

**TOWN OF CHEEKTOWAGA  
MEETING NO. 7  
APRIL 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 2<sup>nd</sup> of April, 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; Brian Krause, Supervising Accountant; William Conway, Town Assessor; Patricia Wojcik, Director of Senior Services; Salvatore LaGreca, Chairman of Planning Board; and Kenneth Kopacz, Director of Parks, Recreation and Youth Services.

**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:	0100-1420-4501	Contracted Legal	\$ 1,500.00
	0100-1320-4506	Accounting & Auditing	4,000.00
	0100-1315-4431	Maintenance Agreement	4,500.00
	0100-9501-9400	Interfund Transfer	100,000.00
	0100-1910-1081	Other Payments in Lieu	99,401.00
To:	0100-9950-8000	Transfer to Capital	\$ 100,000.00
	0100-1420-1381	Legal Steno	10,000.00
	0100-9501-9131	Bond Principal	77,190.00
	0100-9501-9211	Bond Interest	22,211.00

HIGHWAY FUND

From:	0300-1910-2401	Interest Earnings-Highway	\$ 19,977.00
To:	0300-5110-4162	Gasoline & Oil, General	\$ 19,977.00

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;

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Item No. 2b cont'd

2001

GENERAL FUND

From:	0100-1680-1309	Information Systems Manager	\$ 18,900.00
	0100-3120-1520	Police Misc. Revenues	17,000.00
	0100-7620-3801	State Revenues	55,000.00
To:	0100-1680-4321	Data Processing Services	\$ 18,900.00
	0100-3120-1902	Police Overtime	17,000.00
	0100-7620-2501	Equipment Purchases	55,000.00

PART TOWN FUND

From:	800-1910-4711	Contingency	\$ 1,708.67
To:	800-8020-4709	Management Studies	1,708.67

SPECIAL DISTRICTS FUND

From:	150-8160-9131	Bond Principal	\$ 20,800.00
To:	150-8160-2501	Misc. Equipment	20,800.00

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 30, 2001 are hereby approved and made a part hereof;

GENERAL FUND	\$ 577,697.45
HIGHWAY FUND	395,168.95
TRUST & AGENCY	39,458.75
HUD CDBG FUND	36,488.85
PART TOWN FUND	9,491.18
RISK RETENTION FUND	49,472.97
HUD HOUSING REHABILITATION FUND	13,289.86
SPECIAL DISTRICTS FUND	277,091.76
CAPITAL FUND	3,336.75
	<u>\$ 1,401,496.52</u>

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 Councilmember Jankowiak

WHEREAS, bids were received on March 14, 2001 for the application of chemical fertilizers and herbicides, 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 March 27, 2001, NOW, THEREFORE, BE IT



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Item No. 4 cont'd

RESOLVED, that the contract for the application of chemical fertilizers and herbicides for the year of 2001 be awarded to Turf Tec of Western New York, Inc., 5096 Lockport Road, Lockport, New York 14094 at the following total and unit bid prices:

ITEM 1	Nitrogen Fertilization Creek Areas	\$7,590.00
ITEM 2	Chemical Trimming Areas	\$1,875.00
ITEM 3	Retention Basins	\$3,350.00
ITEM 4	Nitrogen Fertilizer	.0037/sq.ft.
ITEM 5	Weed Control	.0046/sq.ft.
ITEM 6	Chemical Trimming	.0091/sq.ft.
ITEM 7	Weed & Feed Lawn Areas	.0050/sq.ft.
ITEM 8	Chemical Trimming of Fence Lines	\$ 67.50
ITEM 9	Grass Growth Regulator	\$1,149.00
ITEM 10	Brush Control	.0091/sq.ft.
	Total bid for Items 1, 2 and 3:	\$12,815.00

and, BE IT FURTHER

RESOLVED, that payment for the application of chemical fertilizers and herbicides shall be charged to Account No. 4000-8140-4588.

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. 5 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, AND

WHEREAS, the Town wishes to amend its Final Statements on the Use of Community Development Block Grant Funds in order to reallocate program income funds received by the Cheektowaga Economic Development Corporation to the various Town projects, AND

WHEREAS, citizens and interested parties were provided the opportunity to comment on the proposed amendment pursuant to the Citizen Participation Plan previously adopted by the Town Board, AND

WHEREAS, the Director of Community Development recommends approval of the proposed amendments, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby amends the Town of Cheektowaga's Final Statement on the Use of Community Development Block Grant Funds and Annual Plan as indicated on the attached Community Development Block Grant Final Statement Amendment Report.

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. 6 Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson  
Councilmember Swiatek

WHEREAS, in response to concerns expressed by business and community leaders in the Harlem, Kensington, Cleveland area the Town of Cheektowaga and the Town of Amherst have agreed to cooperatively study the Harlem, Kensington, Cleveland Business District and seek ways to revitalize such area, AND

WHEREAS, both communities subsequently created a study group known as the Harlem, Kensington, Cleveland Task Force (HKC Task Force) which is represented by business, community and governmental interests, AND

WHEREAS, in the year 1999 the Town of Cheektowaga and the Town of Amherst previously committed to budgeting matching monies in anticipation of being a successful recipient of a Federal Transportation Enhancement grant (TEA-21) for improving the HKC Business corridor, which was subsequently not awarded, AND

WHEREAS, the Town of Amherst in the year 2000 committed to providing a portion of the previously budgeted match monies for creating a business district improvement plan, of which approximately \$16,000 dollars is available, AND

WHEREAS, the HKC Task Force has prepared a preliminary plan for the Harlem, Kensington, Cleveland business corridor, AND

WHEREAS, the Town of Cheektowaga desires to make available a similar match in the amount not to exceed \$16,000 for completing a business district improvement plan; NOW, THEREFORE, BE IT

RESOLVED, that monies for planning in an amount not to exceed \$16,000 shall be appropriated from budget line item number 0800-8020-4709.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 7 Motioned by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga Building Code requires that all Building and Plumbing Permit fees shall be specified in a schedule as approved by the Town Board, AND

WHEREAS, it has been recommended by the Supervising Building and Plumbing Inspector that the attached Building and Plumbing Permit fee schedule be adopted, AND

WHEREAS, it is in the public interest to adopt the attached Building and Plumbing Permit fee schedule, NOW, THEREFORE, BE IT

RESOLVED, that the Building and Plumbing Permit fees shall be as set forth on the attached fee schedule.

