cheektowaga will be a recipient of Regional Grant monies in the amount of \$13,000.00, AND

WHEREAS, the Town has already budgeted monies for planning activities for the year of 1999, AND

WHEREAS, the town desires to engage the consulting services of URS Greiner Woodward Clyde to prepare Master Plan corridor studies for Transit and French Roads at a total cost not to exceed \$20,000, AND

WHEREAS, a budget line item has now been set up where such monies may be appropriated from and this Town Board wishes to appropriate monies to engage the services of URS Greiner Woodward Clyde, NOW, THEREFORE BE IT

RESOLVED, that monies for such services in an amount not to exceed \$20,000.00 shall be appropriated from budget line number 0100-1910-4709.

Upon roll call

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

Item No. 33 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, the Town of Cheektowaga Town Engineer has submitted an application regarding the consolidation of the Town sanitary sewer districts number 2, 3, 4, 5, 6, 7, 8, and extensions 1 & 2 of district 7, AND

WHEREAS, the consolidation is intended to simplify the budget process associated with the operation of the districts, accounting operations and taxing formulas, AND

WHEREAS, the consolidation will also diversify risks for future costs associates with major repairs and improvement projects, AND

Item No. 33 cont'd.

WHEREAS, the application was referred to interested or involved agencies including the Villages of Depew and Sloan, the Erie County Department of Environment and Planning and the New York State Department of Environmental Conservation, AND

WHEREAS, the Advisory Committee, at its meeting held on June 2, 1999 rendered the determination shown on the attached memo dated June 3, 1999, 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 proposal will not have a significant effect on the environment and therefore issues a "Negative Declaration" for the purposes of SEQRA.

Upon roll call

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

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ABSENT: 0

* SEE NEXT PAGE FOR ATTACHMENT

Item No. 34 Motion By Supervisor Gabryszak, Seconded by Councilmember Johnson to adjourn this meeting in memory of Thaddeus J. Klosko, active resident of the Town of Cheektowaga.

Mary Holtz
DeputyTown Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 13
June 21, 1999**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 21st day of June, 1999 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; Jim Kirisits, Town Attorney; Sal LaGreca, Chairman of the Planning Board; Bruce Chamberlin, Chief of Police; Bill Pugh, Town Engineer; Pat Wojcik, Director of Senior Services; Robert Kaczmarek, Supervising Accountant; Captain John Howlett, Cheektowaga Police Department; Bill Conway, Assessor.

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 consolidation of Sewer District Nos. 2, 3, 4, 5, 6, 7 and 8 of the said Town of Cheektowaga. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed.

The Supervisor announced that the Town Board would hear all persons interested in the subject of the hearing. Comments were heard, after which the Supervisor declared the hearing closed; decision was reserved. See Item No. 9 for approval of said consolidation.

Item No. 3 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed Local Law Intro #99-1 "A Local Law to Amend the Tree Preservation Law" of the said Town of Cheektowaga, hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said Local Law being as follows:

Local Law Intro No. 99-1

A Local Law to Amend the Tree Preservation Law

This local law would amend Sections 74-4 and 74-5 of the Tree Preservation Law to:

1. Provide revised time frames for approval of tree removal permits and appeals of permit denials.
2. Provide for replacement trees and/or monies to be paid when trees are to be removed.



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

Item No. 4 This being the time and place advertised for a public hearing to consider the application of Pyramid Company of Buffalo/Kahunaville for a Variance to the Amusement Arcades

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Ordinance of the Town of Cheektowaga. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Said variance is proposed for premises located at:

Walden Galleria
One Galleria Drive

relative to:

Location of an Amusement Arcade within 500 feet of a R-Residence District Boundary



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

II. RESOLUTIONS

Item No. 5 Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

GENERAL FUND

FROM:	0100-1320-4506	Accounting & Auditing	\$10,000.00
	0100-1430-1125	Employee Relation's Director	8,000.00
	0100-1910-4711	Contingency	13,000.00
TO:	0100-1315-4431	Maintenance Agreement	\$10,000.00
	0100-1430-4011	Printing	3,000.00
	0100-1430-4502	Legal	5,000.00
	0100-1410-1491	Seasonal Clerical	13,000.00

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

NAYES: 0

ABSENT: 0

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to June 18, 1999 are hereby approved and made a part hereof:

