

**TOWN OF CHEEKTOWAGA  
MEETING NO. 1  
JANUARY 2, 2001**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd of January, 2001 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; Michael Stachowski, Town Attorney; William Conway, Town Assessor; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Salvatore LaGreca, Chairman of Planning Board; Christopher Kowal, Highway Superintendent; Bruce Chamberlin, Chief of Police; Jerome Gabryszak, Director of Community Development; Brian Krause, Director of Administration and Finance; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; and Andrew Kulyk, Chairman of Zoning Board of Appeals.

**I. RESOLUTIONS**

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

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to December 29, 2000 are hereby approved and made a part hereof:

GENERAL HIGHWAY	\$ 15,037.00
HIGHWAY FUND	38,884.94
TRUST & AGENCY	24.50
HUD CDBG FUND	3.00
RISK RETENTION FUND	18,596.16
SPECIAL DISTRICTS FUND	5,974.40
CAPITAL FUND	<u>27,746.00</u>
	\$106,266.00

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 3a Motion By Councilmember Rogowski, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that regular meetings of the Town Board of the Town of Cheektowaga for the calendar year 2001 shall be held at 7:00 P.M. in the Council Chambers of the Town Hall, 3301 Broadway, Cheektowaga, New York, on the following referenced dates:

First and Third Mondays of March, April, May, June, August, October, November and December

January 17<sup>th</sup>

February 5<sup>th</sup> and 26<sup>th</sup>

September 4<sup>th</sup> and 17<sup>th</sup>

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and, BE IT FURTHER

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

Upon roll call ....

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

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

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga shall hold work sessions for the calendar year 2001 at 6:00 P.M. on the second and fourth Wednesdays of each month and, BE IT FURTHER

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



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SWIA TEK TO AMEND THE ABOVE RESOLUTION, ITEM 3B, AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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



AMENDED

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga shall hold work sessions for the calendar year 2001 at 6:00 P.M. on Wednesday preceding each Town Board meeting and, BE IT FURTHER

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

Upon roll call ....

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

Item No. 4a Motion By Councilmember Mazur, Seconded by Councilmember Swiatek

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 2001:

New Year's Day	January 1, 2001	Monday
Martin Luther King, Jr. Day	January 15, 2001	Monday
President's Day	February 19, 2001	Monday
Good Friday	April 13, 2001	Friday
Memorial Day	May 28, 2001	Monday
Independence Day	July 4, 2001	Wednesday

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Labor Day	September 3, 2001	Monday
Columbus Day	October 8, 2001	Monday



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Election Day	November 6, 2001	Tuesday	
Veterans Day		November 12, 2001	Monday
Thanksgiving Day		November 22, 2001	Thursday
Day After Thanksgiving		November 23, 2001	Friday
Christmas Eve		December 24, 2001	Monday
Christmas Day		December 25, 2001	Tuesday

Upon roll call ....

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

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

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

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

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

Upon roll call ....

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

**Item No. 5** Motion By Councilmember Jankowiak, Seconded by Councilmember Mazur

BE IT RESOLVED, that HSBC Bank (Cheektowaga Office), Fleet Bank (Walden Avenue Office), Key Bank (Cheektowaga Office), Chase Bank, N.A. (Depew Office), Citibank (Cheektowaga Office) Charter One Bank (Cheektowaga Office) and Manufacturers and Traders Trust Company (Airport Plaza Office), as designated depositories of the Town of Cheektowaga, be and they are hereby requested, authorized and directed to honor checks, notes and other instruments for the payment of money against Town funds on deposit therein, including those payable to the individual order of the person whose name appears thereon as signer, when bearing or purporting to bear the facsimile signature of Dennis H. Gabryszak, Supervisor and, BE IT FURTHER

RESOLVED, that HSBC Bank (Cheektowaga Office), Fleet Bank (Walden Avenue Office), Key Bank (Cheektowaga Office), Chase Bank, N.A. (Depew Office), Citibank (Cheektowaga Office), Charter One Bank (Cheektowaga Office) and Manufacturers and Traders Trust Company (Airport Plaza Office) shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes and other instruments, regardless of by whom or by what means the actual purported facsimile signature thereon may be affixed thereto, if such signature resembles the facsimile specimen or specimens, duly certified to or filed with said banks by the Supervisor, the Town Clerk or other officers of the Town of Cheektowaga.

Upon roll call ....

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

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

BE IT RESOLVED, that the following banking institutions be named official Town Depositories for the Year 2001:

HSBC Bank (Cheektowaga Office)

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Manufacturers and Traders Trust Company (Airport Plaza)  
Key Bank (Appletree Business Park and Union Road)  
Fleet Bank (Harlem Road Office)  
Chase Bank, N.A. (Depew Office)  
Citibank (Cheektowaga Office)  
Charter One Bank (Cheektowaga Office)

Upon roll call ....

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 Swiatek

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

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

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

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

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

RESOLVED, that Joan E. Dudek, Receiver of Taxes and Assessments for the Town of Cheektowaga, be and hereby is authorized to invest Town real property tax moneys on a short-term basis and, BE IT FURTHER

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

Upon roll call ....

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

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

WHEREAS, the Town Board desires the services of a Certified Public Accounting firm for services in the area of:

- A. Annual Audit – A complete financial audit of the Town's records will be performed to include:
1. Compilation of the Annual Financial Report to the New York State Department of Audit and Control.
  2. Compilation of financial statements from the Town's records for the year ended December 31, 2000.
  3. Preparation of management letter relative to regular audit.

Item No. 8a cont'd.

- B. Single Audit  
Conduct audit of Town's Federal financial assistance for compliance with applicable federal laws and regulations in accordance with OMB Circular A-133.
- C. Consultative Services – Periodic consultation (minimum 90 hours) will be provided to the Supervisor and the Town's Chief Accounting on areas such as: State

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Revenue Sharing, Borrowings, federal and state legislative developments, and other areas as requested.

- D. Benefit Basis Budget Preparation – Assistance will be provided to the Supervisor, Town Board and the Town's Chief Accountant in various phases of the preparation of the 2002 benefit basis budget. Will assist in compiling the special district rates for submission to Erie County to assist in the preparation of individual property tax bills.
- E. Ad Valorem Budget Consultation – Will read the tentative 2002 Ad Valorem Budget and report as to their observations and recommendations to the Supervisor and Town Board on that document. Will also provide commentary on the internally-prepared projections of available fund balances related to budget preparation (minimum 100 hours).
- F. Audit of Town Clerk, Tax Receiver and Town Justice Budgets. Will compile financial statements for these departments on the cash basis of accounting.
- G. Will aid the Town in the preparation of the Comprehensive Annual Financial Report to be submitted to the Government Finance Officer's Association – for review in the Certificate of Excellence in Financial Reporting Program.,
- H. Compilation of Detailed Budget Presentation Document.

and,

WHEREAS, this Town Board desires to retain the services of Deloitte & Touche, CPA's for these services, NOW, THEREFORE BE IT,

RESOLVED, that Deloitte & Touche be retained to perform the services listed above for the year 2001 according to the following fee schedule.

\$22,600.00	General Fund
\$20,500.00	Sanitary Sewer Dist.
\$31,700.00	Special Districts
\$ 8,900.00	Capital Projects Fund
\$ 7,800.00	Various Federal Programs

Upon roll call ....

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

Item No. 8b Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, funding is periodically available from miscellaneous public and private grant sources to assist the Town with various projects, AND

WHEREAS, Sue Ann Barnes of Grantmakers Advantage, Inc. has had experience in the past preparing grant applications for the Town to assist the Town with obtaining grants, AND

WHEREAS, moneys obtained from grants procured outweigh the cost to the Town for such firm's services, AND

Item No. 8b cont'd.

WHEREAS, this Town Board wishes to continue to retain the services of a grants consultant firm for the 2001 calendar year, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Agreement with Grantmakers Advantage, Inc. and, BE IT FURTHER

RESOLVED, that the fee stipulated in such Agreement, \$32,000 shall be appropriated from budget line item number 0100-1220-4957.

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 8c Motioned by Councilmember Swiatek, Seconded by Councilmember Rogowski

WHEREAS, Ernest A. Holfoth and/or Holfoth Risk Management, Division of Aldrich & Cox, Incorporated, has provided risk management and general insurance consulting services to the Town since 1978; AND

WHEREAS, the risk management and general insurance consulting agreement between Holfoth Risk Management, Division of Aldrich & Cox, Incorporated, and the Town expired on December 31, 2000; AND

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WHEREAS, Holfoth Risk Management, Division of Aldrich & Cox, Incorporated, has submitted a proposed three (3) year agreement for risk management and general insurance consulting services at annual fees of \$30,000.00 for 2001 and 2002, and \$31,200.00 for 2003; AND

WHEREAS, such proposed agreement has been reviewed and found to be acceptable, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 64(6) of the Town Law, the aforesaid Consulting Agreement between Holfoth Risk Management, Division of Aldrich & Cox, Incorporated and the Town be and the same is hereby accepted and approved and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute said consulting Agreement on behalf of the Town.

Upon roll call ....

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

Item No. 8d Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

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

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

WHEREAS, the annual budget of the town for the fiscal year beginning January 1, 2000 provides for a credit of \$225,000 to the Village of Depew for the cost of the Town Police Department assessed against the property in the Village, AND

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

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

Upon roll call ....

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

Item No. 9a Motioned by Councilmember Jankowiak, Seconded by Councilmember Swiatek

BE IT RESOLVED, that the following individuals be and hereby are appointed as Bingo Inspectors, effective January 1, 2001 to December 31, 2001:

Item No. 9a cont'd.

Katherine Zydel, Cheektowaga, New York 14227  
Ruth A. Cassacci, Cheektowaga, New York 14225  
John Abraham, Depew, New York 14043  
Joanne Burst, Depew, New York 14043  
Thaddeus I. Marciniak, Cheektowaga, New York 14227

and, BE IT FURTHER

RESOLVED, that the following individual be and hereby is appointed Bingo Inspector Chairman, effective January 1, 2001 for a term of one year:

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Kenneth J. Jeffords, Depew, New York 14043

Upon roll call ....

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

Item No. 9b Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the terms of Cheektowaga Traffic Safety Commission members James Makowski and Richard Zynda expired on December 31, 2000, AND

WHEREAS, the Cheektowaga Traffic Safety Commission recommended that such individuals be reappointed for another term, NOW, THEREFORE BE IT

RESOLVED, that James Makowski, Cheektowaga, New York; and Richard Zynda, Depew, New York be and hereby are reappointed as members of the Cheektowaga Traffic Safety Commission, effective January 1, 2001 and terminating on December 31, 2003.

Upon roll call ....

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

Item No. 9c Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

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

WHEREAS, the members of the Veterans Affairs Committee serve for terms of one (1) year, and expire on December 31, 2000, AND

WHEREAS, this Board wishes to reappoint these members to another one (1) year term, NOW, THEREFORE BE IT

RESOLVED, that the following individuals be and hereby are reappointed to the Cheektowaga Veterans Affairs Committee, effective January 1, 2001 and expiring on December 31, 2001:

Alexander Burke, Cheektowaga, New York 14206  
Victor Carlucci, Depew, New York 14043  
Wesley Fuqua, Cheektowaga, New York 14225  
Dorothy Kubik, Cheektowaga, New York 14225  
Donald LeBarron, Cheektowaga, New York 14225  
Joseph Lipowski, Depew, New York 14043  
Sylvia Lipowski, Depew, New York 14043

Item No. 9c cont'd.

Joseph Porempski, Cheektowaga, New York 14227  
Earl Rosenthal, Cheektowaga, New York 14225  
Elaine Rosenthal, Cheektowaga, New York 14225  
Edward Schultz, Sloan, New York 14212  
George Ross, Sloan, New York 14212  
Robert DelRoy, New York 14043

Upon roll call ....

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



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NAYES: 0  
ABSENT: 0

Item No. 9d Reappointment of Zoning Board Chairman  
This item was withdrawn.

Item No. 9e Motioned by Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, Salvatore LaGreca has served as Chairman of the Planning Board since its creation, AND

WHEREAS, in connection with his retirement from his position as Employment and Training Director, the New York State Retirement System regulations mandated that Mr. LaGreca resign/retire from his Planning Board position for at least one full day, therefore, Mr. LaGreca retired from his position of Planning Board Chairman, effective December 2000, AND

WHEREAS, Mr. LaGreca desires to be reappointed to the Planning Board Chairman position, AND

WHEREAS, Salvatore LaGreca has satisfactorily served as Chairman of the Planning Board for 30+ years, and merits reappointment, NOW, THEREFORE BE IT

RESOLVED, that the resignation of Salvatore LaGreca from his position of Chairman of the Cheektowaga Planning Board, effective December 28, 2000, be and hereby is accepted by this Town Board and, BE IT FURTHER

RESOLVED, that Salvatore LaGreca be and hereby is reappointed to the position of Chairman to the Cheektowaga Planning Board, effective January 2, 2001 and terminating on December 31, 2004.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 9f Motioned by Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, the term of Joan C. Meyers as Secretary to the Planning Board expired on December 31, 2000, AND

WHEREAS, Joan C. Meyers has requested reappointment to such position, AND

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

RESOLVED, that Joan C. Meyers be and hereby is reappointed to the position of Secretary of the Planning Board, effective January 1, 2001 and terminating on December 31, 2007.

Item No. 9f cont'd.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 9g Motioned by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the term of Deborah E. Cope as Vice-Chairman of the Cheektowaga Public Library Board expired on December 31, 2000, AND



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WHEREAS, Deborah E. Cope has requested reappointment to such position, AND

WHEREAS, Deborah E. Cope has satisfactorily served on the Cheektowaga Library Board and merits reappointment, NOW, THEREFORE BE IT

RESOLVED, that Deborah E. Cope be and hereby is reappointed to the position of Vice-Chairman of the Cheektowaga Public Library, effective January 1, 2001 and terminating on December 31, 2005.

Upon roll call ....

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

Item No. 10 Motioned by Councilmember Swiatek, Seconded by Councilmember Jankowiak

WHEREAS, the term of Gary J. Hoey as member of the Board of Assessment Review for the Town of Cheektowaga expired on September 30, 2000, AND

WHEREAS, this Board wishes to fill this vacancy on the Board of Assessment Review with another individual, NOW, THEREFORE BE IT

RESOLVED, that Robert E. Kaczmarek be and hereby is appointed to the position of member of the Cheektowaga Board of Assessment Review, effective immediately and terminating on September 30, 2005.

Upon roll call ....

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

Item No. 11 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga has supported the Meals on Wheels Program for over twenty years, AND

WHEREAS, we are presently serving 272 elderly residents daily with two homebound delivered meals, NOW, THEREFORE

BE IT RESOLVED, that the Town of Cheektowaga will present a grant of \$28,000.00 for the year 2001 to insure the continuity of this program in our town.

Upon roll call ....

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

Item No. 12 Motioned by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, Section 41.34 of the Mental Hygiene Law provides that community residences for the mentally and physically handicapped can be located in any community in New York State, AND

WHEREAS, local municipalities are granted very limited ability under New York State law to object to the placement of these communities within their boundaries, AND

WHEREAS, although these community residences serve an important need for handicapped persons, State law provides that such residences are exempt from paying property taxes to the local government in which they are located, AND

WHEREAS, at present, there are twelve (12) community residences in the Town of Cheektowaga, AND

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WHEREAS, according to assessment data for these residences, there is a loss of approximately \$64,000 each year in tax revenues because of these community residences, AND

WHEREAS, a bill has been introduced in the State Senate (Bill No. S.1755) and Assembly (Bill No. A.3006) to require the State to make payments-in-lieu of taxes to local governments for tax revenues lost due to community residences, AND

WHEREAS, this Board feels that this bill would serve to reimburse local governments for lost tax revenues caused by the State mandated placement of community residences in the local government, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby goes on record in favor of the enactment of Bill No. S.1755/A.3006, and hereby memorializes the State Senate, Assembly and Governor to support such bill and, BE IT FURTHER

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 13 Motioned 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 Derrick Manufacturing to construct a 20,000 s.f. addition to the facility of 590 Duke Road, AND

WHEREAS, the applicant has provided a stormwater management plan for the entire facility, AND

WHEREAS, the applicant has designed the drainage to include a detention basin on the south side of Duke Road, additional receivers and drainage improvements to the Duke Road right-of-way, AND

Item No. 13 cont'd.

WHEREAS, the applicant will meet with the Town Engineer and Highway Department to finalize the right-of-way improvements, AND

WHEREAS, the Advisory Committee, at its meeting held on December 20, 2000 rendered the determination shown on the attached memo dated December 22, 2000, 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.

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 14 Motioned 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.

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 15 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, by resolution dated May 15, 2000, this Town Board adopted an amended Personnel Policy for Exempt Employees covering non-union department heads, elected officials and other exempt employees, AND

WHEREAS, department heads have approached the Town Board to request their own separate personnel policy, AND

WHEREAS, the Town Board has determined that is appropriate to establish a separate policy for department heads, NOW, THEREFORE BE IT

RESOLVED, that a separate Personnel Policy for Non-Union Department Heads be and hereby is adopted as follows:

The Personnel Policy for Exempt Employees adopted on May 15, 2001, with the following changes, shall become the Personnel Policy for Non-Union Department Heads:

- Paragraph "2" (Longevity) – the following cumulative longevity pay schedule shall apply:

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After 5 years	\$ 525
After 10 years	\$ 500
After 15 years	\$ 675
After 20 years	\$ 650
After 21 years	\$ 100
After 22 years	\$ 100
After 23 years	\$ 100
After 24 years	\$ 100
After 25 years	\$1,100

- Paragraph "3" (Vacation) – third sentence of second paragraph shall be amended to permit department heads to sell back to the Town up to thirteen (13) days of earned vacation each year, in December of each year.
- Paragraph "5" (Sick Leave) – first sentence shall be amended to replace "five (5) days" with "ten (10) days".
- Paragraph "5" (Sick Leave) – third paragraph shall be amended to add "parents" after "spouse".

and, BE IT FURTHER

RESOLVED, that the aforementioned changes shall be effective January 1, 2001,  
and, BE IT FURTHER

RESOLVED, that, in addition to the above, those non-union Department heads who had at least 300 accumulated sick days in 1997, 1998 and/or 1999 shall be paid \$500 for each year such department head qualifies.



MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 15, AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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



AMENDED

WHEREAS, by resolution dated May 15, 2000, this Town Board adopted an amended Personnel Policy for Exempt Employees covering non-union department heads, elected officials and other exempt employees, AND

Item No. 15 cont'd

WHEREAS, department heads have approached the Town Board to request their own separate personnel policy, AND

WHEREAS, the Town Board has determined that is appropriate to establish a separate policy for department heads, NOW, THEREFORE BE IT

RESOLVED, that a separate Personnel Policy for Non-Union Department Heads be and hereby is adopted as follows:

The Personnel Policy for Exempt Employees adopted on May 15, 2001, with the following changes, shall become the Personnel Policy for Non-Union Department Heads:

- Paragraph "2" (Longevity) – the following cumulative longevity pay schedule shall apply:

After 5 years	\$ 525
After 10 years	\$ 500

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After 15 years	\$ 675
After 20 years	\$ 650
After 21 years	\$ 100
After 22 years	\$ 100
After 23 years	\$ 100
After 24 years	\$ 100
After 25 years	\$1,100

- Paragraph "3" (Vacation) – third sentence of second paragraph shall be amended to permit department heads to sell back to the Town up to thirteen (13) days of earned vacation each year, in December of each year.
- Paragraph "5" (Sick Leave) – first sentence shall be amended to replace "five (5) days" with "ten (10) days".
- Paragraph "5" (Sick Leave) – third paragraph shall be amended to add "parents" after "spouse".

and, BE IT FURTHER

RESOLVED, that the aforementioned changes shall be effective January 1, 2000, and, BE IT FURTHER

RESOLVED, that in addition to the above, those non-union Department Heads who had at least 300 accumulated sick days in 1997, 1998 and/or 1999 shall be paid \$500 for each year such department head qualifies.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 16 Motioned by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated December 18, 2000, this Town Board appointed Thomas Adamczak to the position of Supervising Building and Plumbing Inspector, AND

WHEREAS, in such resolution, no salary was established for the position of Supervising Building and Plumbing Inspector, AND

WHEREAS, this Board wishes to now establish a salary for such position, NOW, THEREFORE BE IT

RESOLVED, that the salary for Supervising Building and Plumbing Inspector shall be established at \$57,000, effective January 1, 2001.

Item No. 16 cont'd.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 17 Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Senior Clerk Typist in the Building and Plumbing 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, Leslie J. Kosicki, currently employed as a Senior Clerk Typist in the Town Clerk's Office, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

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RESOLVED, that Leslie J. Kosicki of Depew, New York 14043, be and hereby is appointed to the position of Senior Clerk Typist in the Building and Plumbing Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 3, 2001.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 18 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

EFFECTIVE

PARKS, RECREATION AND YOUTH SERVICES – Laborer - \$6.00 per hour

Karol Szymczuk	Cheektowaga 14227	Immediately
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COUNCIL OFFICE – Legislative Assistant - \$17.208 per hour

Karen Waldron	Cheektowaga 14227	Immediately
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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 - \$7.00 per hour

Jose Aviles	Cheektowaga 14211	01/01/01
Paul Urban	Cheektowaga 14225	"
James Dalka	Cheektowaga 14227	"
Patrick Santora	Cheektowaga 14225	"
Geoffrey Roesser	Cheektowaga 14225	"
Kenneth Piatek	Cheektowaga 14225	"

Item No. 18 cont'd

TAX OFFICE – Clerk (Day Shift) - \$7.50 per hour

Delphine Gembka	Depew, 14043	01/01/01
Julie Miller	Sloan 14212	"
Patricia Miller	Cheektowaga 14227	"
Nancy Paner	Depew 14043	"
Waltraud Piffel	Cheektowaga 14225	"

TAX OFFICE – Clerk (Night Shift) - \$6.00 per hour

Patricia Cosimano	Cheektowaga 14225	01/01/01
Geraldine Glascott	Depew 14043	"
Eleanor Kantowski	Cheektowaga 14227	"
Jean Krzykowski	Cheektowaga 14227	"
Wanda Lennert	Cheektowaga 14225	"
Arlene Mueller	Cheektowaga 14227	"
Denise Myers	Buffalo 14206	"
Joan Wojtkowski	Cheektowaga 14225	"
Rita Wick	Cheektowaga 14225	"

HIGHWAY DEPARTMENT – Laborer - \$7.00 per hour

Jeremy Leisenheimer	Cheektowaga 14227	01/01/01
Deric Demyanick		12/18/00



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

Jennifer Farugia                      Cheektowaga 14227  
Sarah Kosicki                        Depew 14043

Immediately

“

BE IT RESOLVED, the following employees be transferred from Part-Time to Seasonal status:

EFFECTIVE

ASSESSOR'S OFFICE – Clerk - \$7.00 per hour

Suzanne O'Neill                      Depew 14043  
Mary Morris                         Cheektowaga 14225

01/01/01

“

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

EFFECTIVE

TOWN CLERK'S OFFICE

Jennifer Farugia  
Sarah Kosicki

12/31/00

“

Upon roll call ....

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

Item No. 19      Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Parks, Recreation and Youth Services employee be and hereby be and hereby transferred effective as indicated:

From Part-Time to Seasonal

Recreation Supervisor VI – 7140.1613  
Camille Russell (effective 1/8/01)

Item No. 19 cont'd.

Upon roll call ....

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

Item No. 20      Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the Economic Policy Institute will be presenting a conference entitled “Privatization: Trends, Evidence and Alternatives” in Washington, D.C. on January 11, 2001, AND

WHEREAS, this conference will take a balanced look at the pros and cons of privatization at different levels of government and in different levels of public service; speakers at this conference will include leading economists, expert researchers and practitioners representing public employees and employers, AND

WHEREAS, the Town has expressed an interest in privatizing the Sanitation/ Recycling/Highway Department and is interested in learning more about privatization, AND

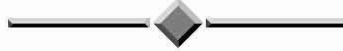
WHEREAS, Supervisor Dennis H. Gabryszak, Councilmember Jeff Swiatek and Town of Cheektowaga Employees Association President Kevin Glascott have expressed a desire to attend this seminar, AND

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WHEREAS, there is no fee for attendance at this conference, NOW, THEREFORE BE IT

RESOLVED, that Supervisor Gabryszak, Councilmember Swiatek and Town of Cheektowaga Employees Association President Glascott be and hereby are authorized to attend the aforementioned conference in Washington, D.C. on January 11, 2001 and, BE IT FURTHER

RESOLVED, that the Town shall reimburse such individuals for the reasonable travel, food and lodging costs.



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER SWIATEK TO AMEND THE ABOVE RESOLUTION, ITEM 20, AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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



AMENDED

WHEREAS, the Economic Policy Institute will be presenting a conference entitled "Privatization: Trends, Evidence and Alternatives" in Washington, D.C. on January 11, 2001, AND

WHEREAS, this conference will take a balanced look at the pros and cons of privatization at different levels of government and in different levels of public service; speakers at this conference will include leading economists, expert researchers and practitioners representing public employees and employers, AND

WHEREAS, the Town has expressed an interest in privatizing the Sanitation/ Recycling/Highway Department and is interested in learning more about privatization, AND

Item No. 20 cont'd.

WHEREAS, Supervisor Dennis H. Gabryszak, Highway Superintendent Christopher Kowal and Town of Cheektowaga Employees Association President Kevin Glascott have expressed a desire to attend this seminar, AND

WHEREAS, there is no fee for attendance at this conference, NOW, THEREFORE BE IT

RESOLVED, that Supervisor Gabryszak, Highway Superintendent Kowal and Town of Cheektowaga Employees Association President Glascott be and hereby are authorized to attend the aforementioned conference in Washington, D.C. on January 11, 2001 and, BE IT FURTHER

RESOLVED, that the Town shall reimburse such individuals for the reasonable travel, food and lodging costs.

Upon roll call ....

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Building Permits  
Received and Filed.

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**III. GENERAL COMMUNICATIONS**

- Item No. 22a Notice of Claim: Kevin K. Glue vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22b Notice of Claim: Anthony Pajak, Jr. vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Bruce Chamberlin, Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22c Notice of Claim: Betty Braniecki vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22d Notice of Claim: Randall M. Garrett and Lisa A. Lundy vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Assessor and Allied Claims Insurance Carrier.  
Received and Filed
- Item No. 22e Notice of Claim: Darren R. Gold vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Bruce Chamberlin, Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed..
- Item No. 22f Notice of Claim: Martin D. Locke vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Bruce Chamberline, Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22g Notice of Claim: Aaron E. Watson vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Bruce Chamberlin, Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22h Notice of Claim: Starpoint Transportation Inc. vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 22i Notice of Claim: Shirley Kupiec vs. the Town of Cheektowaga f  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 23 Designation of Restricted Highway Correction: Route 277 (Union Road) from 500 feet south of Losson Road, northerly to Bennett Road  
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:

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Upon roll call ....