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. 8 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak  
Councilmember Swiatek

WHEREAS, Section 1299-o of the Public Authorities Law provides, in part, that property owned by the Niagara Frontier Transportation Authority ("NFTA"), which is used for transportation, is exempt from certain taxation and special ad valorem levies; AND

WHEREAS, a bill has been introduced in the State Senate (Bill No. S.1251) by Senator William T. Stachowski and Senator Dale M. Volker, to amend the Public Authorities Law in relation to the exempt status of certain real property of the NFTA; AND

WHEREAS, the NFTA owns a number of properties in and around the Greater Buffalo International Airport (Airport) in the Town of Cheektowaga; several of these properties are leased to private, profit-making entities to obtain profit or revenue for the NFTA, and the amendment to Section 1299 of the Public Authorities Law would effectively limit the tax exemption to real property owned by the NFTA and used by it alone for one or more of the public purposes for which the NFTA was created, thereby providing additional tax revenues to the Town from properties or buildings leased from the NFTA; AND

WHEREAS, this Town Board feels this bill would serve to reimburse the Town for lost tax revenues caused by the exempt status presently enjoyed by the NFTA; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby goes on record in favor of the enactment of Bill No. S. 1251, 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 T. Stachowski, Senator Dale M. Volker, 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. 9 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

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

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

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. 10a Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the Town of Cheektowaga will sponsor a Polish-American Arts Festival from August 17<sup>th</sup> through August 19<sup>th</sup>, 2001; AND

WHEREAS, the Town of Cheektowaga wishes to engage the services of various performing artists and craftsmen for said Festival; NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be, and hereby is authorized and directed to execute all agreements on behalf of the Town necessary to secure the services of various performing artists and craftsmen for the 2001 Polish-American Arts Festival.

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 Rogowski

WHEREAS, the Town, in its 2001 budget, allocated moneys to certain cultural and no-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 Cultural Society	\$2,150.00

and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2001 Town budget, subject to audit and approval of 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

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

WHEREAS, the County of Erie, pursuant to the authority granted to it by Article 43-A of the Vehicle and Traffic Law of the State of New York, has established a special options program for driving while intoxicated ("STOP-DWI"), AND

WHEREAS, said program provides for the coordination of county, town, city and village efforts to reduce alcohol-related traffic accidents, including improvements in law enforcement and adjudication, increased education and other related activities, AND

WHEREAS, the Town of Cheektowaga is interested in availing itself of funding under the STOP-DWI program and is also desirous of coordinating its efforts to reduce alcohol-related traffic injuries and fatalities with the County of Erie, NOW, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga enter into the STOP-DWI Agreement which commences on January 1, 2001 and terminates on December 31, 2001 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute four (4) copies of the STOP-DWI Agreement and any and all other papers necessary to implement the terms of this Agreement.

Upon roll call ....

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

Item No. 10d Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Department of Motor Vehicles Governor's Traffic Safety Committee, has made National Highway Safety Administration funds available through the County of Erie for the 2001-2002 year to fund "Buckle Up New York", to increase seat belt usage in an effort to reduce serious injury or death from traffic crashes; AND

WHEREAS, the Town of Cheektowaga Police Department has applied for such funding, and has been notified that the Town has been awarded the sum of \$10,604.08 to conduct this program in the Town of Cheektowaga; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes and directs the Cheektowaga Police Department to complete the necessary application form and other documentation necessary for the Town to obtain these funds; and BE IT FURTHER

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

Upon roll call ....

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

Item No. 10e Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Department of Motor Vehicles Governor's Traffic Safety Committee, has made National Highway Administration funds available through the County of Erie for the 2001-2002 year to fund "STEP To Reduce Unsafe Driving Behaviors"; AND

WHEREAS, the Town of Cheektowaga Police Department has applied for such funding, and has been notified that the Town has been awarded the sum of \$19,399.52 to conduct this program in the Town of Cheektowaga; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby authorizes and directs the Cheektowaga Police Department to complete the necessary application form and other documentation necessary for the Town to obtain these funds; and BE IT FURTHER

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Item No. 10e 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. 10f Motioned by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, by resolution dated February 5, 2001, this Town Board awarded a bid for the lease-purchase of one (1) 2001 Ford Excursion for use by the Disaster Coordinator to Bison Truck Center, Inc., AND

WHEREAS, the actual lease-purchase financing of this vehicle is being done through Associates Commercial Corporation on behalf of Bison Truck Center, Inc., AND

WHEREAS, Associates Commercial Corporation has submitted a draft Equipment Lease-Purchase Agreement to the Town for review, AND

WHEREAS, the form of such agreement is acceptable to the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Lease-Purchase Agreement with Associates Commercial Corporation and all other documents necessary for the lease-purchase of a 2001 Ford Excursion for use by the Town Disaster Coordinator.

Upon roll call ....

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

Item No. 10g Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga is the owner of property located on the south side of Walden Avenue at Reo Avenue, AND

WHEREAS, Niagara Mohawk Power Corporation ("NiMo") has requested an easement over a portion of this property for the installation of electrical lines to service the proposed Federal Express property to the south of the Town-owned property, AND

WHEREAS, utilization of this land for the requested easement has been reviewed and approved by the Town Engineer, AND

WHEREAS, this Board is in agreement with the granting of this easement, NOW, THEREFORE, BE IT,

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

RESOLVED, that this resolution is subject to permissive referendum under Article 7 of the Town Law, and BE IT FURTHER

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



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Item No. 10g cont'd



NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on April 2, 2001, adopted a resolution authorizing the Town of Cheektowaga to grant an easement to Niagara Mohawk Power Corporation over Town-owned property located on the south side of Walden Avenue opposite Reo Avenue.

A copy of such easement is on file in the Town Clerk's Office where the same may be viewed during regular business hours.

TAKE FURTHER NOTICE, that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

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

Dated: April 2, 2001

Richard M. Moleski  
Town Clerk



Upon roll call ....