GENERAL FUND	\$ 120,315.51
HIGHWAY FUND	64,932.37
TRUST & AGENCY	1,652.80
PART TOWN FUND	1,084.62
HUD CDBG FUND	27,665.48
HUD HOUSING REHABILITATION FUND	1,207.00
RISK RETENTION FUND	32,900.13
SPECIAL DISTRICTS FUND	1,628,643.54
CAPITAL FUND	65,113.47
	<u>\$1,943,514.92</u>

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

NAYES: 0

ABSENT: 0

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

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

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

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

RESOLVED that the following accounts be and hereby are established:

CHIPS State Aid (Expense) - #5714-5132-0002 - \$156,320.84
CHIPS State Aid (Revenue) - #5714-5132-3089 - \$156,320.84

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

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

WHEREAS, the Cheektowaga Town Board and the Amherst Town Board have passed resolutions authorizing the submission of a cooperative grant application seeking monies from the New York State TEA-21 Transportation Enhancements Program for the purpose of streetscaping Harlem Road from Cleveland Drive to Saratoga, and

WHEREAS, the Town of Cheektowaga and Town of Amherst have agreed to provide a twenty percent match in cash and in-kind services with the Town of Cheektowaga contributing approximately twenty percent of the total required matching funds and the Town of Amherst contributing approximately eighty percent of the total required matching funds associated with the project, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga's portion of the required matching funds for this project, not to exceed \$65,000 will be available from the Town's Year 2000 general fund in the annual budget.

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

Item No. 9 Consolidation of Sewer Districts Nos. 2, 3, 4, 5, 6, 7 & 8 and all extensions into a single consolidated sewer district

**SEE NEXT PAGE(S) for BOND RESOLUTION

Item No. 10a Motion by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, it is in order that bids be advertised to cover the purchase of Police Undercover Vehicles for the Police Department, NOW, THEREFORE, BE IT

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RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the purchase of Police Undercover Vehicles, said notice to be published in the Cheektowaga Times, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 30th day of June, 1999 at 11:00 AM, Eastern Standard Time at a public bid opening to be held in the Cheektowaga Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on June 30th, 1999 at 11:00 A.M. Eastern Standard Time at Town Hall, corner of Broadway and Union Roads for the purchase of police vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at this office in said Town. One bid is to be submitted for all five (5) vehicles listed in the bid specifications. Vehicles to be traded in will be available for inspection on June 24, 1999, from 9:30 AM until 12:00 Noon, at the Town of Cheektowaga Central Garage, 3175 Union Road, any question regarding this inspection can be directed to Art Ferdinand at 686-3480.

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: June 21, 1999



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

AFFIDAVIT - NEXT PAGE

Item No. 10b Motion by Councilmember Rogowski, Seconded by Councilmember Johnson

WHEREAS, it is in order that bids be advertised for the Standby Emergency Generator Removal, Installation and Modification Project in the Town Hall in the Town of Cheektowaga, and

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

RESOLVED that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the Emergency Generator Project, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 14th day of July at 11:00 A.M., Eastern Daylight Saving Time at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 14th day of July, 1999 at 11:00 A.M., Local Time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for the Standby Emergency Generator Removal, Installation and Modification Project at the Town Hall, complete, in place, and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc. prepared by the Town of Cheektowaga Engineering Department for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

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

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Proposal for the Standby Emergency Generator Removal, Installation and Modification Project."

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

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

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

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

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

Item No. 10b cont'd

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

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

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

RICHARD M. MOLESKI
Town Clerk

DATED: June 21, 1999

PUBLISHED: June 24, 1999



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, it is in order that bids be advertised for the Cedargrove Heights, Shirley-Donlen Storm Drainage Project in the Town of Cheektowaga, and

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

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RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for the Cedargrove Heights, Shirley-Donlen Storm Drainage Project, said notice to be published in the CHEEKTOWAGA TIMES, the BUFFALO NEWS and THE CHALLENGER, and BE IT FURTHER

RESOLVED that sealed bids will be received on the 7th day of July, 1999 at 11:00 A.M., Eastern Daylight Saving Time at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 7th day of July, 1999 at 11:00 A.M., Local Time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for the Cedargrove Heights Shirley-Donlen Storm Drainage Project, complete, in place, and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc. prepared by the Town of Cheektowaga Engineering Department and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the Town of Cheektowaga Engineering Department, 275 Alexander Avenue, Cheektowaga, New York 14211 and at the Town Clerk's Office, Broadway and Union Road, Cheektowaga, New York 14227. Copies may be secured at the office of the Town Clerk upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be 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 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, Town Hall, Cheektowaga, New York 14227, and marked "Proposal for the Cedargrove Heights Shirley-Donlen Storm Drainage Project."