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



**IV. SUSPENSION OF RULES**

Item No. 24 Motioned by Supervisor Gabryszak, Seconded by Councilmember Rogowski

WHEREAS, at a Special Meeting of the Town Board held on December 27, 2000, a resolution was passed establishing salaries for certain Town officials and employees who are not covered by any bargaining unit, AND

WHEREAS, the salaries for certain titles need to be amended.

NOW, THEREFORE BE IT RESOLVED, that the resolution dated December 27, 2000 is hereby amended to correctly establish the salaries of the following Town officials and employees who are not covered by any bargaining unit, effective January 1, 2001:

Assistant Town Engineer	\$53,763
Accountant	\$48,030
Program Coordinator-I	\$39,189
Clerk to Justice Court	\$31,150
Council Office Clerk Steno	\$35,930
Assistant to the Supervisor	\$34,805
Deputy Tax Receiver	\$37,530
1st Deputy Town Clerk	\$43,860
Municipal Administrative Assistant-Legal	\$30,130
Secretary to Coordinator of Employee Relations (1)	\$34,500
Real Property Appraiser	\$45,950

Item No. 24 cont'd.

Upon roll call ....

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

Item No. 25 Motioned by Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, local Fire Districts are special purpose units of local government having facilities and property entirely within the boundaries of the Town of Cheektowaga, AND

WHEREAS, from time to time Fire Districts within the Town of Cheektowaga carry out construction projects on Fire District facilities or property, AND

WHEREAS, the State of New York Department of State has notified the Town of Cheektowaga that it is accountable under the State Law for Administration and Enforcement of the Uniform Fire Prevention and Building Code requirements on construction projects carried out on Fire District facilities or property within the Town of Cheektowaga, AND

WHEREAS, such administrative responsibility includes the issuance of building and plumbing permits and the collection of building and plumbing permit fees, AND

WHEREAS, this Supervising Building and Plumbing Inspector has recommended that building and plumbing permit fees for construction projects carried out by the Fire Districts on Fire District facilities or property within the Town of Cheektowaga be waived, AND

WHEREAS, this Town Board believes waiving building and plumbing permit fees for construction projects carried out by Fire Districts on Fire District facilities or properties is in the public

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interest and is justified in an effort to hold down the cost of government and to promote the spirit of cooperation between the Town of Cheektowaga and Fire Districts located within the Town of Cheektowaga, NOW, THEREFORE BE IT

RESOLVED, that building and plumbing permit fees are hereby waived for construction projects carried out by Fire Districts on Fire District facilities or property within the Town of Cheektowaga.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 26 Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Timothy J. Webster/Conax has made application and requested the Rezoning from M1-Light Manufacturing District to C-Retail Business District for property located at 2300 Walden Avenue, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on January 17, 2001 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 27 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town is eligible to receive approximately \$983,000 in Community Development Block Grant funds for the Year 2001 Program Year, AND

WHEREAS, the Town is eligible to receive approximately \$354,608 in Home Investment Partnership program funds for the 2001 Program Year through the Amherst-Cheektowaga-Tonawanda HOME Consortium, AND

WHEREAS, the Town of Cheektowaga and the HOME Consortium are required to prepare and submit to the Department of Housing and Urban Development an Annual Action Plan which identifies the activities that the Town and the Consortium communities will carry-out during the next program year, AND

WHEREAS, the Town is required to hold public hearings to obtain the views of Town residents, public agencies and other interested parties on housing and community development needs in the Town, AND

WHEREAS, proposed activities for Program Year 2001 Community Development Block Grant and HOME Program funds will be made available for public review and comment in the public libraries within the Town, the Cheektowaga Town Clerk's Office and the Community Development Office, NOW, THEREFORE BE IT

RESOLVED, that a public hearing be held on January 17, 2001 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, New York 14227 for the above stated purpose, AND BE IT

FURTHER RESOLVED, that the attached public notice of such public hearing be published in the CHEEKTOWAGA TIMES on Thursday, January 4, 2001.

Upon roll call ....

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

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NAYES: 0  
ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 28 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, by resolution dated November 22, 2000 this Town Board engaged the firm of Nature's Way Environmental Consultants & Contractors, Inc., 3553 Crittenden Road, Crittenden, New York 14038, to perform a Phase II site investigation for property located at 1071 Walden Avenue which is proposed to be utilized for access to the Walden Commerce Exchange, AND

WHEREAS, unforeseen circumstances require the aforementioned resolution be rescinded, NOW, THEREFORE BE IT

RESOLVED, that this Town Board be and hereby rescinds the aforementioned November 22, 2000 resolution and, BE IT FURTHER

RESOLVED, that the firm of GZA GeoEnvironmental of New York (GZA) be and hereby is retained pursuant to the attached proposal dated December 22, 2000 to perform Phase II site investigation at 1071 Walden Avenue in an amount not to exceed \$3,350.00 and, BE IT FURTHER

RESOLVED, that monies for said site investigation shall be appropriated from Account No. 0100-1910-4785 to be eventually reimbursed from a Erie County Grant awarded to the Town for the development of this property.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 1  
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Item No. 29 Motioned by Supervisor Gabryszak, seconded by Unanimous to adjourn this meeting.  
This meeting was adjourned at 8:00 P.M.

Richard M. Moleski  
Town Clerk



**TOWN OF CHEEKTOWAGA**  
**MEETING NO. 2**  
**January 17, 2001**

**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 17<sup>th</sup> day of January, 2001 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; Michael Stachowski, Town Attorney; Sal LaGreca, Planning Board Chairman; Tom Adamczak, Supervising Building and Plumbing Inspector; Bill Pugh, Town Engineer; Bruce Chamberlin, Chief of Police; Pat Wojcik, Director of Senior Services, Brian Krause, Director of Administration and Finance, Ken Kopacz, Executive Director of Parks, Recreation and Youth Services, Jerry Gabryszak, Director of Community Development and Bill Conway, Town Assessor.



Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson to suspend the rules to act upon the following items first, and the voting was as follows:

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



**V. SUSPENSION OF RULES**

**Item No. 22** 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 Sienna Builders to construct 19 townhouse units at the southwest corner of Maryvale Drive and Union Road, AND

WHEREAS, the applicant has modified the plan to include access to Maryvale Drive instead of Linda Lane, a sidewalk along Maryvale Drive, piping of the drainage ditch along the south side and is drawing up easements for the sanitary sewer and drainage system running through the site, AND

WHEREAS, the Advisory Committee, at its meeting held on January 10, 2001 rendered the determination shown on the attached memo dated January 11, 2001, AND

MEETING NO. 2  
January 17, 2001

Item No. 22 cont'd

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

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

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

NAYES: 0

ABSENT: 0

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**MEETING NO. 2**  
**January 17, 2001**

**Item No. 23**      Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, David L. Manko has made application and requested the rezoning of property located at 2911 William Street from RA-Apartment District to NS-Neighborhood Services District, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on February 5, 2001 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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

AFFIDAVIT - NEXT PAGE

MEETING NO. 2  
January 17, 2001

**Item No. 24** 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 Board had issued a Negative Declaration on April 18<sup>th</sup>, 1999 for a proposal to rezone 5074 Transit Road to allow for the construction of a senior citizen residence facility, AND

WHEREAS, the applicant had failed to file for a building permit within one (1) year of the approval of the rezoning, thereby allowing the rezoning to automatically expire, AND

WHEREAS, the applicant, Theodore Kulbacki, has reapplied to rezone the property for the senior citizen residence project, AND

WHEREAS, the project has not been modified or changed in any way, AND

WHEREAS, the applicant has agreed to reaffirm the commitments made with the original project and rezoning, AND

WHEREAS, the Advisory Committee, at its meeting held on December 6, 2000 has reaffirmed its recommendation that a Negative Declaration be issued for the project as shown on the attached memo dated December 8, 2000, AND

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

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



Motion by Councilmember Johnson, Seconded by Councilmember Swiatek to amend Item No. 24 and the voting was as follows:

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



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. 2  
January 17, 2001

Item No. 24 cont'd

WHEREAS, the Town Board had issued a Negative Declaration on April 18<sup>th</sup>, 1999 for a proposal to rezone 5074 Transit Road to allow for the construction of a senior citizen residence facility, AND

WHEREAS, the applicant had failed to file for a building permit within one (1) year of the approval of the rezoning, thereby allowing the rezoning to automatically expire, AND

WHEREAS, the applicant, Theodore Kulbacki, has reapplied to rezone the property for the senior citizen residence project, AND

WHEREAS, the project has not been modified or changed in any way, AND

WHEREAS, the applicant has agreed to reaffirm the commitments made with the original project and rezoning, AND

WHEREAS, the applicant is further undertaking negotiating to acquire a 60' right of way on the western boundary from the current owner as a permanent buffer for properties on Croydon, AND

WHEREAS, the Advisory Committee, at its meeting held on December 6, 2000 has reaffirmed its recommendation that a Negative Declaration be issued for the project as shown on the attached memo dated December 8, 2000, AND

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

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

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**MEETING NO. 2**  
**January 17, 2001**

**Item No. 25**      Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the Association of Towns of the State of New York Year 2001 Training School and Annual Meeting will be held at the New York Hilton and Towers in New York City, February 18<sup>th</sup>-21<sup>st</sup>, 2001; and

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

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

RESOLVED, that the following individuals be and hereby are authorized to attend the 2001 Training School and Annual Meeting of the Association of Towns:

Supervisor Dennis H. Gabryszak  
Highway Superintendent Christopher J. Kowal  
Town Clerk Richard Moleski  
Town Engineer William Pugh  
Town Attorney Michael J. Stachowski  
Councilmember Patricia A. Jaworowicz  
Director of Administration and Finance Brian M. Krause

BE IT FURTHER

RESOLVED, that Supervisor Dennis H. Gabryszak be and hereby is designated as the Official Voting Delegate to represent the Town; AND BE IT FURTHER

RESOLVED, that the Town shall reimburse the above named individuals for the reasonable and necessary expenses incurred in attending such meeting out of budget line numbers 100-1220-4088, 100-1910-4082, and 100-1010-4080.

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

**Item No. 26**      Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, a part-time vacancy exists in the position of Clerk to the Supervisor; AND

WHEREAS, Christina M. Lopez, has applied for said position and meets the necessary qualifications; THEREFORE, BE IT

RESOLVED, that Christina M. Lopez, residing at North Tonawanda, New York 14120 hereby is appointed to the part-time position of Clerk to the Supervisor, at the annual salary of \$23,000 effective January 29, 2001.



Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur to amend Item No. 26 and the voting was as follows:

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



**MEETING NO. 2**  
**January 17, 2001**

**Item No. 26 cont'd**

Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, a part-time vacancy exists in the position of Clerk to the Supervisor; AND

WHEREAS, Christina M. Lopez, has applied for said position and meets the necessary qualifications; THEREFORE, BE IT

RESOLVED, that Christina M. Lopez, residing at North Tonawanda, New York 14120 hereby is appointed to the part-time position of Clerk to the Supervisor, at the annual salary of \$23,000 effective January 29, 2001; AND, BE IT FURTHER

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

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

**I. RESOLUTIONS**

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

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

2000

GENERAL FUND

FROM:	0100-1355-4411	Petition Filing Refunds	\$	120.00
	0100-1355-4411	Petition Filing Refunds		382.00
	0100-1110-4592	Contracted Clerical		3,000.00
	0100-1910-4711	Contingency		600.00
	0100-7310-1400	Administrative Asst.		14,297.94

TO:	0100-1355-4051	Records Management	\$	120.00
	0100-1355-2005	Office Equipment		382.00
	0100-1110-2105	Facilities/Court Repair		3,000.00
	0100-1910-4261	Postage		600.00
	0100-9010-8157	TCEA Health & Welfare		14,297.94

HUD CDBG FUND

FROM:	0700-1097-0665	Senior Citizen Van	\$	125.00
	0700-1097-3000	Commercial Rehab Loans		6,135.00

TO:	0700-1097-0600	Housing Rehabilitation	\$	125.00
	0700-1097-0600	Housing Rehabilitation		6,135.00

RISK RETENTION FUND

FROM:	1000-1710-4526	Dental/Vision Admin.	\$	15,000.00
	1000-1936-4703	Catastrophe Reserve		10,000.00

TO:	1000-1710-4525	Claims Admin-Workers Comp.	\$	15,000.00
	1000-1930-4703	Workers' Compensation Claims		10,000.00

SPECIAL DISTRICT FUND

FROM:	1500-8160-4221	Gas, Consolidated	\$	2,100.00
	9000-5182-4212	Electric-NYSEG		20,000.00

TO:	1500-8160-4211	Electric, Consolidated	\$	2,100.00
	9000-5182-4222	Gas-NAT. FUEL		20,000.00



**MEETING NO. 2**  
**January 17, 2001**

**Item No. 2 cont'd**

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

**Item No. 3** Motion by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to January 12, 2001 are hereby approved and made a part hereof;

GENERAL FUND	\$ 854,492.42
HIGHWAY FUND	218,722.32
TRUST & AGENCY	5,829.30
HUD CDBG FUND	2,191.53
PART TOWN FUND	14,666.88
RISK RETENTION FUND	73,509.62
HUD HOUSING REHABILITATION FUND	9,735.00
SPECIAL DISTRICTS FUND	373,639.54
CAPITAL FUND	<u>7,603.18</u>
	\$ 1,560,389.79

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

WHEREAS, Theodore Kulbacki petitioned for a rezoning from R-Residence District and NS-Neighborhood Services District to RSC-Senior Citizen Housing District for property owned by him and located at 5074 Transit Road, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 2<sup>nd</sup> day of January, 2001 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 applicant has made certain commitments to the Town with respect to the project, 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 Theodore Kulbacki for the rezoning from R-Residence District and NS-Neighborhood Services to RSC-Senior Citizen Housing District of the property described in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

MEETING NO. 2  
January 17, 2001

Item No. 4 cont'd

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

AFFIDAVIT - NEXT PAGE

**MEETING NO. 2**  
**January 17, 2001**

**Item No. 5**      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 Seneca Creek Development to revise their site plan for the Bell Tower Square senior apartment complex on French Road and Haley Lane by constructing three garages consisting of 14 bays, AND

WHEREAS, the garages are for the use of the tenants, AND

WHEREAS, the Planning Board, at its meeting held on December 14, 2000 rendered the determination shown on the attached memo dated January 2, 2001, 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 ATTACHMENTS

**MEETING NO. 2**  
**January 17, 2001**

**Item No. 6**      Motion by Councilmember Swiatek, Seconded by Supervisor Gabryszak

WHEREAS, bids were received and opened at the January 10, 2001 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees. 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 to the Town Board dated January 11, 2001, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of work uniforms to Town of Cheektowaga employees, as recommended by the Town Engineer, be and the same is hereby awarded to:

Pine Ridge Enterprises  
8386 North Main Street  
Eden, New York 14057

ITEM IA	Work Pants (sizes to 44)	\$ 13.20
ITEM 1B	Work Pants (sizes 46-50)	15.00
ITEM 1C	Work Pants (sizes 52-60)	17.75
ITEM IIA	Shirts (long sleeve, sizes up to 17-1/2)	11.65
ITEM IIB	Shirts (long sleeve, sizes 18 and up)	13.50
ITEM IIIA	Chambray Shirts (long sleeve, sizes up to 17-1/2)	10.70
ITEM IIIB	Chambray Shirts (long sleeve, sizes 18 and up)	12.50
ITEM IVA	Shirts (short sleeve, sizes up to 17-1/2)	10.80
ITEM IVB	Shirts (short sleeve, sizes 18 and up)	12.65
ITEM VA	Chambray Shirts (short sleeve, sizes up to 17-1/2)	9.55
ITEM VB	Chambray Shirts (short sleeve, sizes 18 and up)	11.40
ITEM VIA	Coveralls (long sleeve, sizes 36-46, short-X long)	21.20
ITEM VIB	Coveralls (long sleeve, sizes 48-50, short-X long)	25.20
ITEM VIC	Coveralls (long sleeve, sizes 52-60, regular-tall)	29.55
ITEM VIIA	Denim Jeans (sizes to 42)	11.35
ITEM VIIB	Denim Jeans (sizes 44-50)	13.05
ITEM VIIC	Denim Jeans (sizes 52-56)	17.30
ITEM VIIIA	Bib Overalls (sizes to 44)	19.20
ITEM VIIIB	Bib Overalls (sizes 46-50)	21.70
ITEM VIIC	Bib Overalls (sizes 52-60)	24.85
ITEM IXA	Womens Work Pants (sizes 4-20)	11.00
ITEM IXB	Womens Work Pants (sizes 22-28)	13.20
ITEM XIIA	Tee Shirts (sizes S-XL) with pocket	5.50
	Tee Shirts (size XXL) with pocket	6.50
	Tee Shirts (size XXXL) with pocket	7.50
	Tee Shirts (sizes S-XL) no pocket	4.50

MEETING NO. 2  
January 17, 2001

Item No. 6 cont'd

Tee Shirts (sizes XXL) no pocket	5.50
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Tee Shirts (sizes XXXL) no pocket	6.50
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Said bid being a responsible bidder meeting the requirements of the specifications.

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

NAYES: 0

ABSENT: 0

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**MEETING NO. 2**  
**January 17, 2001**

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

WHEREAS, the Cheektowaga Highway Department has requested authorization to purchase one (1) Model 863 H Bobcat Skid Steer Loader to facilitate storm sewer installation and repair, as specified in State Contract No. PC 56218 in the total amount of \$17,898.00, AND

WHEREAS, funds for said purchase have been budgeted and are available from Account No. 5712-1440-9709, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby authorizes the Highway Department to purchase one (1) Model 863 H Bobcat Skid Steer Loader from:

Bobcat Company  
P.O. Box 6000  
250 East Beaton Drive  
West Fargo, ND 58078-6000

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

NAYES:        0

ABSENT:       0

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

WHEREAS, the Town of Cheektowaga Parks, Recreation and Youth Services, Parks Division requires Athletic White Stripe for the purpose of lining athletic fields, NOW BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice To Bidders for the purchase of Athletic White Stripe, AND BE IT FURTHER

RESOLVED, that specifications for said Athletic White Stripe may be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 5<sup>th</sup> day of February, 2001 at 11:00 AM Eastern Standard Time at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 2001 at 11:00 AM Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the supplying of Athletic White Stripe for the year 2001.

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

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

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

Richard M. Moleski  
Town Clerk

Dated: January 17, 2001

MEETING NO. 2  
January 17, 2001



Item No. 8a cont'd

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

AFFIDAVIT - NEXT PAGE



MEETING NO. 2  
January 17, 2001

**Item No. 8b** Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga Parks, Youth and Recreation Department, Parks Division, annually requires Pool Maintenance Chemicals for 2001, NOW BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice To Bidders for the furnishing of Pool Maintenance Chemicals, AND BE IT FURTHER

RESOLVED, that Specifications for said Pool Maintenance Chemicals may be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 5<sup>th</sup> day of February, 2001 at 11:00 AM Eastern Standard Time at a Public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.



TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received by the Town Clerk on February 5, 2001 at 11:00 AM Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the Furnishing of Pool Maintenance Chemicals for the year 2001.

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

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

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

Richard M. Moleski  
Town Clerk

Date: January 17, 2001



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

AFFIDAVIT - NEXT PAGE

MEETING NO. 2  
January 17, 2001

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

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

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

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

RESOLVED, that sealed bids will be received on the 31<sup>st</sup> day of January, 2001 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



TOWN OF CHEEKTOWAGA

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 31, 2001 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York for the furnishing of Sanitary Manhole Frames and Covers for the Sewer Maintenance Department.

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

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

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

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

Dated: January 17, 2001



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

AFFIDAVIT - NEXT PAGE

**MEETING NO. 2**  
**January 17, 2001**

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

WHEREAS, it is in order that bids be advertised for the Standby Emergency Generator Installation and Modification Project in the Police/Court Building 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 Standby 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 31<sup>st</sup> day of January, 2001 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



**TOWN OF CHEEKTOWAGA**

**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 31<sup>st</sup> day of January, 2001 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 Installation and Modification Project at the Police & Court Building, 3223 Union Road, 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 @ 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 Standby Generator 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 bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

MEETING NO. 2  
January 17, 2001

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

**Item No. 8d cont'd**

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 100 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: January 17, 2001



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

AFFIDAVIT - NEXT PAGE

**MEETING NO. 2**  
**January 17, 2001**

**Item No. 9a**      Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS: The County of Erie intends to seek grant monies from the New York State Education Department State Archives Local Government Records Management Improvement Fund to conduct a Needs Assessment for a Geographic Information System and is seeking collaboration from local municipalities interested in participating in a cooperative project, and

WHEREAS: The Town of Cheektowaga wishes to participate in a cooperative Geographic Information System Needs Assessment with Erie County, and

WHEREAS: Erie County will serve as the lead organization for the purposes of this grant application and the Town of Cheektowaga hereby agrees to make Town personnel accessible for the purpose of participating in the Needs Assessment; NOW, THEREFORE, BE IT

RESOLVED, that Erie County be authorized to include the Town of Cheektowaga as a cooperative partner in an application to the New York State Education Department State Archives for the purpose of securing this grant, and BE IT FURTHER

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

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

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

WHEREAS, the Department of Parks, Recreation & Youth Services has identified the need to provide youth development and recreational opportunities during after-school hours that are important to the well being of young people and to the quality of life in our community; and

WHEREAS, the Town of Cheektowaga will receive \$12,500.00 from Erie County, as part of a Safe Places Grant renewal approved by the NYS Office of Children and Family Services; and

WHEREAS, the Cleveland Hill School District will provide the necessary facilities to operate a Safe Places program; and

WHEREAS, the Boys and Girls Clubs of Buffalo has successfully operated the program during the first two years of the grant; and

WHEREAS, the Boys and Girls Clubs can provide the services described in the Safe Places Grant renewal for the approved budgeted amount of \$25,000.00, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with the Boys and Girls Clubs of Buffalo to provide said service beginning January 1, 2001 and ending December 31, 2001.

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

\*SEE NEXT PAGE(s) FOR ATTACHMENTS

**MEETING NO. 2**  
**January 17, 2001**

**Item No. 9c**      Motion by Councilmember Swiatek, Seconded by Councilmember Mazur

WHEREAS, monies are available through the New York State Department of Labor Occupational Safety and Health Training and Education Program for grants to support the safety training for Town of Cheektowaga employees, 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 Labor Occupational Safety and Health Training and Education Program 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.

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

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

WHEREAS, Davidia Braun, owner of property at 1155 Walden Avenue in the Town of Cheektowaga, has offered such property for sale to the Town of Cheektowaga, and

WHEREAS, the Town of Cheektowaga is interested in acquiring this property for use as a public parking lot for businesses in the area of Walden Village, and

WHEREAS, a contract has been prepared and signed by Davidia Braun wherein the Town would purchase 1155 Walden Avenue for \$30,000, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned contract on behalf of the Town, and BE IT FURTHER

RESOLVED, that monies for the purchase of this property and all costs associated with such purchase shall be appropriated from budget line item number 0100-1910-2200.

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

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

WHEREAS, the Parks, Recreation & Youth Services Department's Dartwood Travel Club program is desirous of renting camping facilities known as Camp Turner, located in Allegany State Park, for the period of April 27<sup>th</sup>-April 29<sup>th</sup>, 2001, and

WHEREAS, Camp Turner is willing to rent such facilities to the Town provided that the Town executes a Campsite Use Agreement for the rental of said property totaling \$600. (Line Item 7140.4491), and

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

WHEREAS, such agreement has been prepared and is acceptable between both parties, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with Camp Turner for the renting of the aforementioned property.

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

**MEETING NO. 2  
January 17, 2001**

NAYES: 0  
ABSENT: 0

**Item No. 10** Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated January 2, 2001, this Town Board reappointed members to the Veterans Affairs Committee, and

WHEREAS, two (2) of these members, Earle Rosenthal and Elaine Rosenthal, had requested to not be reappointed, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned January 2, 2001 resolution be and hereby is amended to delete the names of Earle Rosenthal and Elaine Rosenthal from the Veterans Affairs Committee.