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

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Item No. 10h Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, by resolution dated June 15, 1998, this Town Board approved a Payment in Lieu of Taxes ("PILOT") Agreement with DePaul Properties, Inc. ("DePaul") for property owned by DePaul and located at 2248 Old Union Road, AND

WHEREAS, pursuant to such PILOT Agreement, DePaul was required to remit \$20,000 for years 2001 through 2023, AND

WHEREAS, it was the understanding that Bellevue Fire District was to receive a minimum of \$13,500 per year out of the PILOT payments, AND

WHEREAS, due to the fact that the property as assessed at less than what was originally anticipated, Bellevue Fire District, in 2001 and future years, is expected to receive far less than the \$13, 500 originally anticipated, AND

WHEREAS, Bellevue Fire District expected to receive \$13,500+ per year and figured such amounts in its budget, AND

WHEREAS, this Town Board wishes to revise the aforesaid agreement to provide that Bellevue Fire District will receive a minimum of \$13,400 per year, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a revised PILOT agreement with DePaul to provide that, out of the \$20,000 PILOT payment, Bellevue Fire District will receive a minimum of \$13,500, and BE IT FURTHER

RESOLVED, that the Town Attorney's Office be and hereby is directed to forward the revised PILOT Agreement to DePaul for its signature.

Upon roll call ....

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

Item No. 11a Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that Matthew Bzibzak be and hereby is terminated from the position of temporary Light Motor Equipment Operator – B effective immediately.

Upon roll call ....

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

Item No. 11b 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:

Jillian Pytlewski  
Sarah Weiss

Upon roll call ....

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

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

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

EFFECTIVE

POLICE DEPARTMENT – Sign Maintenance Division – Laborer - \$7.00 per hour

Matthew Goorman	Cheektowaga, NY 14225	Immediately
Jeffrey Helmbrecht	Sloan, NY 14212	"
Michael Petruniak	Cheektowaga, NY 14227	"
Thomas Wnuk	Cheektowaga, NY 14225	"

MAIN PUMP STATION – Laborer - \$7.00 per hour

Aaron Kuczmarski	Depew, NY 14043	5/21/01
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BE IT FURTHER RESOLVED, that the following seasonal and/or part-time employees be and hereby are terminated as listed:

EFFECTIVE

POLICE DEPARTMENT

Jennifer Jankowski	3/12/01
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MAIN PUMP STATION

Christopher Kubiak	Immediately
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Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 13 Motioned by Councilmember Jankowski, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be and hereby are hired as PART-TIME EMPLOYEES, in the Parks, Recreation & Youth Services Department, effective immediately

Soccer – 7140-1636

Recreation Attendant II - \$5.40

Paul Maciejewski	Cheektowaga, NY 14227
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Softball – 7140.1633

Recreation Attendant X - \$7.40

Cindy Pietz	Cheektowaga, NY 14227
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Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

WHEREAS, Raymond Full was appointed to the temporary position of Laborer in the Sanitation Department, AND

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Item No. 14 cont'd.

WHEREAS, the temporary Laborer position has expired; NOW, THEREFORE, BE IT

RESOLVED, that Raymond Full be and hereby is to return to the position of Light Motor Equipment Operator – B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective immediately.

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 Supervisor Gabryszak

WHEREAS, two (2) vacancies exist in the position of Light Motor Equipment Operator – B in the Recycling 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, Daniel Miller and Thomas Walczak, both currently employed as temporary LMEO-B's in the Recycling Department, bid on said vacancies and meet the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Daniel Miller of Cheektowaga, NY 14206 and Thomas Walczak of Cheektowaga, NY 14227, be and hereby are appointed to the position of Light Motor Equipment Operator – B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective immediately.

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, two (2) vacancies exist in the position of Laborer in the Sanitation Department; AND

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

WHEREAS, David Longo and Gregory McManus, both currently employed as temporary laborers in the Sanitation Department, bid on said vacancies and meet the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that David Longo of Cheektowaga, NY 14225 and Gregory McManus of Cheektowaga, NY 14225, be and hereby are appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective immediately.

Upon roll call ....

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

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

WHEREAS, two (2) vacancies exist in the position of Laborers Aide in the Recycling 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, Dennis Szafranski and Ronald Bolognese, both currently employed as Light Motor Equipment Operator – B's in the Recycling Department, bid on said vacancies and meet the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Dennis Szafranski of Sloan, NY 14212 and Ronald Bolognese of Depew, NY 14043, be and hereby are appointed to the position of Laborers Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective immediately.

Upon roll call ....

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

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

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

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

WHEREAS, no full-time employee bid on said vacancy; AND

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

WHEREAS, the existing Civil Service open competitive list for said title was canvassed; AND

WHEREAS, all individuals appearing on said list declined appointment; AND

WHEREAS, Elaine Rudnicki, currently employed as a part-time Clerk in the Town Clerk's Office, meets all the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Elaine Rudnicki, of Cheektowaga, New York 14227 be and hereby is appointed to the temporary 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 immediately.

Upon roll call ....

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

Item No. 16 Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, on February 7, 2000, Constance M. Paoletti was hired to fill the vacancy of Legal Steno in the Town Attorney's Office under the title Municipal Administrative Assistant – Legal; AND

Item No. 16 cont'd.

MEETING NO. 7  
APRIL 2, 2001

WHEREAS, in or about June, 2000, the position in the Town Attorney's Office was classified managerial-confidential and titled "Municipal Administrative Assistant-Legal", thereby exempting Ms. Paoletti from union membership; it being the intent, however, to pay Ms. Paoletti the prevailing rate for a Legal Steno as set forth in the TCEA Collective Bargaining Agreement; NOW, THEREFORE, BE IT

RESOLVED, that the rate of pay for the exempt position of Municipal Administrative Assistant-legal be the same as the wage step schedule covering the position of Legal Steno in any TCEA agreement, and that Ms. Paoletti shall receive, effective immediately, the rate paid to a Legal Steno as set forth at the step based on her tenure in the position and as set forth in the TCEA contract, with incremental step increases until she reaches the maximum step provided for that position, as set forth therein, and any future pay increases that shall be made to exempt positions.

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 Councilmember Johnson  
Councilmember Rogowski

WHEREAS, the State of New York Department of State Office of Fire Prevention and Control will be conducting a state mandated General Building Construction Code course in Montour Falls, New York, on May 14<sup>th</sup> to May 17<sup>th</sup>, 2001 AND

WHEREAS, Ronald B. Stepnick, Assistant Housing Inspector for the Town of Cheektowaga, has requested permission to attend such code course, AND

WHEREAS, such course will provide the Town's Assistant Housing Inspector with up to date building codes and enforcement information which is necessary for him to perform his duties as an Assistant Housing Inspector, NOW, THEREFORE, BE IT

RESOLVED, that Ronald B. Stepnick be and hereby authorized to attend the General Building Construction Code course on May 14<sup>th</sup> to May 17<sup>th</sup>, 2001, AND BE IT FURTHER

RESOLVED, that the Town pay for Mr. Stepnick's registration fee of \$25.00, and meals and lodging costs of \$120.00, for attending such code course, and such expenses be charged to account number 0800-3620-4088, and that a town vehicle will not be necessary as Assistant Building Inspector Gail Milburth who will also be attending this course and transportation has previously been approved for her as per February 5<sup>th</sup>, 2001 resolution.