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

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

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

Item No. 10c cont'd

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

Project activities are Federally funded under Title I Community Development Act of 1974, as amended. The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater. All bidders must comply with Section 3 Requirements for the Provision of Training Employment and Business Opportunities, the President's

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Executive Order 11246, as amended, and Non-Discrimination and Equal Employment Opportunity requirements as set forth in the Contract Documents.

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

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

The work shall be completed within 120 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

BY ORDER OF: THE TOWN OF CHEEKTOWAGA,

RICHARD M. MOLESKI
Town Clerk

DATED: June 21, 1999

PUBLISHED: June 24, 1999



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various applications for building permits, rezonings, special permits, etc. and renders its recommendation concerning the compatibility of such application with the zoning regulations, Town Master Plan and neighborhood character, and

WHEREAS, the Town Board, pursuant to the Zoning Law of the Town of Cheektowaga, is required to affirm, modify or reject any recommendations submitted to it by the Planning Board, and

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WHEREAS, an application was submitted by the Pyramid Company of Buffalo to extend a restaurant, known as Kahunaville, with a 2,157 s.f. addition for seating and service areas, and

WHEREAS, the addition would be placed in an area presently occupied by sidewalks without affecting the pedestrian traffic, and

WHEREAS, the Planning Board, at its meeting held on June 10, 1999 rendered the determination shown on the attached memo dated June 17, 1999, and

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

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

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

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

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

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

WHEREAS, the Pyramid Company of Buffalo has appealed to this Town Board from the requirement that Kahunaville, an amusement arcade, is not 500 feet from a R-District boundary, and

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WHEREAS, Kahunaville is proposing to located in the northerly portion of the Walden Galleria Mall in the location formerly leased by Q-Zar, which location, according to the Building Inspections Department, is less than 500 feet from a R-District boundary, and

WHEREAS, a hearing on this appeal/variance was held before this Town Board on the 21st day of June, 1999 at 7:00 P.M., and

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

1. It would not affect the character of the R-Residence District, which is 420± feet away, because this R-Residence District is only a 30± foot wide buffer area between the north side of Galleria Drive and Nokomis Park. Actual residentially used properties are much more than 500 feet from the proposed amusement arcade.
2. It would not have a negative effect on any church or nearby school.
3. It would not act contrary to the Amusement Arcade Ordinance's intended objective of protecting the morals and welfare of minors and other members of the community. The proposed amusement arcade will have adequate safety and security measures in place for its operation and each child must be accompanied by a supervising adult.
4. It would not tend to depreciate the value of adjacent property.
5. Strict application of the Amusement Arcade Ordinance would produce an excessive and unreasonable economic burden and would be physically or legally impracticable because arcade games are critical to the operation of Kahunaville.

NOW, THEREFORE, BE IT

RESOLVED that the application of Pyramid Company of Buffalo for a variance to allow it to obtain an Amusement Arcade license for Kahunaville to be located in the Walden Galleria Mall be and hereby is granted subject to the following conditions:

1. Applicant must obtain an Amusement Arcade license from the Town Clerk

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

Item No. 13a Motion by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, by resolution dated August 1, 1994, the Cheektowaga Town Board approved a Meter and Regulator Lot Lease with National Fuel Gas Distribution Corporation ("National Fuel") covering Town-owned property located on Kaufman Road in the Town, and

Item No. 13a

WHEREAS, such lease has expired and National Fuel has requested to renew such lease at an annual rental of \$200.00, and

WHEREAS, the Town Engineer has no objection to such renewal, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a Meter and Regulator Lot Lease with National Fuel in accordance with the above, and BE IT FURTHER

RESOLVED that this resolution is subject to a permissive referendum under the Town Law, and BE IT FURTHER