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

**Item No. 11** Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

Seasonal - January 22-February 4, 2001  
Part-time - February 5-February 11<sup>th</sup>  
Seasonal - February 12-April 8<sup>th</sup>  
Part-time - April 9-April 29<sup>th</sup>  
Seasonal - April 30-May 20<sup>th</sup>  
Part-time - May 21-September 16<sup>th</sup>  
Seasonal - September 17-November 11<sup>th</sup>  
Part-time - November 12-November 25<sup>th</sup>  
Seasonal - November 26-December 16<sup>th</sup>  
Part-time - December 17-December 31<sup>st</sup>

Pre-K - 7140.1644  
Laila Desjardins  
Michelle Fillippi  
Mary Beth Seivert  
Barb Odrobina  
Ann Sheldon

From Seasonal to Part-time  
Maureen Brezowski

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

**Item No. 12** Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

Greg Bean  
Jeffrey Kosicki  
Mark Kuczmanski  
Jennifer Pugh

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



MEETING NO. 2  
January 17, 2001

**Item No. 13** Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED that the following individuals be and hereby are hired as part-time employees in the Parks, Recreation and Youth Services Department, effective as indicated:

Rink Personnel - 7140.1611

Recreation Attendants - \$5.15

Erica Au (effective 1/20/01) 14225

Alex Godzich (immediately) 14211

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

NAYES: 0

ABSENT: 0

**Item No. 14** Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

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

**EFFECTIVE**

PARKS DIVISION - Laborer - \$6.00 per hour

John Czapla Cheektowaga, NY 14225

immediately

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**

MAIN PUMP STATION - Laborer - \$7.25 per hour

Leroy Linkner Cheektowaga, NY 14225

immediately

SEWER MAINTENANCE - Laborer - \$7.00 per hour

Timothy Andrzejewski Cheektowaga, NY 14227

01/01/01

Christopher Buczek Cheektowaga, NY 14206

"

Eric Czubaj Sloan, NY 14212

"

Donald Leidolph Cheektowaga, NY 14225

"

Jason Lenartowicz Sloan, NY 14212

"

Justin Maly Sloan, NY 14206

"

Michael O'Sullivan Cheektowaga, NY 14227

"

Jacob Wilder Cheektowaga, NY 14227

"

BE IT RESOLVED, that a part-time clerk in the Main Pump Station, Florence Falkiewicz, be paid \$7.50 per hour effective January 1, 2001; AND, BE IT

RESOLVED, that Joseph Abraham, a part-time laborer in the Sewer Maintenance Department be paid at the rate of \$7.00 per hour effective January 1, 2001; AND BE IT FURTHER

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

**EFFECTIVE**

PARKS DIVISION

Andrew Sciandra

12/31/2000

David Defields

"

Edward Pozdyn

"

Karol Szymczuk

"

Michael Papero

"

Gordon Hagmeier

"

MEETING NO. 2  
January 17, 2001

Paul Gasiewicz

"

Item No. 14 cont'd

TAX OFFICE

Judith Havernick

Lucille McCabe

Kathleen Wagner

EFFECTIVE

12/31/2000

"

"



Motion by Councilmember Jankowiak, Seconded by Councilmember Jawoworicz to amend resolution #14 and the voting was as follows:

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

NAYES: 0

ABSENT: 0



Motion by Councilmember Jankowiak, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

PARKS DIVISION - Laborer - \$6.00 per hour

John Czapla Cheektowaga, NY 14225

immediately

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

MAIN PUMP STATION - Laborer - \$7.25 per hour

Leroy Linkner Cheektowaga, NY 14225

immediately

SEWER MAINTENANCE - Laborer - \$7.00 per hour

Timothy Andrzejewski Cheektowaga, NY 14227

01/01/01

Christopher Buczek Cheektowaga, NY 14206

"

Eric Czubaj Sloan, NY 14212

"

Donald Leidolph Cheektowaga, NY 14225

"

Jason Lenartowicz Sloan, NY 14212

"

Justin Maly Sloan, NY 14206

"

Michael O'Sullivan Cheektowaga, NY 14227

"

Jacob Wilder Cheektowaga, NY 14227

"

BE IT RESOLVED, that a part-time clerk in the Main Pump Station, Florence Falkiewicz, be paid \$7.25 per hour effective January 1, 2001; to be consistent with the Town policy for Part-time and Seasonal Employees that was put into effect by Town Board resolution dated June 1, 1998. AND, BE IT

RESOLVED, that Joseph Abraham, a part-time laborer in the Sewer Maintenance Department be paid at the rate of \$7.00 per hour effective January 1, 2001; AND BE IT FURTHER

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

EFFECTIVE

PARKS DIVISION

Andrew Sciandra

12/31/2000

David Defields

"

**MEETING NO. 2**  
**January 17, 2001**

Edward Pozdyn  
Karol Szymczuk  
Michael Papero  
Gordon Hagmeier

"  
"  
"  
"

**Item No. 14 cont'd**

**EFFECTIVE**

**PARKS DIVISION**

Paul Gasiewicz

12/31/2000

**TAX OFFICE**

Judith Havernick

12/31/2000

Lucille McCabe

"

Kathleen Wagner

"

**Item No. 15a**     Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, a vacancy exists in the position of Senior Clerk Typist in the Town Clerk's Office; AND

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

WHEREAS, Lisa-Marie Bolognese, currently employed as a Records Inventory Clerk in the Town Clerk's Office, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Lisa-Marie Bolognese of Depew, New York 14043, be and hereby is appointed to the position of Senior Clerk Typist in the Town Clerk's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 18, 2001.

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

NAYES:           0

ABSENT:          0

**Item No. 15b**     Appointment to Fill Vacancy in the Position of Temporary Clerk-Stenographer in Employee Relations Department  
This resolution was withdrawn.

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

WHEREAS, four (4) vacancies exist in the position of Police Officer in the Town of Cheektowaga, AND

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

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

RESOLVED, that the following individuals be and hereby are appointed to the position of Police Officer to a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club:

William Dorsey	Cheektowaga, NY 14227
David Robida	Depew, NY 14043
Nathan Frank	Cheektowaga, NY 14227
Kurt Spieler	Cheektowaga, NY 14225

AND, BE IT FURTHER

RESOLVED, that said appointments shall become effective January 25, 2001, and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

**MEETING NO. 2**  
**January 17, 2001**

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 Jaworowicz

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and inspections from February 5, 6, and 7, 2001 at the Radisson Hotel, AND

WHEREAS, said seminar provides 6 of the 24 mandatory credit hours of New York State in-service training, AND

WHEREAS, it is required that certain Building, Housing, and Fire Inspectors be authorized to attend said seminar, NOW, THEREFORE, BE IT

RESOLVED, that Gail Milburth, Mark Radecki, Ronald Stepnick, Donald Wartinger, Matthew Kawczynski, Edward Saturnus, and Randall Sevilla are authorized to attend said educational seminar on February 5, and 7, 2001 (as registered for) at the Radisson Hotel, 4243 Genesee Street, Cheektowaga, New York at a cost of \$80.00 per person, said costs to be paid from the Building Inspection Department Budget account number 0800-3620-4191.

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

**Item No. 16b** Motion by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and Inspections from February 4-7, 2001, at the Radisson Hotel & Suites Buffalo, AND

WHEREAS, said seminar provides mandatory credit hours of New York State in-service training, AND

WHEREAS, the Director of Community Development has recommended that the Department's Housing Inspector be authorized to attend this seminar, NOW, THEREFORE, BE IT

RESOLVED, that Richard J. Willis, Housing Inspector for the Office of Community Development is hereby authorized to attend said educational seminar on February 4-7, 2001 at the Radisson Hotel & Suites Buffalo, 4243 Genesee Street, Cheektowaga, NY, at a cost of \$170.00, said costs to be paid from Community Development Funds, and BE IT

FURTHER RESOLVED, that said employee is authorized to utilize one Town vehicle for transportation to and from said seminar.

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

**Item No. 17** Personnel Policy for Chief and Assistant Chief of Police  
This resolution was withdrawn.

**III. DEPARTMENTAL COMMUNICATIONS**

**Item No. 18** Supervisor's Statement of Funds - November, 2000  
Received and Filed.

**Item No. 19a** Minutes of Cheektowaga Planning Board - December 14, 2000  
Received and Filed.

**MEETING NO. 2**  
**January 17, 2001**

**Item No. 19b** Minutes of Cheektowaga Traffic Safety Commission - December 19, 2000  
Received and Filed.

**Item No. 19c** Minutes of Cheektowaga Traffic Safety Commission - November 30, 2000  
Received and Filed.

**Item No. 20** Final Reports: a) 2000 Town & County Tax  
b) 2000-2001 School Tax Collection  
Received and Filed.

**IV. GENERAL COMMUNICATIONS**

**Item No. 21a** Notice of Claim - Kathleen Kozma vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21b** Notice of Claim - David Krzemien vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21c** Notice of Claim - Anna Alessandra vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21d** Notice of Claim - Denise Raczka vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21e** Notice of Claim - Mr. & Mrs. James Isbrandt vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21f** Notice of Claim - Thomas Rogers vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21g** Notice of Claim - John & Karen Meisner vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21h** Notice of Claim - Rita Fleetwood vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Sanitation; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21i** Notice of Claim - Mary Wielkewicz vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney;  
Council Office; and Allied Claims.  
Received and filed.

**Item No. 21j** Notice of Claim - Regina Rolf vs Town of Cheektowaga

**MEETING NO. 2**  
**January 17, 2001**

Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney; Council Office; and Allied Claims.  
Received and filed.

**Item No. 21k** Notice of Claim - Stephen Papuzek vs Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Highway; Town Attorney; Council Office; and Allied Claims.  
Received and filed.

**Item No. 27** Motion by Supervisor Gabryszak, Seconded by Unanimous  
to adjourn the meeting in memory of Sophie Sunday - longtime employee in the Cheektowaga Town Clerk's Office, Katherine Pajak - mother of Town employee Tony Pajak and Charles Szymanski, age 92.  
Time meeting adjourned: 8:40 p.m.

Richard M. Moleski  
Town Clerk

**TOWN OF CHEEKTOWAGA  
MEETING NO. 3  
FEBRUARY 5, 2001**

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 of February, 2001 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; Michael Stachowski, Town Attorney; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Salvatore LaGreca, Chairman of Planning Board; Jerome Gabryszak, Director of Community Development; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; Thomas Rowan, Police Captain; Patricia Wojcik, Director of Senior Services; Earl Loder, Disaster Coordinator; and Jennifer Runfola, Deputy Town Attorney.

**I. RESOLUTIONS**

Item No. 2a Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

**2000**

**GENERAL FUND**

From:	0100-1010-1361	Clerk Steno	\$ 804.45
	0100-1110-1371	Clerk	16,200.78
	0100-1315-1340	Accountant	7,690.56
	0100-1330-1392	Seasonal Clerk	4,169.00
	0100-1315-1341	Junior Accountant	4,348.67
	0100-1315-1391	Part-Time Clerical	424.29
	0100-1355-1391	Part-Time Clerical	428.91
	0100-1410-1571	Bingo Inspector	1,655.12
	0100-1420-1151	Deputy Town Attorney	4,193.76
	0100-1420-1381	Legal Steno	2,167.02
	0100-1430-1125	Employee Relations Coordinator	3,159.06
	0100-1440-1361	Clerk Steno	16,393.24
	0100-1440-1406	Asst. Town Engineer	295.53
	0100-1625-1411	Cleaner	47,666.54
	0100-1625-1431	Maintenance Workers	32,030.88
	0100-1625-1491	Part-Time Laborer	9,848.00
	0100-9010-8101	Employee Retirement	34,394.29
	0100-1640-1201	General Crew Chief	793.36
	0100-1640-1491	Part Time Laborer	1,976.00
	0100-3120-1374	Clerk Typist	34,928.74
	0100-3120-1391	Part Time Clerical	11,731.28
	0100-3120-1591	Crossing Guards	23,732.94
	0100-3310-1437	Sign Maintenance	29,784.18
	0100-3310-1492	Part Time Traffic	7,893.00
	0100-6250-4721	JPTA Revenue	21,771.59
	0100-9010-8111	Police Retirement	687,947.22
	0100-7110-1491	Part Time Laborer	306.62

Item No. 2a cont'd.



**MEETING NO. 3**  
**February 5, 2001**

GENERAL FUND cont'd.

From:	0100-7140-1614	Recreation Attendant	\$ 88.45
	0100-7310-1400	Administrative Asst.	1,559.51
	0100-7620-1373	Recreation Attendant	8,223.42
	0100-9010-8111	Police Retirement	30,000.00
	0100-9010-8101	Employee Retirement	27,900.61
	0100-9010-8190	Retirement Incentive	13,605.26
To:	0100-1010-1301	Legislative Assistant	\$ 804.45
	0100-1110-1303	Court Clerk	1,130.77
	0100-1110-1351	Senior Clerk	8,539.14
	0100-1110-1376	Senior Clerk Typist	6,530.87
	0100-1315-1355	Payroll Clerk	7,690.56
	0100-1330-1164	Deputy Tax Receiver	8,941.96
	0100-1355-1163	Real Property Appraiser	44.86
	0100-1355-1351	Senior Clerk	384.05
	0100-1410-1154	1 <sup>st</sup> Deputy Town Clerk	925.75
	0100-1410-1155	2 <sup>nd</sup> Deputy Town Clerk	2,134.47
	0100-1410-1376	Senior Clerk Typist	3,411.63
	0100-1410-1380	Records Management Clerk	757.17
	0100-1410-1391	Part Time Clerical	340.00
	0100-1415-1610	Legal Records Asst.	3,234.00
	0100-1420-1102	Town Attorney	384.92
	0100-1420-1385	Administrative Asst.	4,941.16
	0100-1440-1377	Senior Clerk	16,688.77
	0100-1625-1203	Working Crew Chief	4,237.09
	0100-1625-1422	General Mechanic	67,655.49
	0100-1625-1425	Plumber	4,213.34
	0100-1625-1427	Electrician	1,369.67
	0100-1625-1452	Building Maintenance	41,509.98
	0100-1640-1202	Auto Mechanic Crew Chief	697.70
	0100-1640-1442	Auto Mechanic	10,675.52
	0100-1640-1443	Auto Body Repairman	1,092.46
	0100-1640-1445	Welder	1,634.72
	0100-1670-1605	Graphic Artist	2,301.02
	0100-3020-1561	Dispatchers	177,447.65
	0100-3020-1565	Senior Dispatcher	4,779.25
	0100-3120-1112	Police Chief	5,207.88
	0100-3120-1153	Assistant Chief	15,007.89
	0100-3120-1351	Senior Clerk	12,649.41
	0100-3120-1370	Systems Manager	6,413.05
	0100-3120-1371	Clerk	1,050.22
	0100-3120-1401	Administrative Aide	32,197.94
	0100-3120-1501	Captains	708.46
	0100-3120-1511	Lieutenants	59,310.19
	0100-1320-1531	Detectives	70,736.70
	0100-3120-1541	Patrolmen	204,482.46
	0100-3120-1554	Sergeants	96,766.68
	0100-3120-1595	Cellblock Attendant	41,330.66
	0100-3310-1430	Senior Traffic Maintenance	9,233.24
	0100-3310-1435	Traffic Signal Technician	39,517.40
	0100-3510-1413	Dog Control Officer	5,236.60
	0100-5010-1171	Deputy Highway Superintendent	309.62
	0100-6250-1951	Ceta Enrollees	13,072.46
	0100-6250-1952	Director	186.16
	0100-6250-1953	Clerical	3,481.10
	0100-6250-4004	Enrollee Misc.	5,031.87
	0100-7110-1431	Maintenance Worker	306.62
	0100-7140-1611	Rink Personnel	88.45
	0100-7310-1161	Program Coordinator	1,559.51
	0100-7620-1121	Senior Citizen Director	23.79
	0100-7620-1361	Senior Clerk	1,347.23

Item No. 2a cont'd.

**MEETING NO. 3  
February 5, 2001**

GENERAL FUND cont'd.

To:	0100-7620-1371	Clerk	\$ 4,967.71
	0100-7620-1385	Recreation Specialist	1,007.81
	0100-7620-1602	Recreation Supervisor	430.64
	0100-7620-1604	Outreach Worker	446.24
	0100-9010-8121	Fica Expense	57,900.61
	0100-9010-8157	TCEA Health & Welfare	13,605.26

HIGHWAY FUND

From:	0300-5141-1371	Clerk	\$ 35,741.00
	0300-5141-1374	Clerk Typist	33,936.00
	0300-5141-1402	Principal Engineering Asst.	53,327.98
	0300-5141-1422	General Mechanic	35,151.58
	0300-5141-1442	Auto Mechanic	16,032.70
	0300-5141-1491	Part Time Laborer	4,429.00
	0300-5141-1202	Auto Mechanic Crew Chief	794.10
	0300-9010-8101	Employee Retirement	1,586.49
To:	0300-5141-1201	General Crew Chief	\$ 510.27
	0300-5141-1203	Working Crew Chief	18,606.68
	0300-5141-1343	Sr. Acct. Clerk Typist	1,235.08
	0300-5141-1351	Senior Clerk	37,039.89
	0300-5141-1361	Clerk Steno	35,567.88
	0300-5141-1414	MEO "B"	52,875.00
	0300-5141-1416	Tree Trimmer	4,447.34
	0300-5141-1444	MEO "A"	24,963.73
	0300-5141-1445	Welder	1,378.21
	0300-5141-1453	Grounds Worker	3,228.34
	0300-9010-8121	FICA Expense	1,121.43
	0300-5141-1412	Laborer	125.00

PART TOWN FUND

From:	0800-3620-1175	Part Time Fire Inspector	\$ 5,600.00
	0800-3620-1430	Asst. Plumbing Inspector	39,000.00
	0800-3620-1753	Part Time Housing Aide	8,681.01
	0800-9010-8975	Retirement Buyouts	5,073.02
	0800-3620-1165	Fire Inspector	3,202.62
	0800-3620-1376	Senior Clerk Typist	2,106.88
	0800-3620-1400	Building Inspector	5,687.49
	0800-3620-1401	Asst. Building Inspector	21,351.86
	0800-3620-1431	Part Time Plumbing Inspector	1,764.00
	0800-3620-1432	Zoning Enforcement Officer	1,878.89
	0800-3620-1500	Zoning Inspector	299.70
	0800-3620-1700	Housing Inspector	2,722.32
	0800-3620-1755	Part Time Housing Inspector	14,267.25
	0800-9010-8121	FICA Expense	5,073.02

RISK RETENTION FUND

From:	1000-1710-4527	Admin Claims-Liability	\$ 1,000.00
	1000-1936-4703	Catastrophe Reserve	6,500.00
To:	1000-1710-4525	Claims Admin – W.C. Assess.	\$ 1,000.00
	1000-1932-4703	General Liability Losses	6,500.00

Item No. 2a cont'd.

SPECIAL DISTRICTS FUND

**MEETING NO. 3  
February 5, 2001**

From:	1500-8160-1444	MEO "A"	\$ 17,208.00
	1500-8160-1492	Seasonal Laborers	16,280.00
	1500-8160-8975	Retirement Buyout	285.00
	1500-8173-1410	Recycling Driver	10,118.00
	2550-8135-8975	Retirement Incentive	18,073.00
.			
To:	1500-8160-1376	Senior Clerk Typist	\$ 3,510.00
	1500-8160-1391	Par Time Clerical	2,760.00
	1500-8160-1412	Laborers	27,218.00
	1500-8160-8121	FICA Expense	285.00
	1500-8173-1492	Seasonal Laborer	5,639.00
	1500-8173-1409	Recycling Laborer	4,479.00
	2550-8125-8975	Retirement Buyback	18,073.00

Upon roll call ....

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

Item No. 2b Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

2001

GENERAL FUND

From:	0100-3120-2205	Grant Expense Line	\$49,463.00
To:	0100-3120-2206	LLEBG 2000 Grant	\$49,463.00

HUD-CDBG FUND

From:	0700-1000-0704	Contingency	\$ 1,000.00
To:	0700-1000-0706	Housing Counseling	\$ 1,000.00

Upon roll call ....

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

Item No. 3 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to February 2, 2001 are hereby approved and made a part hereof:

GENERAL FUND	\$ 368,999.61
HIGHWAY FUND	189,005.49
TRUST & AGENCY	26,895.50
HUD CDBG FUND	213,654.13
PART TOWN FUND	5,992.31
RISK RETENTION FUND	37,472.00
HUD HOUSING REHABILITATION FUND	14,295.00
SPECIAL DISTRICTS FUND	196,147.21
CAPITAL FUND	8,900.00
	<u>\$1,061,361.25</u>

Item No. 3 cont'd.

Upon roll call ....

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

**MEETING NO. 3  
February 5, 2001**

ABSENT: 0

Item No. 4 Motioned 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, a rezoning application was submitted by Timothy J. Webster of Conax Buffalo Technologies to rezone a portion of 2300 Walden Avenue, AND

WHEREAS, the change in zoning from M1-Light Manufacturing to C-Retail Business was requested to convert an existing 10,134 square foot warehouse building to an automotive parts store, AND

WHEREAS, the applicant has reduced the overall parcel size of his original rezoning request, so as to conform to the actual requirements for the foregoing, and in response to concerns expressed by the neighboring community along Goering Avenue, AND

WHEREAS, the Advisory Committee, at its meeting held on December 20, 2000 rendered the determination shown on the attached memo dated December 22, 2000, AND

WHEREAS, the Town of Cheektowaga Planning Board, at its meeting held on December 14, 2000 recommended the approval of the rezoning request, AND

WHEREAS, the applicant will be providing an accessible pedestrian route connecting the newly installed sidewalk along Walden Avenue to the entrance of the proposed auto parts retail store entrance during the building alteration/construction, AND

WHEREAS, the applicant has provided a written commitment that Conax Buffalo Technologies will not disturb the wooded undeveloped acreage of their property, north of the parcel to be rezoned, until such time that the Town approves a site plan for its development, AND

WHEREAS, the applicant has also agreed to consider exploring access management opportunities with the Kwik Fill business along Walden Avenue to the west, for a shared driveway opening along Walden Avenue to minimize the number of driveway openings, as recommended by the New York State Department of Transportation, 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(S) FOR ATTACHMENT

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

WHEREAS, Timothy J. Webster/CONAX technologies, LLC petitioned for a rezoning from M1-Light Manufacturing District to C-Retail Business District of property owned by CONAX Technologies, LLC and located at 2300 Walden Avenue, Cheektowaga, New York, which property is described in the attached legal notice, AND

**MEETING NO. 3  
February 5, 2001**

WHEREAS, the property to be rezoned was reduced from 9-1/2 acres to 3-1/2 acres,  
AND

WHEREAS, a public hearing on such petition was held before this Town Board on the 17<sup>th</sup> day of January, 2001 at 6:30 P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

WHEREAS, 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 Timothy J. Webster/CONAX Technologies, LLC for the rezoning from M1-Light Manufacturing District to C-Retail Business District of the property described in the attached legal description be and the same is hereby approved and, BE IT FURTHER

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 6      Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of manhole frames with self-sealing covers and manhole frames with vented covers, which bids were duly received and opened at the January 31, 2001 public bid opening, AND

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

**MEETING NO. 3  
February 5, 2001**

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 of manhole frames and covers be and hereby is awarded to:

Neenah Foundry Company  
P. O. Box 729  
Neenah, WI 54957  
(920) 725-7000

<u>ITEM</u>	<u>QUANTITY</u>	<u>DELIVERED UNIT BID PRICE</u>
Frame with 24" diameter self-sealing cover (set)	25 50 75 100	\$134.00 129.00 127.00 124.00
Frame with 24" diameter vented cover (set)	25 50 75 100	\$129.00 124.00 122.00 119.00

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 7a Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, it is in order that bids be advertised for the purchase of baseball and softball equipment for the Town of Cheektowaga Department of Youth and Recreational Services, BE IT

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

RESOLVED, that sealed bids will be received on February 14, 2001 at 11:00 a.m., Eastern Standard Time, at a public bid opening to be held in the Town Clerk's Office located in Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, publicly opened and read by the Town Clerk of the Town of Cheektowaga, Erie County, New York on February 14, 2001 at 11:00 A.M., Eastern Standard Time, at Town Hall, corner of Broadway and Union Road for the purchase of baseball and softball equipment.

Item No. 7a cont'd.

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

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

Richard M. Moleski  
Town Clerk

MEETING NO. 3  
February 5, 2001

DATED: February 8, 2001



Upon roll call ....

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

AFFIDAVIT - NEXT PAGE

Item No. 7b Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, it is in order that bids be advertised for the furnishing of chemical fertilizers and herbicides in the Town of Cheektowaga, AND

WHEREAS, the Town has engaged in an annual Fertilization/Weed Control Programs as part of its obligation with an agreement with the New York State Department of Environmental Conservation in the maintenance of all lands associated with the Scajaquada Creek Flood Control Project, NOW, THEREFORE BE IT



MEETING NO. 3  
February 5, 2001

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of chemical fertilizers and herbicides, notice to be published in the CHEEKTOWAGA TIMES AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 21<sup>st</sup> day of February, 2001 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 21, 2001 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

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

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

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

Richard M. Moleski  
Town Clerk

DATED: February 5, 2001



Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 7c Motioned by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for drainage systems maintenance and erosion control projects in the Town of Cheektowaga for the calendar year of 2001, NOW, THEREFORE BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment and operators for said drainage systems maintenance and erosion control projects, notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

MEETING NO. 3  
February 5, 2001

RESOLVED, that sealed bids will be received on the 21<sup>st</sup> day of February, 2001 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 21, 2001 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment and operators for drainage systems maintenance and erosion control projects in the Town of Cheektowaga.

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

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

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

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

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

Richard M. Moleski  
Town Clerk

DATED: February 5, 2001



Upon roll call ....

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

AFFIDAVIT - NEXT PAGE

Item No. 8      Motioned by Councilmember Jaworowicz, Seconded by Councilmember Jankowiak

WHEREAS, the Winter of 2000-2001 has seen a dramatic increase in the wholesale cost of natural gas, together with colder than normal temperatures, AND

WHEREAS, as a result of federal deregulation of the utility industry, this increase in natural gas prices has been passed on to residential consumers; AND

WHEREAS, many of these consumers are senior citizens on fixed incomes or young and middle aged persons with working class incomes, who cannot afford such increases in the cost of natural gas, thereby making home heating for many consumers a life or death experience, AND

**MEETING NO. 3  
February 5, 2001**

WHEREAS, while the increased costs of natural gas have been passed through to residential consumers, these same utility companies, such as National Fuel Gas, have seen a significant increase in their profits and huge bonuses being given to their officers, AND

WHEREAS, the New York State Public Service Commission, due to federal deregulation in the 1970's, can only regulate the cost of delivering the gas through the utility's system, not the cost of gas or storage; nor can it regulate or otherwise influence purchase practices of the utility companies so that they may better manage their purchasing and storage techniques to control drastic price increases, AND

WHEREAS, for the past few years in Western New York, there has been milder winter weather, thereby decreasing the demand for natural gas, AND

WHEREAS, because of the low demand for natural gas in the last few years, utility companies have not seen it worthwhile to drill beneath existing oil reservoirs in the United States until the recent surge in gas prices, AND

WHEREAS, because of the low demand for natural gas in the last few years, utility companies have not seen it worthwhile to drill beneath existing oil reservoirs in the United States until the recent surge in gas prices, AND

WHEREAS, because of federal deregulation, management's ability to pass all costs to consumers, and the manipulation of foreign markets for oil and gas, utility customers are now facing financial hardship, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby memorializes U.S. Senator Charles Schumer, U.S. Senator Hillary Clinton, U.S. Congressman Jack Quinn, State Senator William Stachowski and State Assemblyman Paul Tokasz to request the U.S. Department of Energy and the N.Y.S. Public Service Commission to investigate and determine why gas prices have risen so dramatically, without impact to utility company profits or utility company management bonuses, and recommend solutions to this problem and, BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes Senator Schumer, Senator Clinton, and Congressman Jack Quinn to initiate federal regulation of the wholesale cost of gas and consumer subsidies for dramatic unforeseen cold spells, which are likened to natural disasters and which impact natural gas usage and, BE IT FURTHER

RESOLVED, that this Town Board hereby requests natural gas suppliers across New York State to immediately intensify efforts to locate other supplies of natural gas, and to implement purchasing practices and procedures to stabilize prices, rather than passing huge shifts of increases to the consumers and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this Resolution to Senator Charles Schumer, Senator Hillary Clinton, U.S. Congressman Jack Quinn, State Senator William Stachowski, State Assemblyman Paul A. Tokasz, the N.Y.S. Public Service Commission, the U.S. Department of Energy, and National Fuel Gas.