Upon roll call ....

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

Item No. 18 Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), as part of the environmental review process for the proposed Alpine Pump Station Elimination Project, has recommended that a Phase I archeological investigation be conducted along the route of the proposed gravity sanitary sewer trunk line corridor, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of the Archeological Survey, State University of New York at Buffalo Department of Anthropology, as submitted to the Town Engineer and dated March 26, 2001 to perform a Phase I Reconnaissance Survey in accordance with the requirements of (OPRHP) is hereby approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign said professional services proposal for the Phase I Reconnaissance Survey on behalf of this Town Board, AND, BE IT FURTHER

Item No. 18 cont'd.

**MEETING NO. 7  
APRIL 2, 2001**

RESOLVED, that funding for the aforesaid professional services in the amount of \$1,770.00 shall be chargeable to Account Nos. 5312-8124-9341 and 2550-8125-4581.

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

**II. DEPARTMENTAL COMMUNICATIONS**

Item No. 19 Building Permits  
Received and Filed.

Item No. 20 Minutes of Cheektowaga Conservation Advisory Council – March 17, 2001  
Received and Filed.

**III. GENERAL COMMUNICATIONS**

Item No. 21a Notice of Claim – Thomas Stadler vs Town of Cheektowaga  
Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Allied Claims Insurance Carrier; Police Department; Housing; and Court.  
Received and Filed.

Item No. 21b Notice of Claim – James J. Kowalski vs Town of Cheektowaga  
Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Allied Claims Insurance Carrier; and Sanitation.  
Received and Filed.



MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JAWOROWICZ 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. 22 Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, by resolution dated November 22, 2000 (Item No. 8a), a resolution was adopted by this Town Board relative to accepting an easement for the Town's proposed Rails-to-Historic Trails bicycle path, AND

WHEREAS, the first, second and third "WHEREAS" clauses of such resolution referred to easements being requested from Forest Materials, Inc., but the fourth "WHEREAS" clauses and the "RESOLVED" clause inadvertently made reference to an Occupancy Permit from the New York State Thruway Authority for the Rails-to-Historic Trails bicycle path, AND



MEETING NO. 7  
APRIL 2, 2001

Item No. 22 cont'd.

WHEREAS, the fourth "WHEREAS" clauses and the "RESOLVED" clause of the aforementioned resolution should have stated that the Town was accepting easements from Forest Materials, Inc., NOW, THEREFORE, BE IT

RESOLVED, that the fourth "WHEREAS" clause and the "RESOLVED" clauses of the aforementioned resolution be and hereby are amended to read as follows:

"WHEREAS, Forest Materials has reviewed the Town's plans and has agreed to grant the Town easements over its property for said bicycle path and parking lot for same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the easements from Forest Materials, Inc. for the bicycle path and parking lot, and directs the Town Supervisor to accept/execute such easements and all other documents necessary to utilize the Forest Materials, Inc. property for this bicycle path and parking area 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. 23 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is the owner of six (6) bleachers which are presently located in Cheektowaga Town Park, AND

WHEREAS, these bleachers are in unsatisfactory condition and are of surplus need to the Town; as such, the Town desires to dispose of same, AND

WHEREAS, the North Cheektowaga Amateur Athletic Association ("NCAAA") has requested that the Town give these outdated bleachers to such organization, AND

WHEREAS, the Director of the Department of Parks, Recreation and Youth Services feels that these bleachers are of no value to the Town, that it would otherwise cost the Town to dispose of these bleachers and that it would be in the Town's best interests to give and deliver these bleachers to the NCAAA, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the transfer of the above mentioned bleachers to the NCAAA for no consideration provided the NCAAA executes a document stating that the Town is absolved of any future liability relating to the condition of these bleachers, and BE IT FURTHER

RESOLVED, that the Town Department of Parks, Recreation and Youth Services (Facilities Division), be and hereby is directed to deliver these bleachers to the NCAAA fields at the corner of Union Road and George Urban Boulevard.

Upon roll call ....

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

Item No. 24 Motioned by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga owns and control numerous traffic signals throughout the Town, AND

WHEREAS, electricity for traffic signals in a portion of the Town is supplied by Niagara Mohawk Power Corporation ("Niagara Mohawk"), AND

MEETING NO. 7  
APRIL 2, 2001

Item No. 24 cont'd.

WHEREAS, Niagara Mohawk has requested the Town to execute the attached agreement for the provision of electricity to Town traffic signals under its new tariff, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with Niagara Mohawk.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER SWIATEK TO TABLE THE ABOVE RESOLUTION, ITEM 24, 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. 25 Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, Joseph Rydzynski was appointed to the temporary position of General Mechanic in the Parks Division, AND

WHEREAS, the temporary General Mechanic in the Parks Division expired March 13, 2001, AND

WHEREAS, Mr. Rydzynski was transferred to the position of temporary Cleaner in the Parks Division expired March 30, 2001, NOW, THEREFORE, BE IT

RESOLVED, that Joseph Rydzynski be and hereby is terminated from the temporary position of Cleaner in the Parks Division effective March 30, 2001.

Upon roll call ....

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

Item No. 26 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting. This meeting was at adjourned 8:05 P.M.

RICHARD M. MOLESKI  
Town Clerk



**TOWN OF CHEEKTOWAGA  
MEETING NO. 8  
APRIL 16, 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 16th of April, 2001 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember William P. Rogowski  
Councilmember James J. Jankowiak

Also present were: Richard M. Moleski, Town Clerk; Kevin Schenk, Deputy Town Attorney; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Bruce Chamberlin, Chief of Police; Patricia Wojcik, Director of Senior Services; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; and Salvatore LaGreca, Planning Board Chairman.