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

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NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, on June 21, 1999, adopted a resolution authorizing the Town of Cheektowaga to enter into a Meter and Regulator Lot Lease with National Fuel Gas Distribution Corporation for the erection and operation of a meter and appurtenances on Town owned property located on Kaufman Road in the Town of Cheektowaga (S.B.L. #102.22-8-14)

A copy of such Meter and Regulator Lot Lease 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 21, 1999

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. 13b Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Town Transportation Systems Management Study Areawide Report, prepared in September 1994, recommended the establishment of a long range program to upgrade numerous traffic signals and intersections to address deficiencies noted in said report, and

WHEREAS, the Traffic Engineer and Police Traffic Safety Office have recommended that a traffic signal improvement assessment study, intersection improvement modifications, traffic signal warrant analysis, and preliminary lane widening design and cost estimates be prepared respectively for the following intersections:

Nagel @ George Urban Blvd.

Nagel Drive @ Joseph Drive

Nagel Drive @ Walden Avenue

Brentwood Drive @ French Road

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NOW, THEREFORE, BE IT

RESOLVED that the proposal of E.M.S. Consulting dated June 11, 1999 as submitted to the Town Engineer for professional services associated with the signal and intersection improvement study for the aforesaid intersections, as detailed in the proposal is accepted and approved, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign the agreement with EMS Consulting for the provision of said professional services, and BE IT FURTHER

RESOLVED that the cost of said professional services in an amount not to exceed \$7,600.00 shall be chargeable to Account No. 5315-5141-9346.

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

Item No. .13c Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the NYSDOT is currently designing improvements for the reconstruction of Union Road (Route 277) between Como Park Boulevard and George Urban Boulevard identified as P.I.N. 5131.23.101, proposed for construction in calendar year 2001, and

WHEREAS, the Town has previously proposed to N.Y.S.D.O.T. the consolidation of the numerous driveways to Union Road which currently serve the various Town buildings on the Town Hall Campus, to one (1) consolidated signalized roadway which would significantly enhance safety, particularly improving the ability to accommodate the Sanitation and highway truck fleets, and Police fleet both inbound and outbound onto Union Road, and

WHEREAS, the N.Y.S.D.O.T. requires the submission of a Traffic Impact Study including traffic counts and signal warrant analysis in order to support the Town's request for a traffic signal installation, NOW, THEREFORE, BE IT

RESOLVED that the proposal of EMS Consulting, 1863 Clinton Street, Buffalo, New York 14206 as submitted to the Town Engineer and dated June 11, 1999 to perform the necessary Traffic Impact Study and analysis in support of a traffic signal on Union Road serving the Town Hall Complex is hereby approved, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to sign said consulting engineering agreement on behalf of this Town Board, and BE IT FURTHER

RESOLVED that funding for professional services associated with the Traffic Impact Study and Signal Warrant Analysis in an amount not to exceed \$3,800 shall be chargeable to account No. 5704-1440-9606.

Item No. 13c cont'd

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

Item No. 13d Memorandum of Agreement with Cheektowaga Police Club
This item was withdrawn.

Item No. 14a Motion by Councilmember Mazur, Seconded by Councilmember Johnson

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

WHEREAS, the Doyle Hose Company No. 1 has made application to hold its Comic Parade on August 6, 1999 at 7:00 P.M., beginning at the Theodore Roosevelt School, then west on William Street to Doyle 1 Fire Hall; and its Grand Parade on August 7, 1999 at 3:00 P.M. beginning at

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the ITT Standard Plant on Standard Parkway, then south to William Street, then west to Doyle 1 Fire Hall, and

WHEREAS, this Board has reviewed the application submitted by Doyle Hose Company No. 1, 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 Doyle 1 Hose Company No. 1 for its parades to be held on August 6 and 7, 1999, and BE IT FURTHER

RESOLVED that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parades 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. 14b Motion by Councilmember Jaworowicz, Seconded by Councilmember Mazur

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

WHEREAS, the Cheektowaga Patriotic Commission has made application to hold its Independence Day festivities and parade in Cheektowaga Town Park and along Harlem Road on July 3-4, 1999, and,

Item No. 14b cont'd

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Patriotic Commission, which application has been approved by the Police, Facilities and Youth & Recreational Services Departments, and has no objection to same, and

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

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

NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves the aforementioned application of the Cheektowaga Patriotic Commission for its Independence Day festivities and parade to be held on July 3-4, and BE IT FURTHER

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RESOLVED that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such 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. 15a Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 121 Broad Street, Cheektowaga, New York, SBL #92.17-1-4 and according to the Assessors' Office is owned by Sibley Mortgage Corporation, 2909 Walden Avenue, Depew, New York 14043, and

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

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

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

Item No. 15b Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 33 Elaine Court, Cheektowaga, New York, SBL #91.07-1-4 and according to the Assessors' Office is owned by Ronald A. Guile, P.O. Box 1945, Cheektowaga, New York 14225, and

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

Item No. 15b 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.