Upon roll call ....

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

Item No. 9a      Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, RELCO Locomotives, Inc. has offered to donate a RE718 Alco locomotive to the Town, AND

WHEREAS, such donation would act to preserve this locomotive's heritage in Western New York, AND

WHEREAS, Larry's Towing has offered to transport this locomotive from Niagara Falls, New York to a location behind the Town's Historical Museum at 3329 Broadway, NOW, THEREFORE BE IT

RESOLVED, that this Town Board accepts the aforementioned donation from RELCO Locomotives, Inc. and, BE IT FURTHER

MEETING NO. 3  
February 5, 2001

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute donation agreements and all other documents necessary to effectuate the donation and delivery of the above referenced locomotive and, BE IT FURTHER

RESOLVED, that this Town Board hereby approves placement of this locomotive on Town-owned property behind the Historical Museum.



MOTION BY COUNCILMEMBER JAWOROWICZ, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND 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



AMENDED

WHEREAS, RELCO Locomotives, Inc. has offered to donate a RE718 Alco locomotive to the Town, AND

WHEREAS, such donation would act to preserve this locomotive's heritage in Western New York, AND

WHEREAS, Larry's Towing has offered to transport this locomotive from Niagara Falls, New York to a location determined by the Town Board, NOW, THEREFORE BE IT

RESOLVED, that this Town Board accepts the aforementioned donation from RELCO Locomotives, Inc. and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute donation agreements and all other documents necessary to effectuate the donation and delivery of the above referenced locomotive and, BE IT FURTHER

RESOLVED, that this Town Board hereby approves placement of this locomotive on Town-owned property in a location to be determined by Resolution of the Town Board.

Upon roll call ....

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

Item No. 9b Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga Engineering Department has proposed sanitary sewer improvements in the Pine Ridge Road area of the Town which would allow for the decommissioning of the Alpine Pump Station, AND

WHEREAS, in order to perform the required work, it is necessary for the Town to obtain permanent and temporary easements from the Erie County Water Authority, AND

WHEREAS, the Erie County Water Authority has submitted the requested easements to the Town, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned easements from the Erie County Water Authority and, BE IT FURTHER

**MEETING NO. 3  
February 5, 2001**

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

Upon roll call ....

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

Item No. 10 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Department of Parks, Recreation and Youth Services has requested permission to conduct an overnight camp-out on Friday, February 23, 2001 in the Alexander Community Center, AND

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

RESOLVED, that the Cheektowaga Town Board permit a waiver of Article 48-12 of the Code of the Town of Cheektowaga, and that said waiver be extended to the Parks, Recreation and Youth Services Department's Adapted Recreation Program and, BE IT FURTHER

RESOLVED, that a copy of said resolution be forwarded to the Chief of Police and the Director of the Parks Division.

Upon roll call ....

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

Item No. 11 Motioned by Councilmember Swiatek, Seconded by Councilmember Rogowski

WHEREAS, on or about July 19, 1996, Peter Wanat, an infant, allegedly sustained injuries while he was playing soccer at the Cheektowaga Recreation Center, AND

WHEREAS, Henry Wanat, as parent and natural guardian of Peter Wanat, caused a Notice of Claim to be served on the Town of Cheektowaga on account of the aforesaid accident and thereafter, an action was commenced in New York State Supreme Court against the Town of Cheektowaga bearing Index Number I-1997/5370, AND

WHEREAS, Allied Claims Services, Inc., and Cole, Sorrentino, Hurley & Hewner, P.C., (David G. Henry, Esq., of counsel), attorneys for the Town, have investigated the aforesaid claim thoroughly, and as a result of extensive negotiations, the plaintiff has agreed to accept the sum of \$25,000 in full settlement of his claim against the Town, AND

Item No. 11 cont'd.

WHEREAS, Attorney David G. Henry, Allied Claims, and the Town Attorney believe this is a fair and equitable settlement and resolution of this claim, and all strongly recommend that a settlement be approved,

NOW, THEREFORE BE IT

RESOLVED, that the sum of \$25,000 be paid by the Town to Peter Wanat, of full age, in full, complete and final satisfaction and settlement of all claims against the Town of Cheektowaga arising out of the above mentioned accident and, BE IT FURTHER

RESOLVED, that the Town Attorney be and hereby is authorized to execute and procure all papers necessary to effectuate such settlement and compromise.

Upon roll call ....



**MEETING NO. 3  
February 5, 2001**

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

Item No. 12 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the Town needs to update its capital acquisition cost level to a reasonable minimum dollar amount, AND

WHEREAS, the Government Finance Officers Association of the United States recommends an acceptable dollar value as \$5,000.00, AND

WHEREAS, the Town is desirous of complying with this recommendation.

NOW, THEREFORE BE IT

RESOLVED, that the Town of Cheektowaga Accounting Department begin utilizing a minimum dollar amount of \$5,000 for all capital acquisitions for fixed asset accounting purposes, effective immediately.

Upon roll call ....

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

Item No. 13a Motioned 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(S) FOR ATTACHMENT
- 

Item No. 13b Motioned 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 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 following 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.

LaSalle Ambulance, Inc., d/b/a Rural/Metro Services

MEETING NO. 3  
February 5, 2001

VEHICLE MAKE & YEAR  
2000 Ford

LICENSE NO.  
1060ET

CALL NO.  
501

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 14a Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, the Town, in its 2001 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

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

WHEREAS, the organization(s) listed below have completed and returned signed agreements and their accounting report(s) from the 2000 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves agreement(s) in the form(s) attached to this resolution, with the cultural and not-for-profit organization(s) listed below for the amount(s) listed and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement(s) with the following referenced cultural and not-for-profit organization(s) for the following respective amount(s):

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Arts Society of Cheektowaga	\$ 850.00
Cheektowaga Patriotic Commission, Inc.	\$12,000.00

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2001 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(S) FOR ATTACHMENT

Item No. 14b Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the Town and Belmont Shelter Corp., located at 1195 Main Street, Buffalo, New York 14209, previously entered into an Agreement dated November 1, 1999, for the provision of housing counseling services, including mortgage default, pre-purchase and landlord-tenant counseling, AND

WHEREAS, the Town and Belmont Shelter Corp. desire to renew said Agreement under the same terms and conditions as said previous Agreement, AND

WHEREAS, funding for such services have been budgeted under the Town's Community Development Block Grant Program, AND

WHEREAS, the Director of Community Development has recommended renewal of the Agreement with Belmont Shelter Corp. for said services, NOW, THEREFORE BE IT

RESOLVED, that the Agreement with Belmont Shelter Corp., 1195 Main Street, Buffalo, New York 14209, dated November 1, 1999, be and hereby is renewed for a period of one year



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under the same terms and conditions as the original Agreement for an amount not to exceed \$8,300 and, BE IT

FURTHER RESOLVED, that the Supervisor be and hereby is authorized to execute any documents as may be necessary in relation to said Agreement.

Upon roll call ....

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

Item No. 14c Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has received funding from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1974, as amended, AND

WHEREAS, energy conservation and weatherization services for income-eligible persons is an eligible activity under the Community Development Block Grant Program, AND

WHEREAS, Supportive Services Corporation of Western New York has requested funding for assisting in providing energy conservation and weatherization services for income-eligible Town residents, AND

WHEREAS, funding for such services is available in the Community Development Block Grant program budget, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with Supportive Services Corporation of Western New York for an amount not to exceed \$7,500 to provide energy conservation and weatherization services for income-eligible Town residents through the end of the 2001/2002 Program Year.

Upon roll call ....

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

Item No. 14d Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is eligible to receive \$981,000 in Community Development Block Grant Funds for the 2001 Program Year, and as a member of the Amherst-Cheektowaga-Tonawanda HOME Consortium, the Town is entitled to receive \$354,608 of the HOME Consortium entitlement grant, AND

Item No. 14d cont'd.

WHEREAS, Public Hearings regarding the use of said funds were held on November 6, 2000 and January 17, 2001, AND

WHEREAS, the Town Director of Community Development has submitted recommendations regarding the use of said funds, which includes activities to principally benefit low-income persons pursuant to the goals and objectives of the Housing and Community Development Act and its governing rules and regulations, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby approves the submission of the Town of Cheektowaga Annual Plan to the Department of Housing and Urban Development for the 2001 Program Year in conjunction with the Amherst-Cheektowaga-Tonawanda consortium, including the projects contained on the attached CDBG and HOME Project Summaries and, BE IT

FURTHER RESOLVED, that the Supervisor is hereby authorized to sign the necessary Certifications and other Community Development Block Grant and HOME Program related documents as may be necessary.

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Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 14e Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

BE IT RESOLVED, that subject to approval by the Town Attorney, Supervisor Dennis H. Gabryszak be and hereby is authorized to sign contracts between the Town of Cheektowaga, performers and recurring vendors for concerts and special events to be held during the year 2001.

FUNDING SOURCE:	0100-7140-4503
	0100-7140-4491
	0100-7620-4685

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 14f Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

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

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

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

RESOLVED, that the agreement for general technical engineering services for calendar year 2001, as submitted by the consulting firm of Nussbaumer & Clarke, Inc. and as recommended by the Town Engineer and reviewed by the Office of the Town Attorney, is approved and accepted and, BE IT FURTHER

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

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

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

Upon roll call ....

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

Item No. 15 Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, by resolution dated January , 2001, this Town Board reappointed members to the Veterans Affairs Committee, AND

WHEREAS, one (1) of these members, Dorothy Kubik, is no longer able to serve on such committee, NOW, THEREFORE BE IT

Item No. 15 cont'd.

RESOLVED, that the aforementioned January 2, 2001 resolution be and hereby is amended to delete the name of Dorothy Kubik from the Veterans Affairs Committee.

Upon roll call ....

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

Item No. 16a Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that John Duggan, Jr. resigns his position as Traffic Signal Technician, effective February 2, 2001.

Upon roll call ....

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

Item No. 16b Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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BE IT RESOLVED, that the individual listed below be and hereby is terminated from the Parks, Recreation and Youth Services Department, effective immediately (Part-Time):

Gayle Bosiacki

Upon roll call ....

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

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

BE IT RESOLVED, that the following individual be hired as a Part-Time maintenance employee in the Department of Senior Services, not to exceed 19 hours on a weekly basis at a salary of \$6.50 an hour 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 immediately:

Melissa Graczyk

Cheektowaga 14225

BE IT RESOLVED, that the following individual be terminated in the Department of Senior Services, effective immediately:

Lisa Duszynski

Cheektowaga 14211

Upon roll call ....

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

Item No. 17b Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

Item No. 17b cont'd.

EFFECTIVE

POLICE DEPARTMENT – Clerk - \$6.50 per hour

Candace Solecki

Cheektowaga

2/27/00

BE IT RESOLVED, that a Part-Time Clerk in the Central Garage, Jovina Pagano, be paid \$8.00 per hour, effective January 2, 2001, AND BE IT

RESOLVED, that John Wieberg, a Part-Time Laborer in the Central Garage be paid at the rate of \$6.75 per hour effective January 1, 2001 and, BE IT FURTHER

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

EFFECTIVE

RECYCLING DEPARTMENT

Jose Aviles

Immediately

PARKS DEPARTMENT

Matthew Culley

Immediately

Dale J. Czubaj

“

Jarrett D. Sinclair

“

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Justin J. Tricoli  
Andrea L. Voelker

“  
“

Upon roll call ....

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

Item No. 18 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be and hereby are hired as Part-Time employees in the Parks, Recreation and Youth Services Department, effective as indicated:

Administrative Interns – 7310.1804

Clerk - \$6.00

(effective immediately)

Alicia Wyzykowski 14212

Basketball – 7140.1654

Recreation Attendant VII - \$6.65

(effective 1/21/01)

Brian T. Koscielniak 14225

Upon roll call ....

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

Item No. 19 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, vacancies currently exist on the Cheektowaga Youth Board, AND

WHEREAS, Jessica Benson, is interested in serving on the voluntary board, NOW,  
THEREFORE BE IT

Item No. 19 cont'd.

RESOLVED, that Jessica Benson be and, hereby, is appointed to the Cheektowaga Youth Board, for a three year term, effective this date and expiring February 5, 2004.

Upon roll call ....

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

Item No. 20 Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, two vacancies exist in the position of Pump Operator in the Main Pump Station, 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, no full-time employee bid on said vacancies, AND

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

WHEREAS, the existing Civil Service list was canvassed, AND

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WHEREAS, Jerry Blersch and Thomas M. Juszczak appear on said Civil Service list and meet all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Jerry Blersch of Cheekwood Drive, Cheektowaga, New York 14227 be and hereby is appointed to the position of Pump Operator in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective February 12, 2001 and, BE IT FURTHER

RESOLVED, that Thomas M. Juszczak of Cheektowaga, New York 14225 be and hereby is appointed to the position of Pump Operator in the Main Pump Station, in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective February 19, 2001.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 21a Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Government Finance Officer's Association (NYS-GFOA) is holding its Annual Conference on March 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup>, 2001, in Albany, New York, AND

WHEREAS, the conference shall cover such topics as GASB Statement No. 34, E-Governance, Financial Statements to Improve Operation, How to Audit for Fraud, and the new Government Accounting Standards Board Financial Reporting Model, all topics necessary for the Town to comply with, AND

WHEREAS, Supervisor Dennis H. Gabryszak, Director of Administration and Finance Brian M. Krause, and Senior Accountant Kathleen T. Travers are requesting attendance at this conference in order to prepare themselves for the new requirements being placed on the Town, AND

WHEREAS, the Town Board deems it appropriate for Town personnel to be in attendance at this conference to assure that the Town will be prepared to meet its requirements, NOW, THEREFORE BE IT

Item No. 21a cont'd.

RESOLVED, that Supervisor H. Gabryszak, Mr. Krause, and Ms. Travers are hereby authorized to attend this conference, and all costs not to exceed \$1,750.00 are to be reimbursed from the following budget account number: 0100-1315-4088.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 21b Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the National Recreation and Parks Association and North Carolina State University is sponsoring an Administrative Management School, designed for interactive participation and networking, in Oglebay Park, Wheeling, West Virginia from March 11-15, 2001, AND

WHEREAS, the mission of the Administrative Management School is designed for interactive participation and networking and the building of a livable, sustainable community through quality environmental management practices, AND

WHEREAS, the school will focus on the following topics:

- Management Funding/Urban Forestry
- Developing Partnerships
- Master Planning for Sustainability
- Park, Recreation and Open Space Plans



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- Watershed Protection Issues
- Investments/Endowments/Trusts

BE IT RESOLVED, that Kenneth J. Kopacz, Executive Director of the Parks, Recreation and Youth Services Department, be reimbursed the necessary transportation, lodging, conference and meal expenses to attend said Management School, at a cost not to exceed.

1910-4083	Mileage	\$195.00
7140.4191	Travel/Miscellaneous	\$475.00
7310.4681	Tuition	\$345.00

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 21c Motioned by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

WHEREAS, the State of New York Department of State Office of Fire Prevention and Control will be conducting state mandated code courses in the Introduction to Code Enforcement Practices, Inspection of Existing Structures, Low Rise Residential Construction, General Building Construction and Administration and Enforcement, AND

WHEREAS, Gail Milburth, Assistant Building Inspector has requested permission to attend these five (5) courses on the following dates: February 26 to March 1, 2001, March 26 to March 29, 2001, April 16 to April 19, 2001, May 14, 2001 to May 17, 2001 and June 4 to June 7, 2001, AND

WHEREAS, this will introduce the Town's Assistant Building Inspector to the basic and up-to-date building codes and enforcement which is necessary for her to perform her duties as an Assistant Building Inspector, NOW, THEREFORE BE IT

Item No. 21c cont'd.

RESOLVED, THAT Gail Milburth be and hereby is authorized to attend the five (5) State mandated code courses and, BE IT FURTHER

RESOLVED, that the Town pay for Ms. Milburth's registration fee of \$25.00 per scheduled course and meals and lodging costs of \$120.00 for each scheduled course for a total of \$725.00 for attending the five (5) courses and such expenses be charged to account number 0800-3620-4088 and a town vehicle be provided for transportation.

Item No. 22 Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, by resolution dated January 17, 2001, this Town Board approved a contract whereby the Town of Cheektowaga would purchase property at 155 Walden Avenue, AND

WHEREAS, said contract gave the town the option to have an environmental assessment performed on such property, AND

WHEREAS, Panamerican Environmental, Inc. has submitted a proposal to perform a Phase I Environmental Site Assessment on 1155 Walden Avenue for \$1,750.00, AND

WHEREAS, this proposal is acceptable to the Town Engineer, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby agrees to retain Panamerican Environmental, Inc. to perform the aforementioned Phase I Environmental Site Assessment of 1155 Walden Avenue, a per its proposal, at a cost of \$1,750.00 and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute this proposal on behalf of the Town and, BE IT FURTHER



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RESOLVED, that moneys for such site assessment shall be appropriated from budget line item number 0100-1910-2200.

Upon roll call ....

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

**II. DEPARTMENTAL COMMUNICATIONS**

Item No. 23 Building Permits  
Received and Filed.

Item No. 24a Minutes of Cheektowaga Conservation Advisory Committee – January 4, 2001  
Received and Filed.

Item No. 24b Minutes of Cheektowaga Conservation Advisory Committee – January 20, 2001  
Received and Filed.

Item No. 25 Cheektowaga Town Court - Month End Revenue Report – December 2000  
Received and Filed.

Item No. 26 Disaster Coordinator – Quarterly Report October – December, 2000  
Received and Filed.

**III. GENERAL COMMUNICATIONS**

Item No. 27 Summons & Complaint: Amber Bauman, Individually and as Administratrix of the Estate of Katelin O'Sheehan, Deceased vs. Town of Cheektowaga, Cleveland Hill Union Free School District and Board of Education of Cleveland Hill Union Free School District  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council Office and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 28a Notice of Claim: Regina F. Johnson and William W. Johnson vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 24b Notice of Claim: Cynthia Komosinski vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 28c Notice of Claim: Lawrence Koleta vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 28d Notice of Claim: Jon A. Benzel vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.

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- Item No. 28e Notice of Claim: Don Zigrossi vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28f Notice of Claim: Tanya Blaszkowiak vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28g Notice of Claim: William A. Chapman vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Police Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28h Notice of Claim: Vincent Puccio vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28i Notice of Claim: Lashell D. Houston vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Police Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28j Notice of Claim: Maria Perry vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Police Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28k Notice of Claim: Maria Perry, Individually and as Parent and Natural Guardian of Nathaniel T. Houston and Nathaniel T. Houston vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Police Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28l Notice of Claim: Elizabeth Pierce Olmsted, MD Center for Visually Impaired vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28m Notice of Claim: Carol Shanahan, Individually and as Mother and Natural Guardian for Edward M. Shanahan vs. the Town of Cheektowaga and Cheektowaga Central School District  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; and Allied Claims Insurance Carrier.  
Received and Filed.



MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JANKOWIAK TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) 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



**IV. SUSPENSION OF RULES**

Item No. 29 Motioned by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, a Notice to Bidders was previously published for the lease purchase of one (1) 2001 Ford Excursion for use by the Disaster Coordinator, which bids were received and opened on January 10, 2001, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is attached and contained in a letter dated January 29, 2001 from the Engineering Department, AND

WHEREAS, said report recommends that the lease purchase of one (1) 2001 Ford Excursion be awarded to Bison Truck Center, Inc., 2370 Walden Avenue, Cheektowaga, New York 14225 for a fixed monthly payment of \$515.75 per month, AND

WHEREAS, Section 109-b of the General Municipal Law authorizes the Town to enter into a lease purchase agreement for machinery, equipment or apparatus, AND

Item No. 29 cont'd.

WHEREAS, the proposed Lease Purchase Agreement with Bison Truck Center, Inc. contains the language required by Section 109-b of the General Municipal Law and otherwise complies with New York State law, NOW, THEREFORE BE IT

RESOLVED, that the bid for the lease purchase of one (1) 2001 Ford Excursion for use by the Disaster Coordinator be and hereby is awarded to Bison Truck Center, Inc. as per the terms of its bid and, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of the Town, be and hereby is authorized and directed to execute the lease purchase agreement and all other documents necessary for the lease purchase of the above referenced vehicle and, BE IT FURTHER

RESOLVED, that funds for such monthly payment shall be appropriated from account #0100-1220-4008.

Upon roll call ....

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. 30 Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, pursuant to the Open Burning Law of the Town of Cheektowaga, the Fire Inspector reviews various applications for open fires and open burning and renders his recommendation concerning the fire safety and impact to the general public of such application, AND

WHEREAS, the Town Board pursuant to the Open Burning Law of the Town of Cheektowaga, is designated the Approval Agency, AND

WHEREAS, since the Town Board is the Approval Agency, it must affirm, modify or reject any recommendations or permits submitted to it by the Town Fire Inspector, AND

WHEREAS, an application for a permit was submitted by the Forks Fire Department to conduct an open fire on February 25, 2001 on the property located at 3828 Broadway, AND

WHEREAS, the applicant intends to burn a vacant single family home for training. This dwelling is scheduled for demolition and all demolition permits have been applied for by the owner, AND

WHEREAS, the Fire Inspector has received this application and finds that all requirements have been met, and that this application is in compliance with conditions and requirements of the Town of Cheektowaga Fire Prevention Code and the Open Burning Law. He requests that the Town Board approve issuance of a permit, AND

WHEREAS, this Town Board has reviewed the application submitted by the Forks Fire Department and the recommendations of the Fire Inspector, NOW, THEREFORE BE IT

RESOLVED, that this Town Board authorizes the Fire Inspector to issue such permit.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 31 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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**February 5, 2001**

WHEREAS, Joseph Rydzynski has been performing in a temporary General Mechanics position (Parks Division – 7110.1422), AND

WHEREAS, Richard Latshaw (Main Pump Operator) is returning to this position, effective February 12, 2001, BE IT

RESOLVED, that Joseph Rydzynski be transferred to the position of Seasonal Laborer (Parks Division – 7110.1491), effective February 12, 2001, at a rate of \$6.50 per hour.

Upon roll call ....

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

Item No. 32 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the New York State Emergency Management Association is holding its Winter Meeting on February 7<sup>th</sup> and 8<sup>th</sup>, 2001 at the Syracuse Wyndham Hotel in East Syracuse, New York, AND

WHEREAS, the meeting will include such topics as the Code Enforcement Disaster Assistance Response (CEDAR) Program, a panel discussion on Storm Water Management initiatives, and other important issues involving emergency management situations that may arise in the Town, AND

Item No. 32 cont'd.

WHEREAS, Earl Loder, the Coordinator of Town Emergency Services, is requesting attendance at this conference in order to be informed and up-to-date on current information regarding emergency management, AND

WHEREAS, the Town Board deems it appropriate for Town personnel to attend this meeting to assure that the Town will be fully prepared for any unforeseen emergency, AND

WHEREAS, the New York State Emergency Management Office (SEMO) will reimburse the Town one-half (1/2) of the cost for the Disaster Coordinator to attend this meeting, NOW, THEREFORE BE IT

RESOLVED, that Earl Loder, the Coordinator of the Town of Cheektowaga Emergency Services, is hereby authorized to attend the New York State Emergency Management Association Winter Meeting to be held February 7<sup>th</sup> through February 8<sup>th</sup>, 2001 and all costs not to exceed \$200.00 are to be reimbursed from the following budget account number: 0100-1220-4010.

Upon roll call ....

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

Item No. 33 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of Dorothy Schenk, mother of Kevin Schenk, Deputy Town Attorney. This meeting was adjourned at 9:20 P.M.

Richard M. Moleski  
Town Clerk

**TOWN OF CHEEKTOWAGA  
MEETING NO. 4  
FEBRUARY 26, 2001**

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 26th of February, 2001 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; Kevin Schenk, Deputy Town Attorney; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Jerome Gabryszak, Director of Community Development; Bruce Chamberlin, Chief of Police; Brian Krause, Director of Administration and Finance and Andrew Kulyk, Zoning Board of Appeals Chairman.

**I. RESOLUTIONS**

Item No. 2a Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

**2000**

**GENERAL FUND**

From:	0100-1910-2799	Appropriated Fund Balance	\$ 4,140.00
To:	0100-1110-2105	Equipment	\$ 4,104.00

**HIGHWAY FUND**

From:	0300-5142-3501	Emergency Aid	\$24,700.00
	0300-9501-9131	Bond Principal	5,300.00
To:	0300-5142-4029	Salt, Highway-Snow Removal	\$30,000.00

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 2b Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

**2001**

**GENERAL FUND**

From:	0100-1910-2799	Appropriated Fund Balance	\$10,000.00
	0100-1910-2799	Appropriated Fund Balance	35,000.00
	0100-1910-4711	Contingency Account	651.00

Item No. 2b cont'd.

**MEETING NO. 4**  
**February 26, 2001**

To:	0100-3020-4431	Equipment Repairs & Maint.	\$ 10,000.00
	0100-1910-2200	Property Purchases	35,000.00
	0100-9010-8157	TCEA-Health & Welfare	651.00

**HUD-CDBG FUND**

From:	0700-9096-0655	Sloan-Wrazen Park Imp.	\$ 5,657.28
	0700-9098-0655	Sloan-Wrazen Park Imp.	150.00
To:	0700-9096-0662	Sloan-TV Analysis of Sewers	\$ 5,657.28
	0700-9098-0662	Sloan-TV Analysis of Sewers	150.00

Upon roll call ....

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

NAYES: 0

ABSENT: 0

**Item No. 3** Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to February 22, 2001 are hereby approved and made a part hereof:

GENERAL FUND	\$222,533.77
HIGHWAY FUND	115,197.13
TRUST & AGENCY	10,671.75
HUD CDBG FUND	10,316.38
PART TOWN FUND	3,197.45
RISK RETENTION FUND	85,868.77
HUD HOUSING REHABILITATION FUND	14,001.00
SPECIAL DISTRICTS FUND	228,682.99
CAPITAL FUND	<u>1,448.38</u>
	\$691,917.62

Upon roll call ....