**I. FROM THE TABLE**

Item No. 2 Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga owns and controls numerous traffic signals throughout the Town, AND

WHEREAS, electricity for traffic signals in a portion of the Town is supplied by Niagara Mohawk Power Corporation ("Niagara Mohawk"), AND

WHEREAS, Niagara Mohawk has requested the Town to execute the attached agreement for the provision of electricity to Town traffic signals under its new tariff, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with Niagara Mohawk.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

**II. RESOLUTIONS**

MEETING NO. 8  
APRIL 16, 2001

Item No. 3a Motioned by Councilmember Rogowski, Seconded by Councilmember Jankowiak

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	\$145,944.00
	0100-1910-4322	Contracted Services HEAP	6,000.00
To:	0100-1930-4601	Judgments & Claims	\$145,944.00
	0100-1910-4709	Management Studies	6,000.00

HIGHWAY FUND

From:	0300-5141-1931	Labor Allocation	\$ 465.07
To:	0300-5110-1701	Labor – General	\$ 465.07

SPECIAL DISTRICTS FUND

From:	7500-1910-2799	Appropriated Fund Balance	\$ 21,200.00
To:	7500-8349-4335	Hydrant Overpayments	\$ 21,200.00

Upon roll call ....

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

Item No. 3b 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:	100-3120-1511-0000	Lieutenants Account Line	\$ 10,000.00
	100-3120-1531-0000	Detectives Account Line	10,000.00
	100-7510-4375-0000	Historical Observance	200.00
To:	100-3120-2303-0000	Police Vehicles	\$ 20,000.00
	100-7510-4052-0000	Printing Historical Material	200.00

PART TOWN FUND

From:	800-3620-4191-0000	Misc. Expense	\$ 750.00
	800-3620-4088-0000	Travel & Conference	\$ 750.00

RISK RETENTION FUND

From:	101-1936-4703-0000	Catastrophe Reserve	\$ 30,000.00
To:	101-1710-4525-0000	Claims Adm. WC Assessment	\$ 30,000.00

Item No. 3b cont'd.

CAPITAL FUND

**MEETING NO. 8  
APRIL 16, 2001**

From:	500-1910-3088-5120	State Grant Revenues	\$250,000.00
	500-1910-5031-5120	Transfers In	55,000.00
To:	500-7620-2520-5120	Senior Center Capital Improvements	\$250,000.00
	500-7620-2521-5120	Senior Center Firewalls	55,000.00

Upon roll call ....

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

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

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to April 13, 2001 are hereby approved and made a part hereof:

GENERAL FUND	\$ 3,011,195.98
HIGHWAY FUND	1,148,248.28
TRUST & AGENCY	5,253,229.80
HUD CDBG FUND	1,456.61
PART TOWN FUND	74,346.85
RISK RETENTION FUND	28,859.31
DEBT SERVICE FUND	132,213.75
HUD HOUSING REHABILITATION FUND	4,820.00
SPECIAL DISTRICTS FUND	1,401,473.51
CAPITAL FUND	<u>804.50</u>
	\$11,056,648.59

Upon roll call ....

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

Item No. 5a 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 site plans, 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 International House of Pancakes (IHOP) to construct a 4,022 square foot restaurant at 1555 Walden Avenue, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on March 28, 2001 rendered a determination of non significance as shown on the attached memo dated March 28, 2001, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting held on April 12, 2001 recommends approval of the site plan, AND

Item No. 5a cont'd.

WHEREAS, the Town of Cheektowaga Traffic Safety Commission at its meeting held on January 16, 2001 reviewed the site plan and recommends its approval, AND

MEETING NO. 8  
APRIL 16, 2001

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

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

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmembers Rogowski and Jankowiak

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 5b 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 site plans, rezonings, special permits, etc. and renders its recommendation concerning the environmental significance of such application, AND

**MEETING NO. 8  
APRIL 16, 2001**

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 Hamister Development Company for the rezoning of part of 2727 William Street from M1-Light Manufacturing to CM-General Commercial, AND

WHEREAS, a site plan has been submitted for the construction of nine (9) self buildings with a two story accessory office/manager's apartment, comprising a total of 72,530 square feet, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on March 28, 2001 recommended a determination of non significance as shown on the attached memo dated March 28, 2001, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting held on March 8, 2001 recommends approval of the rezoning request and approval of the site plan, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission at its meeting held on February 20, 2001 and March 20, 2001 reviewed the site plan and recommends its approval with the provision that a shared driveway be implemented with the neighboring Big L Distributor's property in an effort to improve traffic access management along William Street, AND

WHEREAS, the Town's consultant engaged to provide consistency reviews for the William-Losson Corridor Study has reviewed the application and did not consider the project to be in conflict with the intent of the corridor study, AND

WHEREAS, the applicant has made the following commitments to mitigate potential impacts to the abutting residential land uses:

1. Limit gate access for site users between the hours of 7:00 A.M. to 9:00 P.M. with limited access after such hours by special request to the site manager.
2. Prohibit the storage of hazardous materials.
3. Improve the inadequate drainage system along the westerly property line abutting the residential uses.
4. Provide a six (6) foot high board on board wood fence along the west property line and plant said area with coniferous trees.
5. Limit truck traffic to the east of Buildings G and H, which are situated near the west property line of the site.
6. Provide additional trees along the easterly property line abutting the NYS Thruway as requested by the Planning Board, AND

WHEREAS, the current land owner, Big L Distributors has also made commitments to improve the westerly property line of its existing warehouse facility by continuing the proposed six (6) foot high board on board fence to a point northward where the existing chain link fence terminates, plant the same coniferous trees as the applicant along said property line, reclaim a stone area along the westerly yard by returning it back to grass turf, and enhance the new easterly property line of the Big L Distributor site with landscaping, AND

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

Item No. 5b cont'd.

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

Upon roll call ....

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

MEETING NO. 8  
APRIL 16, 2001

NAYES: 0  
ABSENT: Councilmembers Rogowski and Jankowiak

\* SEE NEXT PAGE(S) FOR ATTACHMENT

Item No. 5c 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 site plans, rezonings, special permits, etc. and renders its recommendation concerning the environmental significance of such application, AND

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

MEETING NO. 8  
APRIL 16, 2001

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 revised site plan was submitted by William M. Szawranskyj to develop a portion of 4911-4939 Genesee Street, AND

WHEREAS, the proposal is to construct a 5,600 square foot maintenance building for the Sky Harbor Mobile Home Park, AND

WHEREAS, the Environmental Advisory Committee at a previous meeting held on October 16, 1987 recommended a determination of non significance as shown on the attached memo dated October 21, 1987 for a site plan which proposed a larger maintenance facility comprising two maintenance buildings for a total of 10,800 square feet, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting held on March 8, 2001 reviewed the revised site plan for the smaller maintenance building and recommends approval of the revised site plan with the provision that all the landscaping as originally recommended for approval in the year 1988 be installed, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations, NOW, THEREFORE BE IT