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

Item No. 15c Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 56 Frederick Street, Cheektowaga, New York, SBL #113.63-6-8 and according to the Assessors' Office is owned by Stanley C. Jakubowski, 56 Frederick Street, Buffalo, New York 14227, and

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

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

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

Item No. 15d Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 3700 Harlem Road, Cheektowaga, New York, SBL #80.17-9-7.1 and according to the Assessors' Office is owned by Rite Aid of New York, Inc. P.O. Box 3165, Harrisburg, PA 17105, and

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

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

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

Item No. 15e Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 50 Olcott Place, Cheektowaga, New York, SBL #101.36-3-6 and according to the Assessors' Office is owned by Kevin C. Fischer and Wife, 4837 Tuscarora Road, Niagara Falls, New York 14304, and

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

Item No. 15e 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.

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

Item No. 15f Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 75 Pine Ridge Road, Cheektowaga, New York, SBL #101.60-4-43 and according to the Assessors' Office is owned by Stephania Bochynski, 871 Main Street, East Aurora, New York 14052, and

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

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

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

Item No. 15g Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 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, c/o E.C. Senior Adult Protection, 95 Franklin Street, Room 1304, Buffalo, New York 14202, and

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

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

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

Item No. 15h Motion by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at the corner of Vern Lane and William Street, Cheektowaga, New York, SBL #113.57-2-15 and according to the Assessors' Office is owned by Tarun K. Ohri, 161 Brooklyn Street, Warsaw, New York 14569, and

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

Item No. 15h 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.

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

Item No. 15i Motion by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, abandoned structure at 76 West Sobieski, Cheektowaga, New York, SBL #92.13-4-24 that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessors' Office is owned by David King and Jeanine Denisco, 76 West Sobieski Avenue, Cheektowaga, New York 14225, and

WHEREAS, these conditions require that the Town of Cheektowaga Building Inspections Department take immediate steps to safeguard and secure the attached entranceway doors in the vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

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RESOLVED that all openings in this structure were boarded over and secured on June 14, 1999 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. 16 Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, the Town Board of the Town of Cheektowaga previously approved a Personnel Policy for the Chief of Police and Assistant Chief of Police, and

WHEREAS the 1996-98 collective bargaining agreement between the Town and the Captains and Lieutenants Association, in Section 6.07, provided for increased longevity pay to such bargaining unit members, and

WHEREAS this Town Board wishes to provide for increased longevity pay to the Chief of Police and Assistant Chief of Police for 1996-98 to provide parity for such employees, NOW, THEREFORE, BE IT

RESOLVED that Section 5 of the Personnel Policy with the Chief of Police and Assistant Chief of Police be and hereby is amended to provide for the following referenced longevity payment amounts for the following respective years:

	<u>1996</u>	<u>1997</u>	<u>1998</u>
Chief of Police	\$2,750	\$2,875	\$3,125
Asst. Chief of Police	\$2,750	\$2,875	\$3,125

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

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

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

Item No. 17 cont'd

	<u>EFFECTIVE</u>
<u>SANITATION DEPARTMENT</u>	
Andrew Cianflone	6/07/99
William Brady	6/03/99
<u>RECYCLING DEPARTMENT</u>	
Eric Springer	Immediately
<u>FACILITIES DEPARTMENT</u>	
Mark Wood	Immediately
<u>POLICE DEPARTMENT - Crossing Guard</u>	
Shirley Christie	6/25/99
<u>POLICE DEPARTMENT - Clerical/part-time</u>	
Christine Priola	6/18/99
<u>TOWN CLERK'S OFFICE</u>	
Lori Vallon	Immediately

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

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

BE IT RESOLVED the Town Board hereby creates the position of Clerk to the Town Justice in the Justice Court, pursuant to Civil Service Laws and Rules effective immediately.