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

NAYES: 0

ABSENT: 0

**Item No. 4** Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson  
Councilmember Swiatek

WHEREAS, the towns of Cheektowaga and Amherst have been reviewing the commercial properties in the area along Harlem Road near Kensington Avenue/Cleveland Drive and Route 33, and have been trying to obtain input from businesses and residences in such area concerning ways to revitalize such area, AND

WHEREAS, in an effort to preserve, enhance and revitalize the Harlem-Kensington-Cleveland business district, the Harlem-Kensington-Cleveland Task Force ("Task Force") was created which subsequently facilitated the creation of the Harlem-Kensington-Cleveland Business Association and the Harlem-Kensington-Cleveland Community Association, AND

WHEREAS, a Harlem-Kensington-Cleveland Draft Master Plan was prepared by the Task Force and such master plan was submitted to the Town, AND

WHEREAS, the Town of Cheektowaga is contemplating making revisions to the Town Zoning Law and/or other laws which will facilitate the implementation of Traditional Neighborhood Development and require architectural/aesthetic review/approval by Town agencies of any new development, expansion or remodeling of properties along Harlem Road, from the Amherst Town line south to Genesee Street, AND

**Item No. 4 cont'd.**



**MEETING NO. 4**  
**February 26, 2001**

WHEREAS, the New York State Department of Transportation is also performing studies for the redesign and reconstruction of Harlem Road and its principal intersection at Route 33, Cleveland Drive, Wehrle Road, and Kensington Avenue, AND

WHEREAS, the Town needs time to study this area of Town and draft revisions to the Zoning Law and other laws to protect this area of Town, and wants to consider placing a moratorium on the issuance of any permits/approvals by the Town for properties abutting this section of Harlem Road, AND

WHEREAS, the courts have held that a local legislature may, by interim or stop-gap ordinance or local law, stop for a reasonable time the commencement of all building in an area under immediate consideration for revision of regulations or legislation, NOW, THEREFORE BE IT

RESOLVED, that, in accordance with the provisions of the Town Law/Municipal Home Rule Law of the State of New York, a public hearing shall be held on the 19<sup>th</sup> day of March, 2001 at 6:30 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all interested parties will be given an opportunity to be heard and at which time and place it may be determined by the Town Board whether Local Law No. 1 of the Year 2001, entitled A Local Law creating a Special Review Zoning District should be enacted and, BE IT FURTHER

RESOLVED, that the Town Clerk shall publish the attached Notice of Hearing in the CHEEKTOWAGA TIMES, the official Town newspaper.



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall, 3301 Broadway, Cheektowaga, New York, on the 19<sup>th</sup> day of March, 2001 at 6:30 P.M. on said day for the purpose of considering the adoption of Local Law No. 1 of the Year 2001, entitled A Local Law creating a Special Review Zoning District. A summary of such Special Review Zoning District Law is as follows:

**SPECIAL REVIEW ZONING DISTRICT LAW**

1. For a period of ninety (90) days, the following area is declared a Special Review Zoning District: Property abutting on Harlem Road from the Amherst town line south to Genesee Street.
2. All departments, agencies and authorities of the Town of Cheektowaga shall withhold the issuance of any permits or approvals for the construction of any new structures or additions to any existing structures on all properties described in subdivision one hereof.
3. The Town Board of the Town of Cheektowaga shall have the power to vary or modify the application of the provisions of this law upon the Town Board's determination, in its absolute discretion, that such variance or modification, is consistent with the Town's comprehensive master plan, the Harlem-Kensington-Cleveland Master Plan and with the health, safety, morals and general welfare of the Town.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed moratorium on the issuance of permits and approvals in this Special Review Zoning District.

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

Dated: February 26, 2001

\_\_\_\_\_  
Richard M. Moleski  
Town Clerk



Item No. 4 cont'd.

Upon roll call ....

MEETING NO. 4  
February 26, 2001

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

AFFIDAVIT - NEXT PAGE

Item No. 5a Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, a Notice to Bidders was previously issued for the receipt of bids for the furnishing and application of chemical fertilizers and herbicides for calendar year 2001, AND

MEETING NO. 4  
February 26, 2001

WHEREAS, no bids were received at the February 21, 2001 bid opening, NOW,  
THEREFORE BE IT

RESOLVED, that the Town Clerk is hereby authorized and directed to republish a  
Notice to Bidders in connection with the furnishing of chemical fertilizers and herbicides, notice to be  
published in the CHEEKTOWAGA TIMES AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 14<sup>th</sup> day of March, 2001 at 11:00  
A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the  
Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of  
Cheektowaga on March 14, 2001 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of  
Broadway and Union Roads, for the application of Chemical Fertilizers and Herbicides in the Town of  
Cheektowaga, New York.

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

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

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

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

Richard M. Moleski  
Town Clerk

Dated: February 26, 2001



Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 5b Motioned by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, the Highway Department is in need of one (1) Four-Wheel Drive 2001  
Tractor with Flail Mulcher Mower for use in maintaining creek channel embankments and corridors,  
NOW, THEREFORE BE IT

**MEETING NO. 4**  
**February 26, 2001**

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one (1) Four-Wheel Drive 2001 Tractor with Flail Mulcher Mower for the Highway Department, which information for bidders and specifications may be obtained from the office of the Town Clerk, said notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 14<sup>th</sup> day of March, 2001 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



**NOTICE TO BIDDERS**

Sealed proposals will be received and considered by the Town of Cheektowaga on March 14, 2001 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York 14227 for the furnishing of one (1) Four-Wheel Drive 2001 Tractor with Flail Mulcher Mower.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing One (1) Four Wheel Drive 2001 Tractor with Flail Mulcher Mower" and submitted to the Town Clerk prior to bid opening.

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

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

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

Dated: February 26, 2001

Richard M. Moleski  
Town Clerk



Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 5c Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, it is in order that bids be advertised to cover the purchase of Police Vehicles for the Police Department, NOW, THEREFORE BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of Police Vehicles, said notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

**MEETING NO. 4**  
**February 26, 2001**

RESOLVED, that sealed bids will be received on the 8<sup>th</sup> day of March 2001, at 11:00 A.M., 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 March 8<sup>th</sup>, 2001 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 his office in said Town. One bid is to be submitted for all seven (7) vehicles listed in the bid specifications. Vehicles to be traded in will be available for inspection on Wednesday, February 28, 2001 at the Town of Cheektowaga Central Garage, 3175 Union Road, any question regarding this inspection can be directed to Archie 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.

Dated: February 26, 2001

\_\_\_\_\_  
Richard M. Moleski  
Town Clerk



Upon roll call ....

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

AFFIDAVIT - NEXT PAGE

Item No. 6a      Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Standby Emergency Generator Installation and Modification Project in the Police and Court Building, which bids were duly received and opened on January 31, 2001 at 11:00 A.M. by the Town Clerk, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated February 14, 2001, AND

MEETING NO. 4  
February 26, 2001

WHEREAS, said report recommends that the contract for the Standby Emergency Generator Installation and Modification Project in the Police and Court Building be awarded to Tunney Electric, Inc., 8565 Roll Road, Clarence Center, New York 14032 for their low bid price of \$62,950.00, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute said agreement with Tunney Electric, Inc. and, BE IT FURTHER

RESOLVED, that funding for said project shall be chargeable to Account #5710-7110-9705.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 6b Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, sealed bids were received for Athletic White Stripe on February 5, 2001 at a meeting held for said purpose, AND

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

RESOLVED, that the Cheektowaga Town Board hereby award said Bid for Athletic White Stripe to:

Scranton's Thruway Builders Supplies Corp.

MEETING NO. 4  
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3360 Walden Avenue  
Depew, New York 14043

Athletic White Stripe at \$.054 per lb.

Upon roll call ....

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

Item No. 6c Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, sealed bids were received for Pool Maintenance Chemicals on February 5, 2001 at a meeting held for said purpose, AND

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

RESOLVED, that the Cheektowaga Town Board hereby awards said Bid for Pool Maintenance Chemicals to:

Alden Pools, Inc.  
12890 Broadway  
Alden, New York 14004

For

Category I	-	Bromine	-	\$2.329 per lb.
Category II	-	Diatomaceous Earth	-	\$ .29 per lb.
Category III	-	Sodium Bicarbonate	-	\$ .26 per lb.
Category IV	-	Soda Ash	-	\$ .21 per lb.

Upon roll call ....

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

Item No. 6d Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, as a result of advertisement, bids were received on February 21, 2001 for the furnishing of equipment and operators for drainage systems maintenance and erosion control projects during the calendar year of 2001 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 to the Town Board dated February 22, 2001, NOW, THEREFORE BE IT

Item No. 6d cont'd.

RESOLVED, that the contract for the furnishing of equipment and operators for drainage systems maintenance and erosion control projects in the Town of Cheektowaga be awarded to Kissell Excavating, Inc., 1026 Reinlein Road, Cowlesville, New York 14037 for submission of the lowest bid meeting the specifications as per the unit prices of:

Item 1	Hydraulic Backhoe	\$400.00 per 8 hour day
Item 2	Tractor with Front End Loader	400.00 per 8 hour day
Item 3	Dozer	656.00 per 8 hour day
Item 4	Dozer	400.00 per 8 hour day
Item 5	Dozer	400.00 per 8 hour day
Item 6	Tandem Dump Truck	440.00 per 8 hour day



MEETING NO. 4  
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Item 7	Landscape Type Tractor	100.00 per 8 hour day
Item 8	Hydraulic Backhoe	656.00 per 8 hour day
Item 9	Laborers	416.00 per 8 hour day
Item 10	Hydraulic Backhoe	656.00 per 8 hour day

and, BE IT FURTHER

RESOLVED, that payment for said equipment and operators for drainage systems maintenance and erosion control projects is to be chargeable on an as-needed basis by any town department who wishes to avail themselves of this service within their appropriated budget items.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 7 This resolution was acted upon after Item No. 9

Item No. 8 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, in the 1960's, a construction and demolition debris landfill known as the Schultz Landfill was started on property located on Indian Road in the Town of Cheektowaga, AND

WHEREAS, New York State Department of Environmental Conservation ("DEC") records concerning the Schultz Landfill began in 1978, when the then-owner applied to the DEC for a permit, AND

WHEREAS, pursuant to the permit issued, the Schultz Landfill is permitted to accept only construction and demolition debris, acceptance of hazardous waste and toxic substances is prohibited, AND

**MEETING NO. 4**  
**February 26, 2001**

WHEREAS, by letter dated September 6, 1995, the DEC notified the Town that the existing Schultz Landfill was nearing capacity and the yet-to-be constructed 6.3 acre west area would have a site life of less than two (2) years, AND

WHEREAS, concerns recently arose over the disposal of materials from the demolition of the Linde Air Facility in Tonawanda into the Schultz Landfill by the U.S. Army Corps of Engineers, AND

WHEREAS, this Town Board is concerned about the effect on the health, safety and general welfare of the residents of the Town of Cheektowaga residing in the area of the Schultz Landfill and the effect on such landfill by blasting at the Buffalo Crushed Stone Quarry, AND

WHEREAS, the Army Corps of Engineers has admitted to demolishing and disposing in 1998 of 5.72 tons from the North Bay (1996) attachment to the Linde Building 30, pursuant to the Formerly Utilized Sites Remedial Action Program (FUSRAP), which building was used during the 1940's for uranium processing, AND

WHEREAS, the Army Corp of Engineers has denied that their disposal consisted of any radioactive material, AND

WHEREAS, prudent practice would be to discover and confirm the non-radioactive nature of the 5.72 ton portion of the North Bay attachment to the Linde Building 30,

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of Cheektowaga hereby requests that the New York State Department of Environmental Conservation direct Schultz Disposal, Inc., successor to Integrated Waste Systems, Inc., to cap the original landfill in accordance with 6 N.Y.C.R.R. Part 360 Regulations; and as part of the compliance process, the DEC should undertake an investigation and require the performance of all requisite testing to determine if any hazardous materials from the North Bay attachment or the Linde Building 30 were deposited in the original landfill area and, BE IT FURTHER

RESOLVED, that this Town Board hereby requests that the State Department of Environmental Conservation also close the 6.3 acre western area of the landfill, in accordance with 6 N.Y.C.R.R. Part 360 Regulations, and as referred to in the September 6, 1995 letter from the N.Y.S.D.E.C. to Supervisor Gabryszak, wherein it was indicated that said site had a site life of less than two years; and as part of the compliance process, investigations and requisite testing should be performed to determine if any hazardous materials from the North Bay attachment or the Linde Building 30 were deposited in the 6.3 acre western of the landfill and, BE IT FURTHER

RESOLVED, that if a finding is made that radioactive material from the North Bay attachment or the Linde Building 30 were deposited at this site, the Town Board hereby requests the State Department of Environmental Conservation to remove it, or to direct its removal, and remediate the area in accordance with regulations, and thereafter dispose of any radioactive material at a site maintained for the purpose of the disposal of radioactive materials and, BE IT FURTHER

Item No. 8 cont'd.

RESOLVED, that the Town Clerk be, and hereby is directed to forward certified copies of this resolution to Gerald Mikol, Regional Director of the N.Y.S.D.E.C.; Steven Doleski, Regional Permit Administrator of the N.Y.S.D.E.C.; Assemblyman Paul Tokasz; and State Senator William T. Stachowski.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER JAWOROWICZ TO AMEND THE ABOVE RESOLUTION, ITEM 8, AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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

NAYES: 0

MEETING NO. 4  
February 26, 2001

ABSENT: 0



AMENDED

WHEREAS, in the 1960's, a construction and demolition debris landfill known as the Schultz Landfill was started on property located on Indian Road in the Town of Cheektowaga, AND

WHEREAS, New York State Department of Environmental Conservation ("DEC") records concerning the Schultz Landfill began in 1978, when the then-owner applied to the DEC for a permit, AND

WHEREAS, pursuant to the permit issued, the Schultz Landfill is permitted to accept only construction and demolition debris, acceptance of hazardous waste and toxic substances is prohibited, AND

WHEREAS, by letter dated September 6, 1995, the DEC notified the Town that the existing Schultz Landfill was nearing capacity and the yet-to-be constructed 6.3 acre west area would have a site life of less than two (2) years, AND

WHEREAS, concerns recently arose over the disposal of materials from the demolition of the Linde Air Facility in Tonawanda into the Schultz Landfill by the U.S. Army Corps of Engineers, AND

WHEREAS, this Town Board is concerned about the effect on the health, safety and general welfare of the residents of the Town of Cheektowaga residing in the area of the Schultz Landfill and the effect on such landfill by blasting at the Buffalo Crushed Stone Quarry, AND

WHEREAS, the Army Corps of Engineers has admitted to demolishing and disposing in 1998 of 5.72 tons from the North Bay (1996) attachment to the Linde Building 30, pursuant to the Formerly Utilized Sites Remedial Action Program (FUSRAP), which building was used during the 1940's for uranium processing, AND

WHEREAS, the Army Corp of Engineers has denied that their disposal consisted of any radioactive material, AND

WHEREAS, prudent practice would be to discover and confirm the non-radioactive nature of the 5.72 ton portion of the North Bay attachment to the Linde Building 30,

NOW, THEREFORE BE IT

RESOLVED, that the Town Board of Cheektowaga hereby requests that the New York State Department of Environmental Conservation direct Schultz Disposal, Inc., successor to Integrated Waste Systems, Inc., to cap the original landfill in accordance with 6 N.Y.C.R.R. Part 360 Regulations; and as part of the compliance process, the DEC should undertake an investigation and require the performance of all requisite testing to determine if any hazardous materials from the North Bay attachment or the Linde Building 30 were deposited in the original landfill area and, BE IT FURTHER

Item No. 8 cont'd.

RESOLVED, that this Town Board hereby requests that the State Department of Environmental Conservation also close the 6.3 acre western area of the landfill, in accordance with 6 N.Y.C.R.R. Part 360 Regulations, and as referred to in the September 6, 1995 letter from the N.Y.S.D.E.C. to Supervisor Gabryszak, wherein it was indicated that said site had a site life of less than two years; and as part of the compliance process, investigations and requisite testing should be performed to determine if any hazardous materials from the North Bay attachment or the Linde Building 30 were deposited in the 6.3 acre western of the landfill and, BE IT FURTHER

RESOLVED, that if a finding is made that radioactive material from the North Bay attachment or the Linde Building 30 were deposited at this site, the Town Board hereby requests the State Department of Environmental Conservation to remove it, or to direct its removal, and remediate the area in accordance with regulations, and thereafter dispose of any radioactive material at a site maintained for the purpose of the disposal of radioactive materials and, BE IT FURTHER

RESOLVED, that the Town Clerk be, and hereby is directed to forward certified copies of this resolution to Gerald Mikol, Regional Director of the N.Y.S.D.E.C.; Steven Doleski, Regional

**MEETING NO. 4**  
**February 26, 2001**

Permit Administrator of the N.Y.S.D.E.C.; Assemblyman Paul Tokasz; and State Senator William T. Stachowski and, BE IT FURTHER

RESOLVED, that an immediate written response is requested of all parties so notified.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 9 Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga is a participant in the Buffalo Creek Streambank Stabilization Partnership Program created to address streambank erosion in the Buffalo Creek Watershed, which includes Cayuga Creek, which program is administered through the Erie County Soil and Water Conservation District, AND

WHEREAS, the Erie County Soil and Water Conservation District has received funding through the NYS Environmental Bond Act to implement a Phase II Program to continue its efforts constructing streambank stabilization and water quality improvements projects, and has selected priority sites throughout the watershed based on a ranking of applications submitted, AND

WHEREAS, two (2) sites within the Town located on Cayuga Creek have selected as detailed in the attached memorandum from the Town Engineer dated February 22, 2001, to be included in the Phase II Program, which would address streambank erosion through installation of rock rip-rap protection, AND

WHEREAS, project costs under the Phase II Program are funded through equal cost shares by the Environmental Protection Fund (grant), the landowner, and the municipality with the Town's cost share for the two (2) selected projects totaling \$12,375.00, NOW, THEREFORE BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby agrees to contribute a 1/3 share toward the funding of the selected Phase II Streambank Stabilization Projects in an amount equal to \$12,375.00, which funding is available in the Town Wide Drainage District, with the Erie County Soil and Water Conservation District designing the best management practices to address streambank erosion along Cayuga Creek, and implementing and administering construction efforts and, BE IT FURTHER

RESOLVED, that a certified copy of this resolution be submitted to the Erie County Soil & Water Conservation District to the attention of:

LuAnn Freeman  
Executive Secretary/Treasurer  
Erie County Soil & Water Conservation District  
50 Commerce Way  
East Aurora, New York 14052

Item No. 9 cont'd.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 4  
February 26, 2001

Item No. 7      Motioned 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 the Pyramid Company of Buffalo to expand the Walden Galleria, AND

WHEREAS, the expansion involves adding up to 650,000 square feet of gross leasable area and 2 four-level parking decks, AND

WHEREAS, the addition would be located at the north end of the mall with the decks located on both sides and connected to the mall by pedestrian bridges, AND

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WHEREAS, the Pyramid Company of Buffalo has committed to the installation of improvements and other work for the purpose of improving traffic safety, aesthetics and pedestrian safety and said commitments are found in the attached letters of February 6<sup>th</sup> and 14<sup>th</sup>, AND

WHEREAS, in an effort to improve traffic movements and safety for motorists, the Pyramid Company of Buffalo will connect the post office with the east ring road to allow traffic to access the traffic signal and allow for the closing of the west post office driveway and connect the Starbucks plaza with the parcel to the west, AND

WHEREAS, it is understood by the developer that the Town Board of the Town of Cheektowaga must order the closing of the driveways at the west end of the U.S. Post Office, the driveway near Starbucks and the driveway to the west of Citibank, AND

WHEREAS, the Pyramid Company of Buffalo, in order to improve pedestrian access and safety, will construct sidewalks on the south side of Galleria Drive from the existing walks at the Starbucks plaza to the west drive traffic signal, then continue the sidewalk on the north side of Galleria Drive from the west drive traffic signal to the Target plaza property to the west and also construct a sidewalk on the north side of Galleria Drive from the east ring road signal to the adjacent property on the east, AND

WHEREAS, sidewalks and pavement markings will be installed from Walden Avenue at the main entrance along the east side of the entrance road to the mall, AND

WHEREAS, plantings along Galleria Drive in the area of the basins will be provided to enhance the aesthetics including the beautifying of the northeast corner of Walden Avenue and Galleria Drive through landscaping and cleanup to create a "gateway" affect, AND

WHEREAS, the applicant will also establish three berms and plantings along the north line of Nokomis Park to provide screening and a softening of the view of the mall for residents, AND

WHEREAS, the Pyramid Company will also install a drainage system within the park, AND

WHEREAS, the plans dated January 16, 2001 reflect most of the aforementioned improvements and the Pyramid Company of Buffalo letters dated February 6<sup>th</sup> and 14<sup>th</sup>, 2001 further confirm that all the improvements will be installed, AND

WHEREAS, the applicant is committed to performing a traffic study of Galleria Drive on or before the one year anniversary of the opening of the expansion and will undertake, at the expense of the Pyramid Company of Buffalo, any improvements determined by highway engineers to be necessary to maintain levels of service and safety mitigation provided the deficiencies are attributed to the Walden Galleria expansion, AND

Item No. 7 cont'd.

WHEREAS, all improvements referred to in the letters of commitment and EAC minutes will be designed and installed by the applicant, at the applicant's expense, AND

WHEREAS, the proposed plan dated January 16, 2001 will supercede the approved plan from 1998, AND

WHEREAS, the Advisory Committee, at its meeting held on February 14, 2001 rendered the determination and commitments shown on the attached memo dated February 15, 2001, 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 based on the revisions made to the site plan and additional improvements and/or work to be performed over a period of time and, BE IT FURTHER

RESOLVED, that this Town Board, finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes 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(S) FOR ATTACHMENT

Item No. 10a Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, the Town of Cheektowaga invests significant amounts of cash throughout the year in accordance with the Town's investment policy, AND

WHEREAS, the Town is constantly exploring ways to maximize their revenues in order to minimize the impact of increasing costs on the taxpayers, AND

WHEREAS, Rulison & Company investment advisors has offered their services to the Town in the area of cash flow analysis, investment strategy, market forecasting, monitoring collateral, and monitoring for arbitrage, AND

WHEREAS, Rulison & Company works only in the municipal investment arena and has many Western New York municipalities as clients, AND

WHEREAS, they have projected their services to increase our investment income through utilizing their services bidding in the market with millions of dollars, finding the best interest rates available, and forcing banks to compete for government cash by using combined buying power of many governments to increase the rates paid to individual governments, NOW, THEREFORE BE IT

RESOLVED, that Rulison & Company be hired as investment advisors for the Town in accordance with the contract that has been reviewed by the Town Attorney's Office and, BE IT FURTHER



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

Upon roll call ....

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

Item No. 10b Motioned by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, the Town, in its 2001 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2000 funding to the Town, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves agreement(s) in the form(s) attached to this resolution, with the cultural and not-for-profit organization(s) listed below for the amount(s) listed and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement(s) with the following referenced cultural and not-for-profit organization(s) for the following respective amount(s):

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Historical Association	\$1,350.00
Friends of the Woods, Ltd.	700.00

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2001 Town budget, subject to audit and approval of a properly signed Town voucher.

Item No. 10b cont'd.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 4  
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Item No. 10c    Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga seeks grant monies from the New York State Council on the Arts to fund cultural components of the annual Polish-American Festival;

NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultant be and hereby is authorized and directed to complete the necessary applications, forms, and other paperwork to be submitted to the New York State Council on the Arts 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 relating to this application and the acquisition of said funding.

Upon roll call ....

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

Item No. 11    Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, Joseph Rydzynski was transferred by Town Board resolution dated February 5, 2001 from his temporary position of General Mechanic, Parks Division – 7110.1422, to the position of Seasonal Laborer, Parks Division – 7110.1491, effective February 12, 2001 at the rate o \$6.50 per hour, AND

**MEETING NO. 4**  
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WHEREAS, Richard Latshaw was transferred by Town Board resolution dated February 5, 2001 from his position of Pump Operator in Main Pump Station to the General Mechanic position in the Parks Division, previously held by Joseph Rydzynski, AND

WHEREAS, unforeseen circumstances have deemed it necessary that Joseph Rydzynski and Richard Latshaw be returned to the positions they previously held prior to February 12, 2001, NOW, THEREFORE BE IT

RESOLVED, that Joseph Rydzynski be retained in his position as temporary General Mechanic in the Parks Division and Richard Latshaw be retained in his position as Pump Operator in the Main Pump Station, effective February 12, 2001 and until further notice.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 12a Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, Jerry Blersch of Cheektowaga, New York 14227 was appointed by Town Board resolution dated February 5, 2001 to that position of Pump Operator in the Main Pump Station, effective February 12, 2001, AND

WHEREAS, Jerry Blersch has notified the Town that he has chosen not to accept said appointment, NOW, THEREFORE BE IT

RESOLVED, that Jerry Blersch be terminated from his appointment of Pump Operator, effective February 12, 2001.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 12b Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that Timothy Tomasik, a temporary Laborer's Aide in the Recycling Department be and hereby is terminated, effective immediately.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 12c Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be and hereby are terminated from the Parks, Recreation and Youth Services Department, effective immediately:

Mark Blachowicz

Cheektowaga, New York 14225

Dawn Smith

Cheektowaga, New York 14227

Upon roll call ....

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

NAYES: 0

ABSENT: 0

**MEETING NO. 4**  
**February 26, 2001**

Item No. 13      Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

BE IT RESOLVED, the Town Board hereby creates two (2) Program Leader – Youth positions pursuant to Civil Service Laws and Rules, effective December 7, 1998.

Upon roll call ....

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

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

WHEREAS, two (2) Pump Operators were appointed by Town Board resolution in the Main Pump Station on a provisional basis December 7, 1999, AND

WHEREAS, a Civil Service examination for said title was administered, AND

WHEREAS, a Pump Operator list has been established, AND

WHEREAS, two (2) of the individuals appointed to the provisional positions, David Grzybek and Bruce Colucci, are not eligible for permanent appointment, NOW, THEREFORE BE IT

RESOLVED, that David Grzybek and Bruce Colucci return to their former permanent titles in the Highway Department, effectively February 26, 2001 and March 19, 2001, respectively.

Upon roll call ....