RESOLVED, that this Town Board, reaffirms that the project will not have a significant effect on the environment and, therefore reaffirms the "Negative Declaration" for the purposes of SEQRA which was previously issued by the Town Board in the year of 1988 and approves the reviewed site plan as submitted by the applicant.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, Hamister Development Company petitioned for a rezoning from M1-Light Manufacturing District to CM-General Commercial District for property owned by Big L Distributors, Inc. and located at 2727 William Street, 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 April, 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

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WHEREAS, the Cheektowaga Planning Board has reviewed such application and, has recommended approval thereof contingent on:

1. Landscape changes being made along the new property line between Big L Distributors and the proposed storage facility;
2. Architectural changes (i.e. brick veneer) being made to improve the front of the facility;
3. Cheektowaga Traffic Safety Commission approval of the entrance and exit, 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 Hamister Development Company for the rezoning from M1-Light Manufacturing District to CM-General Commercial District of the property described in the attached legal description be and the same is hereby approved subject to the conditions recommended by the Cheektowaga Planning Board and, BE IT FURTHER

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

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, bids were duly received by this Town Board at a public bid opening held on April 4, 2001 for Topsoil for use by the Town of Cheektowaga, as a result of advertising thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, AND

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

RESOLVED, that the bid for Topsoil be awarded by C.J. Krantz Topsoil, Inc., 8960 Lapp Road, Clarence Center, New York 14032 for regular, screened or shredded as per specifications and picked up by Town of Cheektowaga vehicles, or to be delivered, AND



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

Upon roll call ....

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

Item No. 7b Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, a Notice of Bidders was duly published for the receipt of bids for the furnishing of three (3) unmarked police vehicles for the Cheektowaga Police Department, which bids were duly received and opened at a public bid opening called for that purpose, AND

WHEREAS, said bids were referred to the Cheektowaga Police Department for analysis and tabulation, NOW, THEREFORE BE IT

RESOLVED, that the contract for furnishing of three (3) unmarked police vehicles (2001 Chrysler Intrepids) be awarded to Walden Dodge, 2185 Walden Avenue, Cheektowaga, New York 14225, being said vendor meeting the requirements of the specification and, BE IT FURTHER

RESOLVED, that the funds are available in Account numbers 0100-3120-2205, 0100-3120-3032 and 0600-0881 totaling \$46,500.00

Upon roll call ....

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

Item No. 8 Adoption of Local Law 2001-2 entitled, "A Local Law Authorizing the Issuance of Appearance Tickets by Public Servants of Town of Cheektowaga  
This item was withdrawn.

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

WHEREAS, it is in order that bids be advertised for the Phase I Storm Sewer installation on Various Town Highways and/or Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project in the Town of Cheektowaga, AND

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

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Phase I Storm Sewer Installation on Various Town Highways and/or Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project, said notice to be published in the BUFFALO NEWS and THE CHALLENGER and, BE IT FURTHER

Item No. 9a cont'd.

RESOLVED, that sealed bids will be received on the 2<sup>nd</sup> day of May, 2001 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



Notice to Bidders

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 2<sup>nd</sup> day of May, 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 Phase I Storm Sewer Installation on Various Town highways and/or Phase II, Cedargrove Heights Sanitary/Storm Sewer Improvements,

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complete, in place and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc. prepared by the Town of Cheektowaga Engineering Department and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the Town of Cheektowaga Engineering Department, 275 Alexander Avenue, Cheektowaga, New York 14211 and at the Town Clerk's Office, Broadway and Union Road, Cheektowaga, New York 14227. Copies may be secured at the Office of the Town Clerk upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway and Union Roads, Cheektowaga, New York 14227 and marked "Phase I Proposal for Storm Sewer Installation on Various Town Highways" and/or "Phase II Proposal for Cedargrove Heights Sanitary/Storm Sewer Improvements".

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

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 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of the bids.

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

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

Item No. 9a cont'd.

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.

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

The work shall be completed within 120 consecutive calendar days, to begin five days after the "Order to Commence Work" has been issued.

BY ORDER OF:  
THE TOWN OF CHEEKTOWAGA

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Richard M. Moleski, Town Clerk

DATED: April 16, 2001



Upon roll call ....

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

AFFIDAVIT - NEXT PAGE

Item No. 9b Notice to Bidders: Rehabilitation of Sanitary Sewer District  
This item was withdrawn.

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

WHEREAS, when New York State relocated Walden Avenue years ago, the Town of Cheektowaga became the owner of a "paper street" known as Dale Road (formerly known as Walden Avenue), AND

WHEREAS, Har-Wal Associates, Inc., owner of property on both sides of a portion of the Dale Road paper street, has petitioned this Town Board to abandon such portion of Dale Road, and has offered to purchase such property (0.366± acres) from the Town, AND

WHEREAS, recently, Har-Wal Associates has agreed to retain an appraiser acceptable to the Town Attorney to appraise this property and to purchase this property from the Town based on the appraised value of same, AND

WHEREAS, such portion of Dale Road has not yet been opened and worked as a Town highway for more than six (6) years, and has not been traveled or used as a highway for more than six (6) years, AND

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WHEREAS, companies having utilities (i.e. water, electric) in this paper street right-of-way have consented to the plans for the relocation of utilities from this portion of Dale Road, AND

WHEREAS, the Town has not use for this portion of Dale Road, AND

WHEREAS, the Town Engineer and Town Superintendent of Highways have reviewed this petition and have no objection to the abandonment of such property subject to the relocation of said utilities, NOW, THEREFORE BE IT

RESOLVED, that subject to the following conditions, the portion of Dale Road described in the attached Petition for Abandoning be and the same is hereby abandoned as a Town highway as provided in Section 205 of the Highway Law of the State of New York:

1. Har-Wal Associates retain an appraiser acceptable to the Town Attorney to appraise the portion of Dale Road proposed to be abandoned;
2. Har-Wal Associates remit payment to the Town for the appraised value of this property;
3. Utilities within the Dale Road right-of-way be relocated to the satisfaction of the utility companies prior to filing of the Order of Abandonment and the Quit Claim Deed for this property

and, BE IT FURTHER

RESOLVED, that subject to the above noted conditions, this Town Board shall sign and file and record a Certificate of Abandonment of Dale Road, as described in the Petition for Abandonment, in the Town Clerk's Office and, BE IT FURTHER

RESOLVED, that subject to the above noted conditions, the Supervisor be and hereby is directed to execute a Quit Claim Deed to Har-Wal Associates for the abandoned portion of the Dale Road paper street and, BE IT FURTHER

RESOLVED, that this resolution is subject to permissive referendum under Article 7 of the Town Law and, BE IT FURTHER

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

Item No. 10 cont'd.



NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on April 16, 2001, adopted a resolution authorizing the sale of a 0.366± acre parcel of land known as the former Dale Road right-of-way and located on the south side of Walden Avenue, east of Harlem Road to Har-Wal Associates, Inc.

A copy of the resolution and proposed Quit Claim Deed are on file in the Town Clerk's Office where the same may be viewed during regular business hours.

TAKE FURTHER NOTICE, that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

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

MEETING NO. 8  
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Dated: April 16, 2001

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Richard M. Moleski  
Town Clerk



Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

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

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

WHEREAS, Ryder Truck Rental, Inc., as part of the development of a new facility at 2701 Walden Avenue, has submitted a Public Improvement Permit application, plans and specifications and permit fee for the installation of 142 L.F. of 8" sanitary sewer to be bored beneath Walden Avenue, AND

WHEREAS, the proposed public sewer extensions is intended to serve 2701 Walden Avenue and a frontage parcel proposed for future development, AND

WHEREAS, the Erie County Department of Health and the Town Engineer have reviewed the plans and specifications and find that the design of the subject improvements conform with established standards, NOW, THEREFORE BE IT

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

RESOLVED, that the permit fee in the amount of \$768.00 be deposited in the Public Improvement Permit Account established for receipt and disbursement of such fees and, BE IT FURTHER

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RESOLVED, that the Town Attorney be and hereby is directed to file the sanitary sewer easement following review and acceptance, granted by Ryder Truck Rental Inc. to facilitate future maintenance.

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmembers Rogowski and Jankowiak

Item No. 12 Motioned by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, as part of the development for the new Ryder Truck Rental facility at 2701 Walden Avenue, a public sanitary sewer extension will be constructed under Walden Avenue, AND

WHEREAS, the upstream terminus of this sewer extension is at a manhole located on the frontage at 2701 Walden Avenue, AND

WHEREAS, the Town of Cheektowaga requires an easement over 2701 Walden Avenue for access to the proposed manhole, AND

WHEREAS, a proposed easement over 2701 Walden Avenue has been prepared and is acceptable to the Town Engineer, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned sanitary sewer easement from Ryder Truck Rental, Inc. and, BE IT FURTHER

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

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmembers Rogowski and Jankowiak

Item No. 13 Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, the Town of Cheektowaga is the owner of property located at 3223 Union Road behind the existing Police and Court Buildings, AND

WHEREAS, Verizon New York ("Verizon") has requested an easement over a portion of this property for the installation of telecommunication lines to service a proposed telecommunications tower, AND

WHEREAS, utilization of this land for the requested easement has been reviewed by the Town Engineer and the Police Department, AND

WHEREAS, pursuant to the terms of this easement, if the Town directs that the telecommunications lines be relocated, Verizon, will at its sole cost, relocate such lines, AND

WHEREAS, this Board is in agreement with the granting of this easement, NOW, THEREFORE BE IT

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

RESOLVED, that this resolution is subject to permissive referendum under Article 7 of the Town Law and, BE IT FURTHER

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



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NOTICE OF ADOPTION OF RESOLUTION  
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on April 16, 2001, adopted a resolution authorizing the Town of Cheektowaga to grant an easement to Verizon New York over Town-owned property located behind the Cheektowaga Police and Court Building at 3223 Union Road.

A copy of such easement is on file in the Town Clerk's Office where the same may be viewed during regular business hours.

TAKE FURTHER NOTICE, that such resolution is subject to permissive referendum under Article 7 of the Town Law of the State of New York.

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

Dated: April 16, 2001

\_\_\_\_\_  
Richard M. Moleski  
Town Clerk



Upon roll call ....

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

AFFIDAVIT - NEXT PAGE

Item No. 14a Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 1217 Walden Avenue, Cheektowaga, New York, SBL #102.53-6-10 and according to the Assessors' Office is owned by Bret Schoellkopf and John M. Kregal, Cheektowaga, New York 14211, AND

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

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

Upon roll call ....

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

Item No. 14b Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 1219 Walden Avenue, Cheektowaga, New York, SBL #102.53-6-11 and according to the Assessors' Office is owned by Bret Schoellkopf and John M. Kregal, Cheektowaga, New York 14211, AND

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

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

Upon roll call ....

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

Item No. 15a 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 organizations 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):

Item No. 15a cont'd.

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Community Symphony Orchestra	\$9,000.00

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, Johnson, Swiatek, and Mazur  
NAYES: 0  
ABSENT: Councilmembers Rogowski and Jankowiak

\* SEE NEXT PAGE(S) FOR ATTACHMENT



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Item No. 15b 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, and the Town Engineer have advised that work under the aforesaid mentioned contract has been completed in accordance with the contract requirements, NOW, THEREFORE BE IT

RESOLVED, that the Town Board be and hereby accepts the completed project, Contract "C", Electrical Work, and directs the Supervisor to sign the final contract acceptance documents with Goodwin Electric Corporation, 121 California Drive, Williamsville, New York 14221.

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmembers Rogowski and Jankowiak

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

WHEREAS, the Town has submitted a Consolidated Plan and annual program statement to the Department of Housing and Urban Development for Community Development Block Grant funding totaling \$981,000 for the 2001 Program Year, AND

WHEREAS, it is necessary to execute a Grant Agreement with the Department of Housing and Urban Development for Fiscal Year 2001 Community Development Block Grant funding, NOW, THEREFORE BE IT

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RESOLVED, that the Supervisor be and hereby is authorized to execute a Grant Agreement with the Development of Housing and Urban Development for the 2001 Community Development Block Grant Program Year.

Upon roll call ....

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

Item No. 16 Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

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

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

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

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

RESOLVED, that the following individuals are hereby appointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately for a term of three years and expiring at the time of reappointment to said Board of Directors positions but no later than May 31, 2004:

Item No. 16 cont'd.

Robert Pietrzak  
Samuel Tadio  
Donna Luh  
William Scarafia  
Debra S. Greenberg, as President/CEO, Cheektowaga Chamber of Commerce

Upon roll call ....