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

Item No. 19a Motion by Councilmember Swiatek, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga Employees' Association ("TCEA") filed a grievance against the Town in connection with a civil service appointment this Town Board made to a position in the Town Engineering Department on behalf of a TCEA member who works in the Building & Plumbing Inspections Department, and

WHEREAS, this Town Board wishes to settle this grievance, NOW, THEREFORE, BE IT

RESOLVED that effective immediately, Gary Parks be and hereby is appointed to the position of Building Inspector (provisional) in the Building & Plumbing Inspections Department, at a salary in accordance with such position as stated in the collective bargaining agreement between the Town and the TCEA, and BE IT FURTHER

RESOLVED that from April 21, 1998 to June 21, 1999, Gary Parks shall be paid the difference in salary between his current position and the position of Building Inspector, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute a Settlement Agreement with the TCEA in accordance with the above.

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

Item No. 19b Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Light Motor Equipment Operator -B in the Recycling Department, and

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

WHEREAS, Donald Karl, currently employed as a Laborers Aide in the Recycling Department, bid on said vacancy and meet all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Donald Karl of XXXXXXXXXX Cheektowaga, XXXXX be and hereby is appointed to the position of Light Motor Equipment Operator - B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

Item No. 19c Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, this Town Board previously appointed Edward Fialkowski of 25 Pheasant Lane, Cheektowaga, 14227 to the position of Temporary Laborer in the Sanitation Department Semi-Automated Division, and

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WHEREAS, this appointment should have been designated permanent, NOW, THEREFORE, BE IT

RESOLVED that Edward Fialkowski of XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Laborer (permanent) in the Sanitation department Semi-Automated Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective June 7, 1999.

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

Item No. 19d Motion by Councilmember Jaworowicz, Seconded by Councilmember Johnson

WHEREAS, a vacancy exists in the position of Clerk to the Town Justice (Exempt) in the Justice Court, and

WHEREAS, Stephanie Lewandowski, currently employed as a Clerk (part-time) in the Justice Court, meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Stephanie Lewandowski of XXXXXXXXXX, Cheektowaga XXXXX be and hereby is appointed to the position of Clerk to the Town Justice (Exempt) in the Justice Court at the rate of \$14.00 per hour effective June 22, 1999.

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

Item No. 19e Appointment of Traffic Maintenance Worker
This item was withdrawn.

Item No. 19f Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Recreation Supervisor in the Senior Services Department, and

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

WHEREAS, Kerry Switalski, currently employed as a Recreation Attendant in the Senior Services Department, bid on said vacancy and meet all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Kerry Switalski of XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX be and hereby is appointed to the position of Recreation Supervisor in the Senior Services Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

Item No. 19g Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Light Motor Equipment Operator - B in the Recycling Department, and

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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, Kyle Tobolski, currently employed as a Laborers Aide in the Recycling Department, bid on said vacancy and meet all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED that Kyle Tobolski of XXXXXXXXXXXXX, Cheektowaga, XXXXX be and hereby is appointed to the position of Light Motor Equipment Operator - B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

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

Item No. 20 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be and hereby transferred as indicated:

From Part-time to Seasonal
(effective June 28th)
Chris Mahalic

(effective July 6th - reverts to part-time December 19th)
Laila Desjardins

From Seasonal to Part-time
(effective June 21st)
Susan Switalski

Item No. 20 cont'd

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



Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz to dispense with the reading of the names on all hiring resolutions, and the voting was as follows:

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



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

BE IT RESOLVED that the following individuals be hired as seasonal employees in the Youth and Recreational Services Department, effective June 21, 1999.

Youth Conservation Corps.
YCC Participants (Alternates) - 7310.1812 - \$5.15

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Ruben Acosta XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Amy Lynn Erhardt XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Sports Rotation - 7140.1645

Recreation Supervisor I - \$6.40
Nicole Pidanick XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendant I - \$5.15
Jessica Graser XXXXXXXXXXXXXXXXXXXXXXXX