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

Item No. 15a      Motioned by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, three (3) vacancies in the position of Pump Operator in the Main Pump Station, AND

WHEREAS, notice of 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, no-full-time employee bid on said vacancies, AND

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

WHEREAS, the existing Civil Service list was canvassed, AND

WHEREAS, Daniel Dressel, Thaddeus Kosicki and Roger Wirth appear on said Civil Service list and meet all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that, effective March 5, 2001, Daniel T. Dressel of Cheektowaga, New York 14225, be and hereby is appointed to the position of Pump Operator in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association and, BE IT FURTHER

RESOLVED, that effective March 12, 2001, Thaddeus Kosicki of Depew, New York 14043, be and hereby is appointed to the position of Pump Operator in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association and, BE IT FURTHER

RESOLVED, that effective February 27, 2001, Roger Wirth of 42 Schlenker Avenue, Cheektowaga, New York 14225 be and hereby is appointed to the position of Pump Operator in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association.

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Upon roll call ....

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

Item No. 15b Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

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

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

WHEREAS, the existing Civil Service promotional list was canvassed, AND

WHEREAS, Joan Rosenberry appears on said Civil Service list and meets all the necessary qualifications, AND

WHEREAS, Joan Rosenberry, currently employed as a Clerk Typist in the Police Department, bid on said vacancy, NOW, THEREFORE BE IT

RESOLVED, that Joan Rosenberry of Cheektowaga, New York 14225, be and hereby is appointed to the position of Senior Clerk Typist in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective January 16, 2001.

Item No. 15b cont'd.

Upon roll call ....

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

Item No. 16 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, in order to provide for the provisions of emergency medical services on a uniform basis, this Town Board, on May 7, 1984, adopted an Ambulance Services Ordinance, AND

WHEREAS, said Ordinance provides for the establishment of an Emergency Medical Services Board ("EMS Board") which will act as agent of the Town in the implementation of the Ordinance, AND

WHEREAS, the composition of the EMS Board is set forth in Section 52-7 of the Code of the Town of Cheektowaga , AND

WHEREAS, the terms of the present individuals who were appointed to the EMS Board expired, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals shall be designated to serve as members of the EMS Board for 2001 for a term of one year:

<u>REPRESENTING</u>	<u>DESIGNATE</u>	<u>ALTERNATE</u>
Bellevue	Dell Reitz	Jack McFarland
Cleveland Hill	Ronald Passmore	Robert Trautman
Doyle	Richard Ralecki	
Forks	Vince Piasecki	Jeff Place
Hy-View	Robert Schmitt	Roman Gawronski
Pine Hill	Brian Kirst	Mark Dean
Sloan	Sean McGee	Scott Prell

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South Line	Ralph Collins	
U-Crest	Stan Pinski	Ronald Wanat
Walden	Peter Lis	Edward Schaefer
St. Joe's Hospital	Dr. Steven Lakomy	
Dispatch	Capt. John Howlett	Kenneth Paa
Town Board	Thomas Mazur	

EX-OFFICIO MEMBERS (non-voting)

Rural/Metro	Jeff Ziomek	Timothy Bull
County EMS	John Adolpf	

and, BE IT FURTHER

RESOLVED, that Robert Schmitt be appointed to serve as Chairman of the EMS Board.

Upon roll call ....

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

Item No. 17 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individual be and hereby is hired as Part-Time employee in the Parks, Recreation and Youth Services Department, effective immediately:

Rink Personnel – 7140.1611  
Recreation Attendant VII - \$6.90

Mary Murphy 14225  
Item No. 17 cont'd.

Upon roll call ....

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

Item No. 18 Motioned 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:

EFFECTIVE

SEWER MAINTENANCE – Laborer - \$7.00 per hour

Michael O'Sullivan	Cheektowaga, NY 14227	1/01/01
Jacob Wilder	Cheektowaga, NY 14227	"

and, BE IT FURTHER

RESOLVED, that Joseph Abraham, a Part-Time Laborer in the Sewer Maintenance Department be paid at the rate of \$7.00 per hour, effective January 1, 2001.

Upon roll call ....

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

Item No. 19 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

**MEETING NO. 4**  
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WHEREAS, Jennifer A. Runfola has previously been appointed as a Deputy Town Attorney, AND

WHEREAS, due to the resignation of the Coordinator of Employee Relations, there is a need to have someone temporarily assume the duties of the Coordinator of Employee Relations, AND

WHEREAS, Jennifer A. Runfola has had experience in handling labor relations and has assumed some of the duties of the Coordinator of Employee Relations, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby assigns Jennifer A. Runfola to the Personnel Department, to act in place of the Coordinator of Employee Relations until a new Coordinator one is hired and, BE IT FURTHER

RESOLVED, that while Jennifer A. Runfola is temporarily performing the duties of the Coordinator of Employee Relations, she shall receive an additional \$15.00 per hour as Deputy Town Attorney, for the hours that she works out of class, retroactive to January 29, 2001.

Upon roll call ....

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

Item No. 20a Motioned by Councilmember Mazur , Seconded by Supervisor Gabryszak

WHEREAS, Cynthia A. Carleton is employed by the Town of Cheektowaga as a Account Clerk Typist in the Cheektowaga Police Department, AND

WHEREAS, Cynthia A. Carleton has requested a leave of absence from her Town job for a period of six (6) months to pursue self-employment, AND

WHEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Employees Association states that a union employee may be granted a leave of absence for no more than one (1) year for reasonable purposes, AND

RESOLVED, that Cynthia a. Carleton be and hereby is granted a leave of absence for a period of six (6) months, commencing March 5, 2001 through September 5, 2001, from her position of Account Clerk Typist in the Police Department.

Upon roll call ....

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

Item No. 20b Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, Diane V. Heubusch is employed by the Town of Cheektowaga as a Senior Clerk in the Cheektowaga Police Department, AND

WHEREAS, Diane V. Heubusch has requested a leave of absence from her Town job for a period of six (6) months due to extenuating health problems, AND

WHEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Employees Association states that union employee may be granted a leave of absence for no more than one (1) year for reasonable purpose, NOW, THEREFORE BE IT

RESOLVED, that Diane V. Heubusch be and hereby is granted a leave of absence for a period of six (6) months, commencing January 31, 2001 through July 31, 2001, from her position of Senior Clerk in the Police Department for extenuating health reasons.

Upon roll call ....



**MEETING NO. 4**  
**February 26, 2001**

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

Item No. 21a Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, the American Crime Institute (ACIP) is offering a Crime Prevention Through Environment Design (CPTED) March 26-30, 2001, to be held in Kentucky, AND

WHEREAS, the Chief of Police, Bruce Chamberlin, is requesting the authorization to send P. O. Scott Prell to attend such training, AND

WHEREAS, the Cheektowaga Police Department will be responsible for the transportation, hotel and lodging amounting to approximately \$1,190.00, NOW, THEREFORE BE IT

RESOLVED, that Chief D. Chamberlin is authorized to send P. O. Scott Prell to such training and that the expenses will be charged to line #0100-3120-4005, Community Services.

Upon roll call ....

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

Item No. 21b Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, the Florida Emergency Medicine Foundation is sponsoring its 22<sup>nd</sup> Annual International Disaster Management Conference from March 29 to April 1, 2001 at the Hyatt Regency Tampa in Tampa, Florida, AND

WHEREAS, the conference is designed for persons and agencies involved with emergency preparedness, response and disaster recovery, and will provide continuing education in areas concerning the challenges faced by first responders to disasters, including the application of emergency management principles to mass gatherings and casualty events, how to successfully mitigate an aircraft disaster, and other emergency management topics, AND

WHEREAS, Earl Loder, the Coordinator of Town Emergency Services, is requesting permission to attend this conference in order to be informed and up-to-date on current information regarding emergency management techniques, AND

WHEREAS, Mr. Loder is a member of the Planning Committee of the Florida Emergency Medicine Foundation, and as a member, his registration fee to attend this conference, in the amount of \$310.00 will be paid in full by the said Planning Committee, AND

WHEREAS, one-half of the cost of Mr. Loder's expenses in attending the conference, or approximately \$400.00, will be reimbursed to the Town by the New York State Emergency Management Office (SEMO), AND

WHEREAS, the Town Board deems it appropriate for Mr. Loder to attend this conference to assure that the Town will be fully prepared for any unforeseen emergency, NOW, THEREFORE BE IT

RESOLVED, that Earl Loder, the Coordinator of the Town of Cheektowaga Emergency Services, is hereby authorized to attend the 22<sup>nd</sup> Annual International Disaster Management Conference at the Hyatt Regency Tampa in Tampa, Florida, from March 29 through April 1, 2001, and all costs not to exceed \$800.00 are to be reimbursed from the following budget account number: 0100-1220-4010.

Upon roll call ....

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

MEETING NO. 4  
February 26, 2001

Item No. 22 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga has been served with a Complaint in an action brought by CSX Transportation, Inc., against it and others, in Federal District Court, seeking injunctive and declaratory relief from ad valorem taxes, AND

WHEREAS, it is necessary that the Town be represented as a defendant in this complex Article 78 proceeding, AND

WHEREAS, Kenneth Schoetz, special counsel to the firm of Phillips, Lytle, Hitchcock, Blaine & Huber, L.L.P., has had experience in defending similar actions by the railroads against municipalities, and the Town Attorney has determined that it would be prudent to retain his services to represent the Town in this action,

NOW, THEREFORE BE IT

RESOLVED, that Kenneth Schoetz, Esq., Special Counsel to the firm of Phillips, Lytle, Hitchcock, Blaine & Huber, LLP, 3400 HSBC Center, Buffalo, New York, 14203-2887, be and hereby is retained to represent the Town as a defendant in said action, of the rate of \$115.00 per hour for associate's time and \$195.00 per hour for partner time, together with all costs and disbursements, and the Town Attorney is hereby authorized to enter into and execute a retainer agreement with said law firm and, BE IT FURTHER

Item No. 22 cont'd.

RESOLVED, that the Town pay the reasonable attorneys fees and costs from account number 0100-1420-4501, or such other account as may be determined by the Director of Administration & Finance, for their representation of the Town in this matter.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO AMEND TO ABOVE RESOLUTUION, ITEM 22, AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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

NAYES: 0

ABSENT: 0



AMENDED

WHEREAS, the Town of Cheektowaga has been served with a Complaint in an action brought by CSX Transportation, Inc., against it and others, in Federal District Court, seeking injunctive and declaratory relief from ad valorem taxes, AND

WHEREAS, it is necessary that the Town be represented as a defendant in this complex Article 78 proceeding, AND

WHEREAS, Kenneth Schoetz, special counsel to the firm of Phillips, Lytle, Hitchcock, Blaine & Huber, L.L.P., has had experience in defending similar actions by the railroads against municipalities, and the Town Attorney has determined that it would be prudent to retain his services to represent the Town in this action,

NOW, THEREFORE BE IT

RESOLVED, that Kenneth Schoetz, Esq., Special Counsel to the firm of Phillips, Lytle, Hitchcock, Blaine & Huber, LLP, 3400 HSBC Center, Buffalo, New York, 14203-2887, be and hereby is retained to represent the Town as a defendant in said action, and the Town Attorney is hereby authorized to enter into and execute a retainer agreement with said law firm and, BE IT FURTHER

**MEETING NO. 4**  
**February 26, 2001**

RESOLVED, that the Town pay the reasonable attorneys fees and costs from account number 0100-1420-4501, or such other account as may be determined by the Director of Administration & Finance, for their representation of the Town in this matter.

Upon roll call ....

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

**II. DEPARTMENTAL COMMUNICATIONS**

Item No. 23 Supervisor's Statement of Funds – December 2000  
Received and Filed.

Item No. 24a Minutes of Cheektowaga Conservation Advisory Council – February 1, 2001  
Received and Filed.

Item No. 24b Minutes of Cheektowaga Planning Board – January 11, 2000  
Received and Filed.

Item No. 24c Minutes of Traffic Safety Commission – January 16, 2001  
Received and Filed.

**III. GENERAL COMMUNICATIONS**

Item No. 25a Notice of Claim: Ann Felser vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25b Notice of Claim: Thomas Szylis vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Parks Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25c Notice of Claim: Allstate Insurance - Steven Cvetanovich vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Central Garage; Highway Department; Parks Department; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25d Notice of Claim: Allstate Insurance – Kristine Toth vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department; Central Garage; Parks Department; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25e Notice of Claim: Ann and Clair Flory vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25f Notice of Claim: Ann L. Glinski vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.

MEETING NO. 4  
February 26, 2001

Received and Filed.

Item No. 25g Notice of Claim: Edward A. Wiess vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25h Notice of Claim: Carol Renner vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25i Notice of Claim: Rick Wilk vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25j Notice of Claim: Randy Brooks vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Justice Court and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25k Notice of Claim: Crystal Baker vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Bruce Chamberlin, Chief of Police and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25l Notice of Claim: Michael Kozakiewicz vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 25m Notice of Claim: State Farm Insurance – Dennis Zakrzewski  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Facilities Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 26 Request to Speak: Rev. Darius Pridgen (Alleged Racial Profiling)  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members; and Bruce Chamberlin, Chief of Police.  
Received and Filed.



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

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



**IV. SUSPENSION OF RULES**

Item No. 27 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, this Town Board, by resolution dated October 2, 2000, retained URS Greiner Woodward Clyde ("URS Greiner") to perform limited air monitoring, dust and water sampling in the area of the Buffalo Crushed Stone Quarry ("Quarry"), AND

WHEREAS, URS Greiner recommended that an Air Monitoring and Stream Sampling Program (summarizing field sampling methodologies, procedures, chain-of-custody, sample shipping procedures, the DOH Environmental Laboratory Approval Program and American Hygiene Association accredited laboratory/laboratories to be used for sample analysis) be performed in the area of the Quarry, AND

Item No. 27 cont'd.

WHEREAS, this Town Board, by resolution dated November 6, 2000, memorialized the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), and/or United States Environmental Protection Agency (EPA) to undertake or commission the performance of an Air Monitoring and Stream Sampling Program, as detailed in the Memorandum from URS Greiner, AND

WHEREAS, since such time, resident concerns have arisen over the possibility that hazardous or toxic materials deposited in the nearby Schultz Landfill may have migrated from the landfill site, and such migration may be exacerbated by blasting from the Buffalo Crushed Stone Quarry, AND

WHEREAS, this Town Board desires to protect the health, safety and welfare of residents of this area from potential environmental hazards associated with the Quarry and/or the Schultz Landfill and other landfills on Indian Road, AND

WHEREAS, Hydrogen Sulfide events (rotten egg odors) have also continued through February, 2001 at the Como Park Boulevard/Indian Road Quarry sites, despite assurances by the NYSDEC and Buffalo Crushed Stone, Inc., that an abatement project was being implemented,

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby calls upon the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH) and/or the United States Environmental Protection Agency (EPA) to:

1. Expedite environmental studies concerning the Quarry, and expand such studies to include the effects of blasting at the Quarry on the migration of materials deposited in the landfills on Indian Road;
2. Expedite the treatment and/or removal of Quarry water containing sulfurous compounds producing Hydrogen Sulfide (H<sub>2</sub>S) and Sulfur Dioxide (S<sub>0</sub>2);
3. Take whatever action the DEC deems necessary, including temporary or permanent closure of the Quarry, to effectuate the abatement of sulfurous gases (H<sub>2</sub>S and S<sub>0</sub>2) and to protect the health of nearby residents, until such time as all environmental studies are completed which show that the blasting from the Quarry has no effect on the health of nearby residents;

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this to the NYSEC, NYS DOH, USEPA, State Assemblyman Paul Tokasz, State Senator William T. Stachowski and Congressman Jack Quinn.





**MEETING NO. 4**  
**February 26, 2001**

MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER JAWOROWICZ TO AMEND THE ABOVE RESOLUTION, ITEM 27, 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. 27 cont'd.

AMENDED

WHEREAS, THIS Town Board, by resolution dated October 2, 2000, retained URS Greiner Woodward Clyde ("URS Greiner") to perform limited air monitoring, dust and water sampling in the area of the Buffalo Crushed Stone Quarry ("Quarry"), AND

WHEREAS, URS Greiner recommended that an Air Monitoring and Stream Sampling Program (summarizing field sampling methodologies, procedures, chain-of-custody, sample shipping procedures, the DOH Environmental Laboratory Approval Program and American Hygiene Association accredited laboratory/laboratories to be used for sample analysis) be performed in the area of the Quarry, AND

WHEREAS, this Town Board, by resolution dated November 6, 2000, memorialized the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH), and/or United States Environmental Protection Agency (EPA) to undertake or commission the performance of an Air Monitoring and Stream Sampling Program, as detailed in the Memorandum from URS Greiner, AND

WHEREAS, since such time, resident concerns have arisen over the possibility that hazardous or toxic materials deposited in the nearby Schultz Landfill may have migrated from the landfill site, and such migration may be exacerbated by blasting from the Buffalo Crushed Stone Quarry, AND

WHEREAS, this Town Board desires to protect the health, safety and welfare of residents of this area from potential environmental hazards associated with the Quarry and/or the Schultz Landfill and other landfills on Indian Road, AND

WHEREAS, Hydrogen Sulfide events (rotten egg odors) have also continued through February, 2001 at the Como Park Boulevard/Indian Road Quarry sites, despite assurances by the NYSDEC and Buffalo Crushed Stone, Inc., that an abatement project was being implemented,

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby calls upon the New York State Department of Environmental Conservation (NYSDEC), the New York State Department of Health (NYSDOH) and/or the United States Environmental Protection Agency (EPA) to:

1. Expedite environmental studies concerning the Quarry, and expand such studies to include the effects of blasting at the Quarry on the migration of materials deposited in the landfills on Indian Road;
2. Expedite the treatment and/or removal of Quarry water containing sulfurous compounds producing Hydrogen Sulfide (H<sub>2</sub>S) and Sulfur Dioxide (S<sub>0</sub>2);
3. Take whatever action the DEC deems necessary, including temporary or permanent closure of the Quarry, to effectuate the abatement of sulfurous gases (H<sub>2</sub>S and S<sub>0</sub>2) and to protect the health of nearby residents, until such time as all environmental studies are completed which show that the blasting from the Quarry has no effect on the health of nearby residents;

MEETING NO. 4  
February 26, 2001

and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this to the NYSEC, NYS DOH, USEPA, State Assemblyman Paul Tokasz, State Senator William T. Stachowski and Congressman Jack Quinn and, BE IT FURTHER

RESOLVED, that an immediate written response is requested of all parties so notified and, BE IT FURTHER

RESOLVED, that all State and Federal agencies involved in the process are requested to facilitate the review and remediation of these issues by participating in a series of evening meetings with the Cheektowaga Town Board and Town residents.

Item No. 27 cont'd.

Upon roll call ....

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

Item No. 28 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting.  
This meeting was adjourned at 9:25 P.M.

Richard M. Moleski  
Town Clerk



**TOWN OF CHEEKTOWAGA  
MEETING NO. 5  
MARCH 5, 2001**

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 of March, 2001 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; Michael Stachowski, Town Attorney; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; and Kenneth Kopacz, Director of Parks, Recreation and Youth Services.

**I. RESOLUTIONS**

Item No. 2 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

2000

PART TOWN FUND

From:	800-3620-1412	PT Asst. Building Inspector	\$	1,000.00
To:	800-3620-1700	Housing Inspectors		1,000.00

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 3 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to March 2, 2001 are hereby approved and made a part thereof;

GENERAL FUND	\$	310,073.38
HIGHWAY FUND		65,382.63
TRUST & AGENCY		15,517.38
HUD CDBG FUND		1,720.00
PART TOWN FUND		6,268.37
RISK RETENTION FUND		55,296.23
HUD HOUSING REHABILITATION FUND		545.00
SPECIAL DISTRICTS FUND		94,027.86
CAPITAL FUND		<u>36,164.78</u>
	\$	584,995.63

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 4 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

MEETING NO. 5  
March 5, 2001

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 235 (formerly known as Chapter 76) of the Code of the Town of Cheektowaga (Vehicle and Traffic) shall be held on March 19, 2001 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, 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 March 19, 2001 at 7:00 P.M. to consider the advisability of adopting amendments to Chapter 235 (formerly Chapter 76) of the Code of the said Town of Cheektowaga (Vehicle and Traffic); said proposed amendments being as follows:

**ARTICLE V**  
**Schedules**

**§235-49, SCHEDULE X, PARKING PROHIBITED IN DESIGNATED LOCATIONS**, shall be amended by adding thereto the following:

In accordance with the provisions of §235-34, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

GILMORE ROAD – West side: from the Cleveland Hill School service road, south curblineline of Gilmore Road, to the north curblineline of Cleveland Hill School parking lot on the west side. This provision shall expire at the conclusion of the Cleveland Hill School's construction project ending about December 31, 2004.

CLEVELAND DRIVE – North side: from the west curblineline of Cayuga Road to the east curblineline of Princeton Court

CLEVELAND DRIVE – South side: from the west curblineline of Princeton Court westerly for a distance of 65 feet.

**§235-50, SCHEDULE IX: STANDING PROHIBITED IN DESIGNATED LOCATIONS**, shall be amended by adding thereto the following:

In accordance with the provisions of §235-35, no person shall stand a vehicle at any time upon any of the following described streets or parts of streets:

MANSION AVENUE – West side: 50 feet north from the north curblineline of William Street

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

Dated: March 5, 2001



Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT – NEXT PAGE

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

**MEETING NO. 5**  
**March 5, 2001**

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 and recommendations submitted to it by the Advisory Committee, AND

WHEREAS, a revised application was submitted by Benderson Development Company, Inc. to redevelop 4770 Transit Road at the northwest corner of French Road,

WHEREAS, the proposal is to construct a 5,535 square foot retail store on the site formerly occupied by a gasoline service station, AND

WHEREAS, the Town's consultant engaged to study the French Road/Transit Road corridor reviewed a previous application by the same applicant for a retail building which was 8,372 square feet in size and did not consider the project to be in conflict the intent of the corridor study, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on March 15, 2000 recommended a determination of non significance as shown on the attached memo dated March 16, 2002 for the previous larger retail building, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting held on January 11, 2001 reviewed the revised site plan for the smaller retail building and recommends approval of the revised site plan, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission at its meeting held on January 16, 2001 reviewed the revised site plan and recommends its approval, AND

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, re-affirms that the project will not have a significant effect on the environment and therefore re-affirms the "Negative Declaration" for the purposes of SEQRA which was previously issued by the Town Board on April 17, 2000 and accepts the revised site plan as submitted by the applicant.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, the Town is the owner of Town Water District No. 8, which is located in the northeast corner of the Town, AND

**MEETING NO. 5**  
**March 5, 2001**

WHEREAS, Town Water District No. 8 is operated by the Erie County Water Authority ("ECWA") by virtue of a lease-management agreement with the Town of Cheektowaga, AND

WHEREAS, this Town Board previously directed representatives from the Town Engineering Department and the Town Attorney's Office to meet with the ECWA to discuss transfer of ownership of such water district to the ECWA, AND

WHEREAS, the Town Engineer and Deputy Town Attorney met with representatives from the ECWA, AND

WHEREAS, ECWA representatives have indicated that Water District No. 8 is in good condition and meets the standards of the ECWA for assumption of ownership of water districts, AND

WHEREAS, this Town Board desires to transfer ownership and maintenance responsibilities for Water District No. 8 to the ECWA, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby formally requests the ECWA to accept Ownership and maintenance responsibilities for Town Water District No. 8, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to execute any and all documents necessary to effectuate transfer of ownership of Town Water District No. 8 to the ECWA, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Robert A. Mendez, Executive Director of the ECWA.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town is the owner of Town Water District No. 9, which is located in the southeast corner of the Town, AND

WHEREAS, Town Water District No. 9 is operated by the Erie County Water Authority ("ECWA") by virtue of a lease-management agreement with the Town of Cheektowaga, AND

WHEREAS, this Town Board previously directed representatives from the Town Engineering Department and the Town Attorney's Office to meet with the ECWA to discuss transfer of ownership of such water district to the ECWA, AND

WHEREAS, the Town Engineer and Deputy Town Attorney met with representatives from the ECWA, AND

WHEREAS, ECWA representatives have indicated that Water District No. 9 is in good condition and meets the standards of the ECWA for assumption of ownership of water districts, AND

WHEREAS, this Town Board desires to transfer ownership and maintenance responsibilities for Water District No. 9 to the ECWA, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby formally requests the ECWA to accept Ownership and maintenance responsibilities for Town Water District No. 9, and BE IT FURTHER

Item No. 6b cont'd.

RESOLVED, that the Supervisor be and hereby is directed to execute any and all documents necessary to effectuate transfer of ownership of Town Water District No. 9 to the ECWA, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Robert A. Mendez, Executive Director of the ECWA.

MEETING NO. 5  
March 5, 2001

Upon roll call ....

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

Item No. 7a Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town, in its 2001 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

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

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2000 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves agreement(s) in the form(s) attached to this resolution, with the cultural and not-for-profit organization(s) listed below for the amount(s) listed, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement(s) with the following referenced cultural and not-for-profit organization(s) for the following respective amount(s):

<u>Cultural/Not-For-Profit</u>	<u>Funding Approved</u>
Cheektowaga Garden Club	\$ 500.00

and BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2001 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(S) FOR ATTACHMENT

Item No. 7b Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Town's current agreement with the County of Erie for the removal of snow and ice on certain County roads expired on August 31, 2000, AND

WHEREAS, the County of Erie has submitted to the Town of Cheektowaga a snow and ice removal contract for a five (5) year period, from September 1, 2000 to August 31, 2005, AND

WHEREAS, said agreement is acceptable to the Town Superintendent of Highways, NOW, THEREFORE, BE IT

**MEETING NO. 5**  
**March 5, 2001**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with the County of Erie for snow and ice removal on behalf of the Town of Cheektowaga.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 8 Grant Leave of Absence to Account Clerk Typist in Parks Department  
This item was withdrawn

Item No. 9 Motioned by Councilmember Mazur, Seconded by Councilmember Jankowiak

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

EFFECTIVE

**MEETING NO. 5**  
**March 5, 2001**

TOWN CLERK'S OFFICE – Clerk - \$7.00 per hour

Carolyn Tucholski      Cheektowaga, NY 14227      immediately

RECYCLING DEPARTMENT – Laborer - \$7.00 per hour

Richard Booker      Cheektowaga, NY 14211      immediately

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

EFFECTIVE

POLICE DEPARTMENT

Jennifer Gabryszak      12/31/2000

Lindsay Gabryszak      12/31/2000

AND, BE IT FURTHER

RESOLVED, that the following Parks, Recreation and Youth Services employees be elevated to the position of Senior Instructor (PO-8: Instructor) retroactive to January 22, 2001:

Line Item No. 7140-1615 Part Time \$12.38 per hour  
Catherine Giles

Upon roll call ....