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

Item No. 21b Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

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

		<u>EFFECTIVE</u>
<u>FACILITIES DEPARTMENT - Laborer - \$6.00 per hour</u>		
Dennis Sykes	XXXXXXXXXXXX, Chktg, XXXXX	Immediately
Anthony Pangfazio	XXXXXXXXXXXX Chktg., XXXXX	"
Patrick Glasser	XXXXXXXXXXXXXXXXX, Depew XXXXX	"
Richard Pajonk	XXXXXXXXXXXX, Chktg., XXXXX	"
<u>RECYCLING DEPARTMENT - Laborer - \$7.00</u>		
Jeremy Gaca	XXXXXXXXXXXXXXXXX, Depew, XXXXX	Immediately
Chris Summers	XXXXXXXXXXXX Chktg, XXXXX	"
Jesse Cole	XXXXXXXXXXXX, Chktg, XXXXX	

Item No. 21b cont'd

<u>SEWER MAINTENANCE - Laborer - \$6.00 per hour</u>		
XXXXXXXXXXXX	XXXXXXXXXXXX, Chktg, XXXXX	Immediately
XXXXXXXXXXXX	XXXXXXXXXXXX, Chktg, XXXXX	Immediately

<u>TOWN CLERK'S OFFICE - Dog Enumerator, Supervisor - \$10.00 per hour</u>		
Stephan M. Koenig	XXXXXXXX, Chktg., XXXXX	6/22/99

<u>POLICE DEPARTMENT - School Crossing Guard - \$7.107 per hour</u>		
Shirley Christie	XXXXXXXXXXXXXXXX, Chktg, XXXXX	6/28/99

<u>TOWN CLERK'S OFFICE - Dog Enumerator - \$6.00 per hour</u>		
Lindsey Styborski	XXXXXXXXXXXX Depew XXXXX	6/22/99
Adam Nowicki	XXXXXXXXXXXX, Chktg., XXXXX	6/22/99
Tracy Bolognese	XXXXXXXXXXXXXXXX, Depew XXXXX	6/22/99
Kimberly Gostomski	XXXXXXXXXXXXXXXX, Chktg XXXXX	6/22/99
Amy McKibbin	XXXXXXXXXXXXXXXX, Depew XXXXX	6/22/99
Jessica Eckel	XXXXXXXXXXXX, Chktg XXXXX	6/22/99
John Atanasio	XXXXXXXXXXXX, Depew XXXXX	6/22/99
Maria Atanasio	XXXXXXXXXXXX, Depew XXXXX	6/22/99
John Schuler	XXXXXXXXXXXXXXXX, Depew XXXXX	6/22/99
Kevin Brusehaber	XXXXXXXXXXXXXXXX, Chktg XXXXX	6/22/99
Laura Chludzinski	XXXXXXXXXXXXXXXX, Chktg XXXXX	6/22/99

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

Item No. 22 Motion by Councilmember Mazur, Seconded by Councilmember Swiatek

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

		<u>EFFECTIVE</u>
<u>FACILITIES (Building Maintenance) - Laborer - \$6.00 per hour</u>		
Lori Ann Delprincipe	XXXXXXXXXXXXXXXXXX, Chktg XXXXX	immediately
<u>POLICE DEPARTMENT - Dog Warden/part-time - \$6.00 per hour</u>		
Erika Felicetta	XXXXXXXXXXXXXXXXXX, Chktg XXXXX	Immediately
<u>EMPLOYEE RELATIONS - Confidential Administrative Assistant - \$7.00 per hour</u>		
Pamela Bahny	XXXXXXXXXXXXXXXXXX, Chktg 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 21, 1999.

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

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

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

Item No. 23 cont'd

WHEREAS, the Summer Youth Program starts on July 6th, 1999, participants work a minimum of 24 hours per week, \$5.15 per hour, unless stated differently, and a termination date not to exceed August 22, 1999, 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	XX
Ambellan, Christine	XX
Astyk, Aaron	XX
Baer, Virginia	XX
Balbuzoski, Kimberly	XX
Belisle, Joshua	XX
Bisantz, Brian	XX
Bodish, Nicole	XX
Bridges, Ray	XX
Brockner, Andrew	XX
Brzezowski, Carolyn	XX
Bui, Minh	XX
Bui, Tien	XX
Bullaro, Ronald	XX
Burst, Edwin	XX
Cammarata, Nicole	XX
Cieslewicz, Brandie	XX
Cobb, Patricia	XX
Columbo, David	XX
Coons, Christopher	XX
Cosstantino, Joseph	XX
DiNunzio, Jennifer	XX
Monitor/Counselor - \$11.94	
Domon, Belinda	XX
Dudek, Kyle	XX

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Duszkiewicz, Melissa
Elias, Maria
Eusanio, Theresa
Fasciana, Danielle
Fassel, Barbara
Fix, Margaret
Frank, Andre
Frisicaro, Vincent
Princ. Counselor - \$16.24
Gabryszak, Brian
Gaffney, Joel
Genson, Kimberly
Gorski, Mark
Gozdzia, Dwaine-Michael
Graham, Sherman III
Guthridge, Melanie
Gwynn, Chakarla
Harris, Maggie Ann
Harris, Sarah
Havernick, Sherie
Hayes, Holly
Heinrich, Jason
Heinrich, Justin
Hendel, Arrion
Holakowski, Anthony
Howard, Craig
Kaczmarek, Stephanie
Kazmierczak, Jason
Kominiarek, Dana
Korbel, Leigh
Koster, Christopher
Item No. 23 cont'd

Kraft, Jillian
Kraft, Ryan
Kuyal, Rachel
LaBarbera, Anthony
Lagowski, Tammy
Lasota, Brandon
Lasota, Peter
Lesinski, Krista
Lombardo, Roy
MacQueen, Dawn
Majerowicz, Danielle
Mamon, John
Margowski, Karen
Masiewicz, William
Mazur, Cynthia
McMillion, Natasha
McMillion, Steven Jr.
Mead, Craig
Meskawy, Chantal
Metzger, Herbert
Mika, Angela
Mika, Sarah
Miller, Barbara
Minotti, Amanda
Mmoney, Kathleen
Napierala, Justin
Nati, Amanda
Nati, Nello
Neureuther, Joshua
Niwinski, Geroge
Nowak, Andrew
Nowakowski, Kevin
O'Brien, David
Poprocki, Paul
Parke, Adam

123-68-4631

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Phillips, Prince	XX
Piatek, Anthony	XX
Pignatora, Crystal	XX
Polakiewicz, Jessica	XX
Prentice, Jennifer	XX
Rodriguez, April	XX
Rolley, Alphonso	XX
Rolley, LaFondra	XX
Runfola, Gina	XX
Runfola, Sarah	XX
Schindler, Sean	XX
Sciandra, Cory	XX
Sciandra, Dana	XX
Shafer, Timothy	XX
Sherry, Lisa	XX
Stone, Carolyn	XX
Stone, Valerie	XX
Swiderski, Jena	XX
Szary, April	XX
Szymborski, Johnathon	XX
Thrun, Richard	XX
Tomasello, Stefanie	XX
Tonsoline, Peter	XX
Prin. Counselor \$16.24	
Uplinger, Adam	XX
Viles, Robert	XX
Wahler, Alan	XX
Ward, Kevin	XX
Weaver, Shelly	XX

Item No. 23 cont'd

Whigha, Jor-el	XX
Wilkes, Jeanette	XX
Williams, Cleveland	XX
Wysocki, Daniel	XX
Yacobucci, Donald II	XX
Young, David	XX
Young, Robert	XX

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 24a Cheektowaga Traffic Safety Commission - May 18, 1999
Received and Filed.

Item No. 24b Cheektowaga Planning Board - May 13, 1999
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 25 Summons & Complaint - Judith Ackerman vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.
Received and Filed.

Item No. 26a Notice of Claim - Jane Buchholz vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.

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Received and Filed.

Item No. 26b Notice of Claim - Dawn & Ron Jones vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Facilities Department
Received and Filed.

V. 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 Jaworowicz, Rogowski, Johnson, Swiatek,
Jankowiak and Mazur
NAYES: 0
ABSENT: 0

Item No. 27 Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, the Town, in its 1999 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 sign agreements and their accounting report from the 1998 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED that these 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>
Arts Society of Cheektowaga	\$750.00

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

Item No. 28 Bond Resolution - Authorize construction of street improvements in Walden Commerce Exchange

**SEE NEXT PAGE(S) for ATTACHMENT

MEETING NO. 13
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Item No. 29 Motion by Supervisor Gabryszak, Seconded by Unanimous
to adjourn in memory of Genevieve (Jane) Starosciak, former Erie County Clerk
Time Meeting Adjourned - 8:35 PM

RICHARD M. MOLESKI
Town Clerk