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

NAYES:      0

ABSENT:      0

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

WHEREAS, two (2) vacancies exist in the position of Clerk Typist in the Police 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, no full-time employee bid on said vacancies, AND

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

WHEREAS, the existing Civil Service list was canvassed, AND

WHEREAS, Dawn Cartenuto and Annette M. Zachowicz appear on said Civil Service list and meet all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Dawn Cartenuto of Cheektowaga, New York 14206 and Annette Zachowicz of Cheektowaga, New York 14206 be and hereby are appointed to the position of Clerk-Typist in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective March 19, 2001.

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. 11      Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the 2001 Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN) business meeting and "The New Challenge: Responding to Cyber and



**MEETING NO. 5**  
**March 5, 2001**

Electronic Crime" Information Sharing Conference, is being held in Pittsburgh, PA March 19-23, 2001, AND

WHEREAS, Lt. Jim Starr is our primary representative in MAGLOCLIN and his attendance is mandatory and, MAGLOCLIN will cover transportation and lodging expense and the Police Department will be responsible for the registration fee and meal expenses which will amount to \$325.00, NOW, THEREFORE, BE IT

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. 12 Building Permits  
Received and Filed.

Item No. 13 Cheektowaga Public Library – Annual Report 2000  
Received and Filed.

Item No. 14a Minutes of CCAC - February 17, 2001  
Received and Filed.

Item No. 14b Minutes of Cheektowaga Library Board – January 17, 2001  
Received and Filed.

Item No. 14c Minutes of Cheektowaga Public Library – February 21, 2001  
Received and Filed.

**III. GENERAL COMMUNICATIONS**

Item No. 15a Summons and Complaint: Sarah Randolph vs. Town of Cheektowaga, Town of Cheektowaga Police Department and Officer Frederick Roll  
Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Chief of Police; and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 15b Summons and Complaint: Russell M. Gillison vs. Town of Cheektowaga, Town of Cheektowaga Police Department, and Officer Michael Sisti  
Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Chief of Police; and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 16a Notice of Claim: Davina A Bryant vs. Town of Cheektowaga  
Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Police Department; and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 16b Notice of Claim: Richard J. Maines vs. Town of Cheektowaga  
Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department; and Allied Claims Insurance Carrier.

**MEETING NO. 5**  
**March 5, 2001**

Received and Filed.

Item No. 16c Notice of Claim: Daniel M. Kuzniarek vs. Town of Cheektowaga  
Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department; and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 17 Petition and Letters of Concern Re: Building Plans for c/o Harlem Road and Cleveland Drive  
Received and Filed.



MOTION BY COUNCILMEMBER JAWOROWICZ, 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. 18 Amend Resolution Dated 2/26/01 re: Out of Class Pay Differential – Deputy Town Attorney  
This item was withdrawn

Item No. 19 Motioned by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, in 1985, an additional one cent was added to the sales tax to help the County grapple with a \$75 million dollar deficit, AND

WHEREAS, since that time, the County has benefited from a \$211 million dollar payout in a tobacco settlement, AND

WHEREAS, revenue from the additional sales tax has grown from \$70 million dollars in the late 1980s to \$114 million dollars as projected for the year 2001, AND

Item No. 19 cont'd.

WHEREAS, as a result of the \$211 million dollar windfall tobacco settlement and a \$44 million dollar increase in sales tax revenues, the County will have record surpluses and is no longer in need of the entire sales tax proceeds for its fiscal stability, AND

WHEREAS, the rising costs in government and the increases of fixed costs have compelled the Town Board to increase taxes to meet spiraling costs, AND

WHEREAS, a proportionate share of the excess revenue from the County of Erie would have obviated the need to increase taxes in the Town of Cheektowaga, while maintaining current services, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board requests that the County of Erie, the Erie County Legislature, and County Executive Joel Giambra, share the \$114 million dollars of additional sales tax revenues with the Town of Cheektowaga, in a proportionate manner to its population, AND BE IT FURTHER

**MEETING NO. 5**  
**March 5, 2001**

RESOLVED, that a certified copy of this resolution be forwarded to each Erie County Legislator and Erie County Executive Joel Giambra.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 20 Motioned by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of General Mechanic in the Parks 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, David Gallmeyer, currently employed as a Cleaner in the Parks Division, has bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that David Gallmeyer of Cheektowaga, New York 14225, be and hereby is appointed to the position of General Mechanic in the Parks Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective March 12, 2001.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 21 Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, as part of the development of the Rushford Hollow patio home subdivision located on Crabapple Lane, the developer committed to conveying 12+ acres of undeveloped land to the Town of Cheektowaga, AND

WHEREAS, this acreage is located almost totally within the 100 year floodplain for Cayuga Creek, AND

WHEREAS, by accepting this land donation, the Town would be preserving green space, NOW, THEREFORE, BE IT

Item No. 21 cont'd.

RESOLVED, that this Town Board hereby accepts the aforementioned land donation from Rushford Hollow, LLC, and BE IT FURTHER

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 22 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, in the past year, many health related issues have been raised by the residents of the Bellevue-Rowley Road area in the Town of Cheektowaga, AND

MEETING NO. 5  
March 5, 2001

WHEREAS, there have been serious concerns and complaints with regard to the Schultz Landfill and various materials that may be present in the landfill, AND

WHEREAS, concerns have been raised with regard to particulate discharge, gas discharge, and the ramifications of blasting vibrations on the surrounding area and the Schultz Landfill, AND

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYDOH) have caused investigations into the health and environmental issues concerning this area, AND

WHEREAS, the Town of Cheektowaga feels that the investigation and analysis of these issues should be of paramount concern to the Town for its residents, AND

WHEREAS, it has been determined that a Task Force should be formed and implemented to monitor the work of the New York State Department of Environmental Conservation, the New York State Department of Health, and all state and federal agencies investigating, analyzing, or impacting on the problems related to this issue, NOW, THEREFORE, BE IT

RESOLVED, that the Bellevue Environmental Task Force be, and hereby is created, AND BE IT FURTHER

RESOLVED, that the membership of the Task Force shall be:

Daniel Ulatowski, Chairman  
Supervisor Dennis H. Gabryszak  
Councilmember James J. Jankowiak  
Councilmember Patricia A. Jaworowicz  
Councilmember Thomas M. Johnson, Jr.  
Councilmember Thomas J. Mazur  
Councilmember William P. Rogowski  
Councilmember Jeff Swiatek  
Town Attorney Michael J. Stachowski  
Town Engineer William Pugh

AND BE IT FURTHER,

RESOLVED, that the Bellevue Environmental Task Force shall be the primary contact with the involved agencies, and future meetings concerning the environmental issues with regard to the Bellevue area should be scheduled in the evenings, so that all members of the Task Force and members of the community are able to attend, AND BE IT FURTHER

Item No. 22 cont'd.

RESOLVED, that the Town Clerk be, and hereby is directed to forward certified copies of this resolution to Gerald Mikol, Regional Director of the N.Y.S.D.E.C.; Steven Doleski, Regional Permit Administrator of the N.Y.S.D.E.C.; the New York State Department of Health; the United States Army Corps of Engineers; New York State Senator William T. Stachowski; Assemblyman Paul Tokasz; and Legislator Raymond K. Dusza, Chairman of the Erie County Legislature Energy & Environment Committee.

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 JOHNSON TO AMEND ABOVE RESOLUTION, ITEM 22 AND THE VOTING WAS AS FOLLOWS:

MEETING NO. 5  
March 5, 2001

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



AMENDED

WHEREAS, in the past year, many health related issues have been raised by the residents of the Bellevue-Rowley Road area in the Town of Cheektowaga, AND

WHEREAS, there have been serious concerns and complaints with regard to the Schultz Landfill and various materials that may be present in the landfill, AND

WHEREAS, concerns have been raised with regard to particulate discharge, gas discharge, and the ramifications of blasting vibrations on the surrounding area and the Schultz Landfill, AND

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYDOH) have caused investigations into the health and environmental issues concerning this area, AND

WHEREAS, the Town of Cheektowaga feels that the investigation and analysis of these issues should be of paramount concern to the Town for its residents, AND

WHEREAS, it has been determined that a Task Force should be formed and implemented to monitor the work of the New York State Department of Environmental Conservation, the New York State Department of Health, and all state and federal agencies investigating, analyzing, or impacting on the problems related to this issue, NOW, THEREFORE, BE IT

RESOLVED, that the Bellevue Environmental Task Force be, and hereby is created, AND BE IT FURTHER

Item No. 22 cont'd.

RESOLVED, that the membership of the Task Force shall be:

Thomas Adamczak, Chairman  
Supervisor Dennis H. Gabryszak  
Councilmember James J. Jankowiak  
Councilmember Patricia A. Jaworowicz  
Councilmember Thomas M. Johnson, Jr.  
Councilmember Thomas J. Mazur  
Councilmember William P. Rogowski  
Councilmember Jeff Swiatek  
Town Attorney Michael J. Stachowski  
Town Engineer William Pugh  
Daniel Ulatowski, Member

AND BE IT FURTHER,

RESOLVED, that the Bellevue Environmental Task Force shall be the primary contact with the involved agencies, and future meetings concerning the environmental issues with regard to the Bellevue area should be scheduled in the evenings, so that all members of the Task Force and members of the community are able to attend, AND BE IT FURTHER

**MEETING NO. 5**  
**March 5, 2001**

RESOLVED, that the Town Clerk be, and hereby is directed to forward certified copies of this resolution to Gerald Mikol, Regional Director of the N.Y.S.D.E.C.; Steven Doleski, Regional Permit Administrator of the N.Y.S.D.E.C.; the New York State Department of Health; the United States Army Corps of Engineers; New York State Senator William T. Stachowski; Assemblyman Paul Tokasz; and Legislator Raymond K. Dusza, Chairman of the Erie County Legislature Energy & Environment Committee.

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

Item No. 23      Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting  
in memory of Eve Allis, Co-Owner of the Cheektowaga Times at 7:40 P.M.

Richard M. Moleski  
Town Clerk

**TOWN OF CHEEKTOWAGA  
MEETING NO. 6  
MARCH 19, 2001**

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 of March, 2001 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; Michael Stachowski, Town Attorney; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Bruce Chamberlin, Chief of Police; Brian Krause, Director of Administration and Finance; Patricia Wojcik, Director of Senior Services; William Conway, Town Assessor; Earl Loder, Disaster Coordinator and Mark Wegner, Foreman-Building and Grounds Division.

**I. PUBLIC HEARINGS**

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss amending Chapter 235 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 V  
Schedules**

§235-49, SCHEDULE X, PARKING, PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by adding thereto the following:

In accordance with the provisions of §235-34, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

GILMORE ROAD – West side: from the Cleveland Hill School service road, south curblineline of Gilmore Road, to the north curblineline of Cleveland Hill School parking lot on the west side. This provision shall expire at the conclusion of the Cleveland Hill School's construction project ending about December 31, 2004.

CLEVELAND DRIVE – North side: from the west curblineline of Cayuga Road to the east curblineline of Princeton Court.

CLEVELAND DRIVE – South side: from the west curblineline of Princeton Court westerly for a distance of 65 feet.

§235-50, SCHEDULE IX: STANDING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by adding thereto the following:

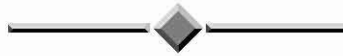
In accordance with the provisions of §235-35, no person shall stand a vehicle at any time upon any of the following described streets or parts of streets:

Item No. 2 cont'd.



MEETING NO. 6  
MARCH 19, 2001

MANSION AVENUE – West side: 50 feet north from the north curbline of William Street



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

Item No. 3 This being the time and place advertised for a public hearing to consider and discuss the proposed local law, entitled "A Local Law to Creating a Special Review Zoning District". 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 published and posted, and upon the order of the Supervisor such proof was duly filed. A brief description of the contents of Local Law No. 1 of the Year 2001 is as follows:



SPECIAL REVIEW ZONING DISTRICT LAW

1. For a period of ninety (90) days, the following area is declared a Special Review Zoning District:  
Property abutting on Harlem Road from the Amherst Town line south to Genesee Street.
2. All departments, agencies and authorities of the Town of Cheektowaga shall withhold the issuance of any permits or approvals for the construction of any new structures or additions to any existing structures on all properties described in subdivision one hereof.
3. The Town Board of the Town of Cheektowaga shall have the power to vary or modify the application of the provisions of this law upon the Town Board's determination, in its absolute discretion, that such variance or modification, is consistent with the Town's comprehensive master plan, the Harlem-Kensington-Cleveland Master Plan and with the health, safety, morals and general welfare of the Town.



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. 4a Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

2000

PART TOWN FUND

From:	0800-3620-2770	Permits and Inspections	\$33,500.00
To:	0800-3620-1900	Retro Pay	\$33,500.00

Item No. 4a cont'd.

Upon roll call ....

**MEETING NO. 6  
MARCH 19, 2001**

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

Item No. 4b Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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

2001

GENERAL FUND

From:	0100-1910-4081	Municipal Association Dues	\$1.00
To:	0100-1910-4352	Erie County Chargebacks	\$1.00

Upon roll call ....

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

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

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to March 16, 2001 are hereby approved and made a part hereof:

GENERAL FUND	\$3,118,235.28
HIGHWAY FUND	444,179.29
TRUST & AGENCY	59,531.80
HUD CDBG FUND	195.80
PART TOWN FUND	150,662.09
RISK RETENTION FUND	59,866.42
DEBT SERVICE FUND	219,687.50
HUD HOUSING REHABILITATION FUND	3,589.00
SPECIAL DISTRICTS FUND	1,378,434.97
CAPITAL FUND	<u>787,616.30</u>
	\$6,221,998.45

Upon roll call ....

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

Item No. 6 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, this Town Board held a public hearing on March 19, 2001 to consider the advisability of adopting proposed amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga (Vehicle and Traffic), said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE BE IT RESOLVED, as follows:

Item No. 6 cont'd.

Section 1.

MEETING NO. 6  
MARCH 19, 2001

That this Town Board determines it is in the public interest to adopt the following amendments to Chapter 235 (formerly 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 V  
Schedules

§235-49, SCHEDULE X, PARKING, PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by adding thereto the following:

In accordance with the provisions of §235-34, no person shall park a vehicle at any time upon any of the following described streets or parts of streets:

GILMORE ROAD – West side: from the Cleveland Hill School service road, south curblin of Gilmore Road, to the north curblin of Cleveland Hill School parking lot on the west side. This provision shall expire at the conclusion of the Cleveland Hill School's construction project ending about December 31, 2004.

CLEVELAND DRIVE – North side: from the west curblin of Cayuga Road to the east curblin of Princeton Court.

CLEVELAND DRIVE – South side: from the west curblin of Princeton Court westerly for a distance of 65 feet.

§235-50, SCHEDULE IX: STANDING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by adding thereto the following:

In accordance with the provisions of §235-35, no person shall stand a vehicle at any time upon any of the following described streets or parts of streets:

MANSION AVENUE – West side: 50 feet north from the north curblin of William Street

Section 2. Time to Take Effect

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

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

Section 3. Territorial Application

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

Section 4. Publication

That these amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga shall be entered into the minutes of the Town Board and shall be published in the CHEEKTOWAGA 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. 7 Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson  
Councilmember Swiatek

WHEREAS, the towns of Cheektowaga and Amherst have been reviewing the commercial properties in the area along Harlem Road near Kensington Avenue/Cleveland Drive and

**MEETING NO. 6  
MARCH 19, 2001**

Route 33 and have been trying to obtain input from businesses and residences in such area concerning ways to revitalize such area, AND

WHEREAS, in an effort to preserve, enhance and revitalize the Harlem-Kensington-Cleveland business district, the Harlem-Kensington-Cleveland Task Force ("Task Force") was created which subsequently facilitated the creation of the Harlem-Kensington-Cleveland Business Association and the Harlem-Kensington Community Association, AND

WHEREAS, a Harlem-Kensington-Cleveland Draft Master Plan was prepared by the Task Force and such master plan was submitted to the Town, AND

WHEREAS, the Town of Cheektowaga is contemplating making revisions to the Town Zoning Law and/or other laws which will facilitate the implementation of Traditional Neighborhood Development (TND) and require architectural/aesthetic review/approval by Town agencies of any new development, expansion or remodeling of properties along Harlem Road, from the Amherst Town line south to Genesee Street, AND

WHEREAS, the New York State Department of Transportation is also performing studies for the redesign and reconstruction of Harlem Road and its principal intersections at Route 33, Cleveland Drive, Wehrle Road and Kensington Avenue, AND

WHEREAS, the Town needs time to study this area of Town and draft revisions to the Zoning Law and other laws to protect this area of Town, and wants to consider placing a moratorium on the issuance of any permits/approvals by the Town for properties abutting this section of Harlem Road, AND

WHEREAS, the courts have held that a local legislature may, by interim or stop-gap ordinance or local law, stop for a reasonable time the commencement of all building in an area under immediate consideration for revision of regulations or legislation, AND

WHEREAS, in accordance with the provisions of the Town Law/Municipal Home Rule Law of the State of New York, a public hearing was held on the 19<sup>th</sup> day of March, 2001 at 6:30 P.M. at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all interested parties were given an opportunity to be heard as to whether Local Law No. 1 of the Year 2001, entitled A Local Law Creating a Special Review Zoning District should be enacted, AND

WHEREAS, this Board feels that it is in the Town's best interests to enact Local Law No. 1 of the Year 2001, entitled "A Local Law Creating a Special Review Zoning District", which is attached hereto and made a part hereof, be and the same is hereby enacted and, BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy of this local law in his office and one (1) certified copy with the Secretary of State and, BE IT FURTHER

RESOLVED, that Local Law No. 1 of the Year 2001 shall take effect immediately upon filing with the Secretary of State.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 8      Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, Thomas J. Phillips of Hamister Development Company has made application and requested the Rezoning from M1-Light Manufacturing District to CM-General Commercial District for property located at 2727 William Street, with the permission of the owner of the property, namely Big L Distributors, NOW, THEREFORE BE IT

**MEETING NO. 6  
MARCH 19, 2001**

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on April 2, 2001 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway, at the corner of Union Road.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 9a Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, it is in order that bids be advertised to cover the purchase of Police Unmarked Vehicles for the Police Department, NOW, THEREFORE BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of Unmarked Police Vehicles (previously owned, minimum model year 2000), said notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

MEETING NO. 6  
MARCH 19, 2001

RESOLVED, that sealed bids will be received on the 28<sup>th</sup> day of March, 2001 at 11:00 A.M., 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 March 28, 2001 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 three (3) vehicles listed in the bid specifications.

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

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

Richard M. Moleski  
Town Clerk

Dated: March 19, 2001



Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 9b Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Topsoil by the Cheektowaga Highway Department and various departments in the Town.

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

RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at 11:00 A.M. on April 4, 2001.

MEETING NO. 6  
MARCH 19, 2001



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Cheektowaga Town Board on April 4, 2001 at a public bid opening at 11:00 A.M., at the Town Hall located on Broadway and Union Roads, Cheektowaga, New York, for the purpose of furnishing Topsoil to be used by various departments in the Town of Cheektowaga.

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

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

Richard M. Moleski  
Town Clerk

Dated: March 19, 2001



Upon roll call ....

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 10a Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of seven (7) police vehicles for the Cheektowaga Police Department, which bid was duly received and opened at a public bid opening called for that purpose, AND

WHEREAS, said bid was referred to the Police Department for analysis and tabulation, NOW, THEREFORE BE IT

RESOLVED, that the contract for the furnishing of seven (7) 2001 Ford Crown Victoria Police vehicles be awarded to Delacey Ford, Inc, 3061 Transit Road, Elma, New York 14059, a said vendor being lowest bidder meeting the requirements of the specifications and, BE IT FURTHER

RESOLVED, that the funds are available in Account #0100-3120-2303 in the amount of \$151,491.00.



**MEETING NO. 6  
MARCH 19, 2001**

Upon roll call ....

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

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

WHEREAS, bids were duly received by this Town Board at a meeting thereof, for the furnishing of baseball and softball equipment, AND

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

RESOLVED, that the bids be and hereby are awarded to the following bidders meeting specifications:

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

Laux Sporting Goods  
25 Pineview Drive  
Amherst, New York 14228

Ad Pro  
c/o Don Colpoys  
1240 Delaware – Apt. 202  
Buffalo, New York 14209

Upon roll call ....

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

Item No. 11 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, Contract "C", Electrical Work, for the addition to the Anna M. Reinstein Memorial Library was awarded by Town Board resolution dated June 19, 2000 to Goodwin Electric Corporation in the amount of \$19,340.00, AND

WHEREAS, Foit-Albert Associates, Project Architect, has prepared, submitted and recommended approval of Change Order #C-01 (final) for the Anna Reinstein Memorial Library Project which provides for modifications to various electrical components as outlined in the change order documents, and as described in the letter from the Engineering Department dated March 7, 2001, NOW, THEREFORE BE IT

Item No. 11 cont'd.

RESOLVED, that Change Order #C-01 (final) in the amount of \$1,330.00 as an addition to the contract of Goodwin Electric Corporation, 121 California Drive, Williamsville, New York 14221 be and hereby is approved and, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order #C-01 (final) on behalf of this Town Board and, BE IT FURTHER

RESOLVED, that funding for Change Order #C-01 (final) shall be appropriated from the Reinstein Trust Fund.

Upon roll call ....

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

MEETING NO. 6  
MARCH 19, 2001

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 12      Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

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, since 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 the Upstate Milk Cooperative to construct 37,000 s.f. in additions at 1730 Dale Road, AND

WHEREAS, the space will be used for additional refrigerated storage and mechanical space, AND

WHEREAS, the applicant has agreed to construct sidewalks on Dale Road and Anderson Road adjacent to their property, AND

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WHEREAS, the applicant has agreed to install an ammonia detection system on the premises and will modify the existing emergency plan to include the notification of nearby hotels in the event of an ammonia release, AND

WHEREAS, the Planning Board, at its meeting held on March 8, 2001 recommended approval of the site plan, AND

WHEREAS, the Environmental Advisory Committee, at its meeting held on March 14, 2001 rendered the determination shown on the attached memo dated March 15, 2001, AND

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

RESOLVED, that this Town Board, determines that the project will not have a significant effect on the environment, 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(S) FOR ATTACHMENT

Item No. 13 Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga owns property located on Clinton Street at the New York State Thruway known as the former Disposal Plant No. 3, AND

WHEREAS, as part of the New York State Thruway construction project TAB 00-45, Oakgrove Construction, Inc. has requested to utilize a portion of the aforementioned Town-owned property as a staging/equipment and material storage area and for the installation of a temporary fence for 2-1/2± years, AND

WHEREAS, as part of its commitment to use the Town-owned property, Oakgrove Construction, Inc. has stated that it will remove the fence after completion of the work and restore the Town-owned property to its present condition; and has also committed to planting twelve (12) 6-foot-tall Austrian Pines along the north edge of the property, AND

WHEREAS, the Town Engineer and Superintendent of the Wastewater Pump Station have reviewed this request and have no objection to same, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby grants a license to Oakgrove Construction, Inc. to utilize the above referenced Town-owned property subject to the terms hereinabove stated.

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Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 14 Motioned by Councilmember Jaworowicz, Seconded by Councilmember Jankowiak

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 2001 to the Erie County Board of Elections, AND

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly Voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, AND

WHEREAS, there are 111 Election Districts in the Town of Cheektowaga located in 39 polling places, all of which provide proper accessibility, NOW, THEREFORE, BE IT

RESOLVED, that the attached list of Town of Cheektowaga polling places for 2001 be approved for submittal to the Erie County Board of Elections.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 15 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Parks, Recreation & Youth Services Department's fees be established for the summer/fall/winter of 2001 and the winter/spring of 2002:

FEES IN (\$0.00) DENOTE 2000 FEE

YOUTH SPORT CAMPS

Summer	Resident		Non-Resident	
Per Week/Sport 1 <sup>st</sup> Child	\$71	(\$71)	\$96	(\$91)
2 <sup>nd</sup> Child	\$61	(\$61)	\$82	(\$82)
For 3 Weeks/Sports 1 <sup>st</sup> Child	\$181	(\$181)	\$243	(\$243)
2 <sup>nd</sup> Child	\$164	(\$164)	\$228	(\$228)

CAMP DARTWOOD

Summer	Resident		Non-Resident	
Per Child All 7 Weeks	\$534	(\$518)	\$636	(\$612)
Per Child Weekly	\$84	(\$82)	\$100	(\$97)
Second Child All 7 Weeks	\$510	(\$495)	\$622	(\$604)
Second Child Weekly	\$79	(\$77)	\$95	(\$92)

CAMP FLAMINGO

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Summer	Resident		Non-Resident	
Per Child All 7 Weeks	\$534	(\$518)	\$636	(\$617)
Per Child Weekly	\$84	(\$82)	\$100	(\$97)
Second Child All 7 Weeks	\$510	(\$495)	\$622	(\$604)
Second Child Weekly	\$79	(\$77)	\$95	(\$92)
CAMP-JI-IK-DO-WAH-GAH				
Summer	Resident		Non-Resident	
Per Child All 7 Weeks	\$507	(\$492)	\$636	(\$617)
Per Child Weekly	\$84	(\$82)	\$100	(\$97)
Second Child All 7 Weeks	\$482	(\$468)	\$622	(\$604)
Second Child Weekly	\$79	(\$77)	\$95	(\$92)
CAMP CRABAPPLE				
Summer	Resident		Non-Resident	
Per Child All 7 Weeks	\$433	(\$420)	\$636	(\$617)
Per Child Weekly	\$77	(\$75)	\$100	(\$97)
Second Child All 7 Weeks	\$409	(\$397)	\$622	(\$604)
Second Child Weekly	\$72	(\$70)	\$95	(\$92)
YOUTH SOCCER				
Summer	Resident		Non-Resident	
First Child	\$49	(\$47)	\$64	(\$62)
Each Additional	\$39	(\$37)		
LET'S WALK				
Year Round	Resident		Non-Resident	
One Session	\$14	(\$14)	\$19	(\$19)
Reg. For Two Sessions at Once	\$23	(\$23)	\$33	(\$33)
COUNTRY LINE DANCING	Resident		Non-Resident	
Per Class (Session)	\$3	(\$3)	\$3.50	(\$3.50)
Per Class (Walk-In)	\$4	(\$4)	\$4	(\$4)
FLAG FOOTBALL				
Per Session	Resident		Non-Resident	
Youth	\$32	(\$32)	\$41	(\$41)
Adult	\$270 Per Team and \$8.00 Additional for Non-Resident			
<u>Item No. 15 cont'd.</u>				
LACROSSE				
Summer	Resident		Non-Resident	
Per Child	\$54	(\$54)	\$71	(\$71)
TINY TOTS				
Summer	Resident		Non-Resident	
Per Child	\$36	(\$33)	\$46	(\$43)
Second Child	\$33	(\$30)	\$43	(\$40)
THREE TO GET READY				
Summer	Resident		Non-Resident	
Per Child	\$32	(\$29)	\$42	(\$39)
Second Child	\$29	(\$26)	\$39	(\$36)
GYMNASTICS				
Summer 2 Day	Resident		Non-Resident	
Per Child	\$46	(\$46)	\$56	(\$56)
Second Child	\$41	(\$41)	\$51	(\$51)
Summer 1 Day				
Per Child	\$26	(\$23)	\$36	(\$33)
Second Child	\$21	(\$18)	\$31	(\$28)

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Fall/Winter				
Per Child	\$34	(\$30)	\$44	(\$40)
Second Child	\$29	(\$25)	\$39	(\$45)

Fall/Winter 2 Day				
Per Child	\$49	(\$46)	\$59	(\$56)
Second Child	\$44	(\$41)	\$54	(\$51)

<b>TINY TUMBLERS</b>				
Summer 3 Year old 1 Day	Resident		Non-Resident	
Per Child	\$26	(\$23)	\$36	(\$33)
Second Child	\$21	(\$18)	\$31	(\$28)

4 Year Old 1 Day				
Per Child	\$26	(\$23)	\$36	(\$33)
Second Child	\$21	(\$18)	\$31	(\$28)

<b>FRIDAY GYMNASTICS</b>				
Summer	Resident		Non-Resident	
Per Child	\$26	(\$23)	\$36	(\$33)
Second Child	\$21	(\$18)	\$31	(\$28)

<b>ADVANCED GYMNASTICS</b>				
Summer	Resident		Non-Resident	
Per Child	\$54	(\$51)	\$64	(\$61)
Second Child	\$49	(\$46)	\$59	(\$56)

Fall/Winter 12 Classes				
Per Child	\$42	(\$37)	\$52	(\$47)
Second Child	\$37	(\$32)	\$47	(\$42)

<b>AEROBICS</b>				
Year Round	Resident		Non-Resident	
Per Class	\$2	(\$2)	\$3	(\$3)

<b>YOUTH BASKETBALL</b>				
Fall/Winter	Resident		Non-Resident	
Per Participant	\$31	(\$31)	\$41	(\$41)

Item No. 15 cont'd.

<b>SWIMMING</b>				
Youth	Resident		Non-Resident	
	\$27	(\$24)	\$37	(\$34)
Second Child	\$24	(\$14)	\$33	(\$24)

Toddler	\$17	(\$14)	\$27	(\$24)
Second Child	\$14	(\$11)	\$24	(\$21)
Water Walking	\$19	(\$24)	\$29	(\$24)
Adult	\$24	(\$22)	\$34	(\$32)
Synchronized	\$27	(\$18)	\$37	(\$28)
Second Child	\$24	(\$15)	\$34	(\$25)
Water Slide Animals	\$1	(\$1)	\$1	(\$1)
Daily User Fee	\$1	(\$1)	\$2	(\$2)

Fall/Winter				
Youth	\$23	(\$23)	\$33	(\$33)
Second Child	\$19	(\$19)	\$29	(\$29)
Open Family (Less Days)	\$24	(\$27)	\$32	(\$41)
Adult	\$16	(\$16)	\$26	(\$26)
Walk-In	\$1		\$2	

<b>INSTRUCTIONAL TENNIS</b>				
Summer	Resident		Non-Resident	
Youth	\$23	(\$23)	\$33	(\$33)
Adult	\$23	(\$23)	\$33	(\$33)





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**SPORT COURT RENTALS**

Per Hour	\$55	(\$50)
Per Hour and Half	\$75	(\$70)
Per 2 Hours	\$90	(\$85)

**DIAMOND PERMITS**

Summer (per 2 hour time block)	Resident		Non-Resident	
No Lights	\$45	(\$45)	\$65	(\$65)
Lights	\$75	(\$75)	\$90	(\$90)

**13 Week Series**

No Lights	\$425	(\$425)	\$650	(\$650)
Lights	\$725	(\$725)	\$900	(\$900)

Additional games added to 13 week series are charged at the regular 2-hour block rate

**SOCCER/FOOTBALL FIELD RENTAL**

	Resident		Non-Resident	
Per Two Hour Time Block	\$55	(\$55)	\$70	(\$70)

**VOLLEYBALL COURT RENTAL**

	Resident		Non-Resident	
1 Court Per Two Hour Block	\$50	(\$50)	\$65	(\$65)

**ADULT SOFTBALL LEAGUES**

Summer	League		Franchise Fee	
	Coed		\$255	(\$255)
	Women's		\$255	(\$255)
	Men's Leisure		\$255	(\$255)
	Men's Over 40		\$290	(\$290)
	Open Men's		\$430	(\$430)
	Men's Over 35		\$255	(\$255)

Item No. 15 cont'd.

**\*\*All Non-Residents Must Pay \$19.00 Additional.**

**\*\*Business Teams (Businesses within the Town), all players must work for that business, \$300 (\$290). This includes the first 11 on the roster.**

**Non-Residents after 11 must pay \$19 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	\$22	(\$23)	\$32	(\$32)
Second Child (\$5 Discount)	\$18	(\$18)	\$28	(\$32)
Paying Per Class	\$2		\$3	

**INLINE HOCKEY**

Summer	Resident		Non-Resident	
Youth Participant	\$83	(\$81)	\$116	(\$112)

Adult Team	\$790	Each Non-Resident \$10 Additional
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**\*\*Adult inline teams are responsible for payment of referees prior to the start of each game\*\***

**ICE HOCKEY**

Fall/Winter	Resident		Non-Resident	
	House	Travel	House	Travel
Novice	\$253 (\$253)	N/A	\$418 (\$418)	N/A
Mite	\$293 (\$293)	\$408 (\$408)	\$468 (\$468)	\$583 (\$583)
Squirt	\$343 (\$343)	\$458 (\$458)	\$518 (\$518)	\$633 (\$633)
Pee Wee	\$393 (\$393)	\$508 (\$508)	\$568 (\$568)	\$683 (\$683)

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Bantam	\$443	(\$443)	\$558	(\$558)	\$618	(\$618)	\$733	(\$733)
Midget	\$513**	(\$513)	\$413	(\$413)	\$688**	(\$688)	\$588	(\$588)

--All head coaches will receive a \$30.00 reduction for one child  
--Second child enrolled from a family \$30.00 reduction  
--Third child enrolled from a family \$70.00 reduction  
--2001 -2002 Travel Try-Out Fee \$7.00

SUMMER TEAM PROGRAM

Weekly	Residents	Non-Residents
One Child	\$75	\$95
Second Child	\$70	\$90

6 Weeks	Residents	Non-Residents
One Child	\$420	\$540
Second Child	\$385	\$500

CULTURAL CENTER (BAND SHELL) LOCATED IN TOWN PARK

The rental fee is for four hours any time prior to or after the specified rental time the renter is responsible for the costs of keeping staff on.

RESIDENTS

\$400 for a four hour period. Additional hours before or after the specified rental time will be billed at \$125 per hour.

NON-RESIDENTS

\$800 for a four hour period. Additional hours before or after the specified rental time will be billed at \$195 per hour.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 16a Motioned by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, the Town, in its 2001 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

WHEREAS, agreement(s) between the Town and these cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2000 funding to the Town, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves agreement(s) in the form(s) attached to this resolution, with the cultural and not-for-profit organization(s) listed below for the amount(s) listed and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement(s) with the following referenced cultural and not-for-profit organization(s) for the following respective amount(s):

<u>Cultural/Not-For-Profit</u>	<u>Funding Approved</u>
Cheektowaga Community Chorus	\$7,000.00

And, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2001 Town budget, subject to audit and approval of a properly signed Town voucher.

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(S) FOR ATTACHMENT

Item No. 16b Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga seeks grant monies to purchase and install office computers and office equipment in the Town Court, AND

WHEREAS, grant monies are available through the Erie County Public Benefit Fund via Legislator Raymond Dusza for this purpose, NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be and hereby is authorized and directed to complete the necessary application, form, etc. to be submitted to the Erie County Public Fund 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 necessary for 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. 16c Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the County of Erie leased to the Town of Cheektowaga a portion of County-owned lands lying between Cayuga Creek Road and Cayuga Creek Road (adjacent to the County's Overflow Retention Facility) to be used for open green space, AND

WHEREAS, the Town is interested in beautifying this area and enhancing the environment by planting additional trees, AND

WHEREAS, Senator William Stachowski has appropriated \$25,000 in Legislative Initiative Program Funding for the Town to plant trees in this area, AND

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WHEREAS, there are no matching funds required for this funding, AND

WHEREAS, all the necessary Town departments have reviewed and signed off on this grant, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents necessary for the Town to obtain this Legislative Initiative funding and, BE IT FURTHER

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultant, be and hereby is directed to prepare and file all necessary documents to obtain this funding.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 16d Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga seeks a van to transport senior citizens to and from the Town's Senior Citizens Center, AND

WHEREAS, the Western New York Ford Dealers Advertising Fund, Inc. is offering an opportunity for organizations to apply to receive the donation of a van, NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultant, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Western New York Ford Dealers Advertising Fund, Inc. for the purpose of securing this van and, BE IT FURTHER

Item No. 16d cont'd.

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. 16e Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the New York State Department of Health has granted funds to establish a Youth Tobacco Enforcement and Prevention Program with the County of Erie, AND

WHEREAS, grant monies are available from the NYS Department of Health for such program, AND

WHEREAS, the Town of Cheektowaga Police Department seeks grant monies to cover various services and programs to undertake compliance checks of merchants who sell tobacco products using underage operatives as decoys, and to determine whether active enforcement of the NYS Public Health Law reduces the availability of tobacco products to children.

NOW, THEREFORE BE IT RESOLVED, that the Cheektowaga Police Department be authorized and directed to complete the necessary applications, forms, etc. to be submitted to the NYS Department of Health, through the Erie County Department of Health 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 for acquisition of said funding.

Upon roll call ....

**MEETING NO. 6  
MARCH 19, 2001**

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

Item No. 16f Motioned by Councilmember Jankowiak Seconded by Councilmember Mazur

BE IT RESOLVED, that subject to approval by the Town Attorney, Supervisor Dennis H. Gabryszak be authorized to sign the attached contract between the Town of Cheektowaga and the Community Action Partnership for the operation of a recreation program at the JFK Middle School under a grant funded by the New York State Advantage After-School Grant.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 17 Motioned by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

WHEREAS, in the current agreement between the Town of Cheektowaga and the Cheektowaga Police Club in effect from January 1, 1999 through December 31, 2001, it states that "if the State allows, the Town will take all necessary steps to provide a one year final average salary computation for Tier II police officers", AND

WHEREAS, the State passed legislation allowing such provision for Tier II police officers during the latter part of the year 2000, AND

WHEREAS, the provision for this benefit within the New York State Retirement System is provided under Section 443(f), NOW, THEREFORE BE IT

RESOLVED, that the Town Board does hereby elect to provide the additional pension benefits of Section 443(f) of the Retirement and Social Security Law for its police officers covered under the current Cheektowaga Police Club contract and, BE IT FURTHER

RESOLVED, that the effective date of such shall be the 23<sup>rd</sup> day of March, 2001.

Upon roll call ....

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

Item No. 18 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Parks, Recreation & Youth Services employees be and hereby are terminated, effective immediately:

Robert Gladwell  
Melissa Gladwell  
Kelly Ludtka  
Amber Tracy  
Magdalena Wnuk

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Upon roll call ....

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

Item No. 19 Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

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

EFFECTIVE

SENIOR SERVICES – Nutrition Site Manager - \$6.50

David Sacilowski Cheektowaga, NY 14227  
Bernice Daly Cheektowaga, NY 14225

4/02/01  
"

POLICE DEPARTMENT – Dog Control Officer - \$7.00 per hour

Pamela J. Palermo Cheektowaga, NY 14227

Immediately

AND, BE IT

RESOLVED, that the following Part-Time employees be elevated to the hourly salary as stipulated, effective immediately:

Item No. 19 cont'd.

TOWN CLERK'S OFFICE – Clerk - \$7.00 per hour

Elaine Rudnicki Cheektowaga, NY 14227  
Margaret Sisti Sloan NY 14212

AND, BE IT

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

EFFECTIVE

TOWN CLERK'S OFFICE

Stephen Koenig

Immediately

SENIOR SERVICES

Alice Ciszkowski  
Nan Eustler  
Harold Ritzman

Immediately  
"  
"

Upon roll call ....

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

Item No. 20 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following Parks, Recreation & Youth Services employee be transferred from Part-Time to Seasonal, effective immediately and, BE IT FURTHER

RESOLVED, that he revert to his Part-Time status, effective September 1, 2001.

Steve Ciemcioch

Upon roll call ....

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

Item No. 21 Motioned by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, Maureen MacDonald is employed by the Town of Cheektowaga as an Account Clerk Typist in the Cheektowaga Parks Department, AND

WHEREAS, Maureen MacDonald has requested a leave of absence from her Town job for a period of six (6) months due to extenuating health problems, AND

WHEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Employees Association states that a union employee may be granted a leave of absence for no more than one (1) year for reasonable purpose, AND

WHEREAS, extenuating circumstances have been shown to grant an additional six months leave of absence, NOW, THEREFORE BE IT

RESOLVED, that Maureen MacDonald be and hereby is granted a leave of absence for a period of six (6) months, commencing March 12, 2001 through September 12, 2001, from her position of Account Clerk Typist in the Parks Department for extenuating health reasons.

Item No. 21 cont'd.

Upon roll call ....

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

Item No. 22a Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, a vacancy exists in the position of Public Safety Dispatcher, AND

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

WHEREAS, the existing Civil Service list was canvassed, AND

WHEREAS, John M. Czapla appears on said Civil Service list and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, John M. Czapla of Cheektowaga, New York 14225 be and hereby is appointed to the position of Public Safety Dispatcher in accordance with the terms and conditions of the Town's collective bargaining agreement with the Cheektowaga Public Safety Dispatchers Association, effective March 15, 2001.

Upon roll call ....

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

Item No. 22b Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, two (2) 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



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WHEREAS, Daniel Carrier, currently employed as a Laborer in the Sanitation Department, and Ronald Fenske, also employed as a Laborer in the Sanitation Department, bid on said vacancies and meet the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Daniel Carrier of Cheektowaga, New York 14225 and Ronald Fenske of Cheektowaga, New York 14206 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 immediately.

Upon roll call ....

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

Item No. 22c Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, a vacancy exists in the position of Cleaner in the Parks 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

Item No. 22c cont'd.

WHEREAS, Kyle Tobolski, currently employed as a Light Motor Equipment Operator-B in the Recycling Department, has bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Kyle Tobolski of Cheektowaga, New York 14227, be and hereby is appointed to the position of Cleaner in the Parks Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective March 26, 2001.

Upon roll call ....

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

Item No. 22d Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski  
Councilmember Johnson

WHEREAS, by resolution dated January 2, 2001, this Town Board reappointed members to the Veterans Affairs Committee, AND

WHEREAS, vacancies exist on such Veterans Affairs Committee, AND

WHEREAS, Karen Porempski has volunteered to serve on such committee, NOW, THEREFORE BE IT

RESOLVED, that Karen Porempski, Cheektowaga, New York 14227 be and hereby is appointed as a member of the Veterans Affairs Committee, effective immediately.

Upon roll call ....

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

Item No. 23a Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

**MEETING NO. 6  
MARCH 19, 2001**

WHEREAS, PERF (Police Executive Research Forum) will be hosting their 2001 Annual Meeting Wednesday, April 4<sup>th</sup> through Saturday, April 7<sup>th</sup>, 2001 at the Westin River North, 320 North Dearborn, Chicago, Illinois, AND

WHEREAS, Chief Bruce D. Chamberlin is requesting authorization from the Town Board to attend such meeting, AND

WHEREAS, PERF 2001 Annual Meeting, will include many topics that the department deals with on a regular basis, such as "Why Harlem Drug Cops Don't Discuss Race: The Issue of Race in American Policing", "Updating on Racial Profiling A National Perspective", "Tracking Police Performance: Early Warning Systems", and "The Police Corps Story-Differing Perspectives", informational sharing of this type is a very useful tool that is used throughout our department and shared with other agencies within our community, AND

WHEREAS, the Cheektowaga Police Department will be responsible for \$1,000.00 of the expenses incurred, AND

WHEREAS, Chief Bruce D. Chamberlin, will personally be responsible for any expenses above and beyond \$1,000.00 for this travel request, NOW, THEREFORE BE IT

RESOLVED, that Chief Bruce D. Chamberlin is authorized to attend PERF's 2001 ANNUAL MEETING and that the expenses stated above will be charged to line 0100-3120-4085 and 0100-3120-4093.

Item No. 23a cont'd.

Upon roll call ....

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

Item No. 23b Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the Madison County Sheriff's Department will be hosting their annual K-9 Working Seminar, March 18-24<sup>th</sup>, 2001, in Madison, Virginia, AND

WHEREAS, P.O. Daniel Smith has once again been honored and requested to attend this seminar as an instructor along with K-9 Breston, AND

WHEREAS, at this time, Breston will receive additional training in patrol and scent searches, extensive street situations, package screening, vehicles and building, and re-certification for Breston at no cost to the Town of Cheektowaga except for the expense of gasoline to travel to such seminar at an approximate cost of \$100.00, NOW, THEREFORE BE IT

RESOLVED, that Chief Bruce D. Chamberlin is authorized to send P. O. Daniel Smith and K-9 Breston to such training and that the expense will be charged to line #0100-3120-4095, K-9 line.

Upon roll call ....

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

Item No. 24 Motioned by Councilmember Jaworowicz, Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga is seeking a strategic partner to assist them in creating a business and technological plan that will help reduce the total cost of ownership of the Town's wide area network, AND

WHEREAS, IKON Office Solutions, Inc. ("IKON") has submitted a proposal to develop a business and technological plan for the Town, AND

**MEETING NO. 6  
MARCH 19, 2001**

WHEREAS, IKON will initially perform a discovery phase in order to create a design which will focus on eight key areas including: network reliability, e-mail system, technology plan, documentation for the Town's equipment, security, backup and anti-virus, help desk support, and end user training, AND

WHEREAS, the design that is ultimately developed as part of this project will enable the Town of Cheektowaga employees to take advantage of enterprise resources that can be leveraged by all of the offices throughout the town, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a contract to engage IKON Office Solutions, Inc. to perform the discovery and design phases of this project for a cost of \$18,900, said cost to be charged to 100-1680-4321.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

**III. DEPARTMENTAL COMMUNICATIONS**

Item No. 25a Minutes of Cheektowaga Planning Board – February 8, 2001  
Received and Filed.

Item No. 25b Minutes of Cheektowaga Traffic Safety Commission – February 20, 2001  
Received and Filed.

Item No. 25c Minutes of Cheektowaga Conservation Advisory Council – March 1, 2001  
Received and Filed.

**IV. GENERAL COMMUNICATIONS**

Item No. 26a Notice of Claim: Michael Berger vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Police Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 26b Notice of Claim: Maureen Promolis vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 27 Summons and Complaint: New Creation Fellowship of Buffalo and Stephen Andzel, Pastor vs. the Town of Cheektowaga, the Assessment Board of Review and William Conway, Individually and as Assessor of the Town of Cheektowaga.  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Assessor; Building Department and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 28 Petition: Traffic Conditions on Sonwil Drive and Genesee Street  
Received and Filed.



MEETING NO. 6  
MARCH 19, 2001

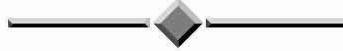
MOTION BY COUNCILMEMBER SWIA TEK, SECONDED BY COUNCILMEMBER JOHNSON TO SUSPEND THE RULES TO INCLUDE THE FOLLOWING RESOLUTION(S) AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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

NAYES: 0

ABSENT: 0



**V. SUSPENSION OF RULES**

Item No. 29 Motioned by Councilmember Jankowiak, Seconded by Councilmember Johnson

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

Item No. 29 cont'd.

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, John R. Tuck, Appraiser-Auctioneer, will sell such motor vehicles and equipment at a public auction in accordance with his letter dated March 9, 2001, a copy of which is attached hereto, NOW, THEREFORE BE IT

RESOLVED, that the Town hereby retains John R. Tuck, Elma, 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 7, 2001 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(S) FOR ATTACHMENT

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MARCH 19, 2001

Item No. 30 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga previously entered into an agreement with Adelphia Business Solutions of New York, Inc. ("Adelphia") for the installation of telephone/fibre optic lines in the Police and Court Building at 3223 Union Road, AND

WHEREAS, Adelphia, in order to properly service such building, requires the Town to enter a Building Access Agreement and execute a "spur letter" acknowledging that the lateral length providing service at 3223 Union Road is 600 ± from the backbone splice closure, AND

WHEREAS, Town personnel from the Engineering Department, Town Attorney's Office, Police Department and Building and Grounds Department have reviewed this agreement and letter and the work to be performed and have approved same, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Building Access Agreement and Spur Letter on behalf of the Town.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 31 Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, pursuant to the Open Burning Law of the Town of Cheektowaga, the Fire Inspector reviews various applications for open fires and open burning and renders his recommendation concerning the fire safety and impacts to the general public of such application, AND

WHEREAS, the Town Board pursuant to the Open Burning Law of the Town of Cheektowaga, is designated the Approval Agency, AND

WHEREAS, since the Town Board is the Approval Agency, it must affirm, modify or reject any recommendations or permits submitted to it by the Town Fire Inspector, AND"

WHEREAS, an application was submitted by the Cheektowaga Community 24 Hour Relay Challenge Committee to conduct an open fire on May 19 and May 20, 2001 on the property of the Cheektowaga Central School located at 3600 Union Road, AND

WHEREAS, the applicant intends to maintain a small fire in a 55 gallon barrel for personal warmth and heat, AND

WHEREAS, the Fire Inspector has received this application and finds the application to be in compliance with conditions and requirement of the Town of Cheektowaga Fire Prevention Code and the Open Burning Law and request the Town Board to approve issuance of a permit, AND

**MEETING NO. 6  
MARCH 19, 2001**

WHEREAS, this Town Board has reviewed the applications submitted and the recommendations of the Fire Inspector, NOW, THEREFORE BE IT

RESOLVED, that this Town Board authorizes the Fire Inspector to issue such permit.

Upon roll call ....

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

Item No. 32 Motioned by Councilmember Jankowiak, Seconded by Councilmember Swiatek

WHEREAS, the Sanitation Department is in need of a 32-yard packer body, less eject cylinder and eject panel and rear tailgate for one of its trucks, AND

Item No. 32 cont'd.

WHEREAS, the Central Garage has received a proposal dated March 9, 2001 from Cyncon Equipment, Inc. for the purchase of such equipment and labor to install the eject system and tailgate supplied by the Town on a cab and chassis supplied by the Town in the amount of \$20,800.00, AND

WHEREAS, Cyncon Equipment, Inc. is the sole source for the purchase and installation of this equipment and, as such, the Town does not have to engage in competitive bidding for same, based on the following:

1. Cyncon Equipment, Inc. is the sole distributor and authorized service representative of Heil products for Western and Central New York, AND
2. The equipment which the Town owns is compatible only with the Heil packer body available from Cyncon Equipment, Inc.

,AND

WHEREAS, funds for such purchase and labor are available from the Sanitation Department budget, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the purchase of a Heil 32-yard packer body, less eject cylinder, eject panel and rear tailgate, including installation as stated above, to Cyncon Equipment, Inc., at a cost of \$20,800.00 as per the proposal of Cyncon Equipment, Inc. and, BE IT FURTHER

RESOLVED, that moneys for the purchase and installation of this equipment shall be appropriated from budget line item number 150-8160-2501.

Upon roll call ....

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

Item No. 33 Motioned by Councilmember Swiatek, Seconded by Supervisor Gabryszak

WHEREAS, Diane Zelasko resigned from her position as member of the Town of Cheektowaga Board of Assessment Review, AND

WHEREAS, Newton A. Graziano, a commercial real estate professional and appraiser has expressed an interest in serving on the Board of Assessment Review, AND

WHEREAS, the Town Assessor has reviewed Mr. Graziano's qualifications and has recommended that he be appointed to fill the vacancy on the Board of Assessment Review, NOW, THEREFORE BE IT



**MEETING NO. 6  
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RESOLVED, that Newton A. Graziano, Cheektowaga, New York 14215 be and hereby is appointed as a member of Board of Assessment Review, effective immediately, said term to expire on September 30, 2002.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 34 Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, because of concerns about the possible disposal of hazardous materials in the Schultz Landfill on Indian Road in the Town of Cheektowaga, this Town Board, by resolution dated February 26, 2001, requested that the New York State Department of Environmental Conservation perform testing for toxic substances at and close the Schultz Landfill on Indian Road in Cheektowaga, AND

Item No. 34 cont'd.

WHEREAS, moneys are needed to perform the necessary testing of the Schultz Landfill, AND

WHEREAS, State Assemblyman Paul A. Tokasz has informed this Town Board that he is trying to secure \$100,000.00 in the 2001-2002 State budget for a private site investigation of the Schultz Landfill to test any questionable materials and determine if they contain toxic or radioactive substances, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby vigorously supports the efforts of Assemblyman Paul A. Tokasz to secure this funding to perform testing at the Schultz Landfill and, BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes the State Assembly, State Senate and Governor George Pataki to approve the appropriation of necessary funding in the 2001-2002 State budget to perform testing at the Schultz Landfill and, BE IT FURTHER

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 35 Motioned by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, by resolution dated August 29, 2000, this Town Board authorized the sale of 13+ acres of Town-owned property known as the Walden Commerce Exchange to FedJones, Cheektowaga, LLC ("FedJones") for the proposed Federal Express Ground, Inc. facility, AND

WHEREAS, thereafter, by resolution dated November 6, 2000, this Town Board approved a First Amendment to the contract with FedJones wherein the Town agreed to grant FedJones a drainage easement across contiguous Town-owned property for its development, subject to certain restrictions, AND

WHEREAS, the Town Attorney's Office and the Town Engineering Department have revised drafts of a drainage easement prepared by FedJones and now find same acceptable, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Drainage Easement on behalf of the Town of Cheektowaga.

Upon roll call ....



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MARCH 19, 2001

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 36 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting.  
This meeting was adjourned at 8:05 P.M.

Richard M. Moleski  
Town Clerk