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

Item No. 17 Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

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

Recreation Supervisor VI – 7140.1613

Camille Russell  
(from Seasonal to Part-Time – effective 4/23/01)

Recreation Attendant II - \$5.40 (effective 4/16/01) – 7140.1614

Jennifer Weishaupt  
(Part-Time)

Upon roll call ....

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

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ABSENT: Councilmembers Rogowski and Jankowiak

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

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 immediately:

Recreation Attendant I – 7310.1814 - \$5.15

Tracey Hoelzel	14206
Shannon Lach	14212

Recreation Attendant II – 7310-1814 - \$5.40

Rayshawn Bolden	14206
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Upon roll call ....

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

NAYES: 0

ABSENT: Councilmembers Rogowski and Jankowiak

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

BE IT RESOLVED, that the following individuals be and hereby are hired as Seasonal employees in the Parks, Recreation and Youth Services Department, not to exceed 24 weeks in a calendar year and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective immediately:

Item No. 18b cont'd.

PARKS DIVISION – Labor (Equipment Operator) - \$8.50 – 7110-1491

Gordon Hagmier	14227
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PARKS DIVISION – Laborer (Equipment Operator) - \$7.50 – 7110-1491

Edward Pozdyn	14225
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PARKS DIVISION – Pool Mechanic - \$10.00 – 7110-1623

Walter Gardon	14206
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PARKS DIVISION – Tree Maintenance Man - \$8.50 – 7110-1493

Michael Papero	14227
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PARKS DIVISION – Laborers - \$6.00 – 7110-1491

John Mazgaj	14227
Joseph G. Bentkowski	14227

PARKS DIVISION – Laborers - \$6.50 – 7110-1491

Travis Conrad	14227
Jeffrey Smietana	14227
Tom Panasiewicz	14227

PARKS DIVISION – Laborers - \$6.50 – 7110-1496

Michael Pawlowski	14043
Donald Straszczyk	14227
Joshua Plewa	14043

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PARKS DIVISION – Laborers - \$7.00 – 7110-1496

James Bolszio	14043
Paul Gasiewicz	14043
Daryl J. Pischka	14225
Michael Stachewicz	14227
Jeffrey Brado	14043
Richard J. Gramza	14225

Upon roll call ....

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

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:

<u>ACCOUNTING DEPARTMENT – Clerk - \$6.50 per hour</u>	<u>EFFECTIVE</u>
Christine Stelmach Cheektowaga 14227	4/30/01

<u>DOG CONTROL OFFICE – Dog Control Officer - \$7.00 per hour</u>	
Jennifer Jakubczak	Immediately

Item No. 19 cont'd.

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

<u>POLICE DEPARTMENT</u>	<u>EFFECTIVE</u>
Melissa Jankowski	Immediately
Jessica Schwab	"

<u>PARKS, RECREATION AND YOUTH SERVICES</u>	
Jillian Pytlewski	Immediately

Upon roll call ....

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

Item No. 20 Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, the Niagara Frontier Building Officials Association is conducting an Overview of the 2000 International Plumbing Code on April 24, 2001 at the Radisson Hotel & Suites, 4243 Genesee Street, Cheektowaga, New York, AND

WHEREAS, it is required that the Assistant Plumbing Inspector be authorized to attend said seminar, NOW, THEREFORE BE IT

RESOLVED, that Louis Costrino, Assistant Plumbing Inspector, is hereby authorized to attend said educational seminar on April 24, 2001 at the Radisson Hotel & Suites, at a cost of \$125.00, said cost to be paid from the Building Inspection Department Budget account number 0800-3620-4088.

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Upon roll call ....

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

**III. DEPARTMENTAL COMMUNICATIONS**

Item No. 21a Minutes of Cheektowaga Planning Board – March 8, 2001  
Received and Filed.

Item No. 21b Minutes of Cheektowaga Traffic Safety Commission – March 20, 2001  
Received and Filed.

Item No. 22 Disaster Coordinator Quarterly Report (January to March, 2001)  
Received and Filed.

**IV. GENERAL COMMUNICATIONS**

Item No. 23a Notice of Claim: Louis Pelino 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. 23b Notice of Claim: Marion Liberati 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. 23c Notice of Claim: Ophelia and Jerome Hawkins 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. 23d Notice of Claim: Robert A. Flower 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. 23e Notice of Claim: Margaret and Richard Off 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. 23f Notice of Claim: Paul O'Neil Jr. 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.



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

Upon roll call ....

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

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NAYES: 0  
ABSENT: Councilmembers Rogowski and Jankowiak



**V. SUSPENSION OF RULES**

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

WHEREAS, the Town of Cheektowaga seeks grant monies to purchase and install office and computer equipment in the Town Court, AND

WHEREAS, grant monies are available through the Justice Court Assistance Program via State of New York Unified Court System for this purpose, 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 State of New York Unified Court System for the purpose of securing this grant and, BE IT FURTHER

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

Upon roll call ....

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

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

WHEREAS, Richard E. Ryan was employed by the Town of Cheektowaga as a Police Officer until about March 18, 1995, when his application for accidental disability retirement was approved by the New York State and Local Retirement System due to injuries sustained in an accident which rendered him permanently incapacitated from the performance of his duties, AND

WHEREAS, the accident which caused the injuries to former Police Officer Ryan occurred on or about December 13, 1990, when he stepped onto a crate which collapsed, causing him to fall "into a pit approximately 3½ feet deep", AND

WHEREAS, Police Officer Ryan received benefits provided for under the Workers' Compensation Law, inasmuch as his injuries were established as having been sustained on-the-job, AND

WHEREAS, as authorized by law, Officer Ryan commenced a civil action against a third party for negligence in causing his injuries, AND

WHEREAS, Officer Ryan received a settlement offer from the third party, AND

WHEREAS, Section 29 of the Workers' Compensation Law provides for an employer's lien on the proceeds of any recovery in such civil action, after the deduction of reasonable and necessary expenses, but this statutory lien may be waived, AND

WHEREAS, the attorneys for Officer Ryan have applied to the State Supreme Court to compel waiver of the Town's Workers' Compensation liens on this matter, AND

WHEREAS, Officer Ryan agreed to execute a full Release and Waiver formally terminating any rights or claims he may have to Workers' Compensation benefits arising out of the subject incident, AND

WHEREAS, Police Officer Ryan has agreed to execute an agreement to indemnify and hold the town harmless for any claim submitted by Blue Cross & Blue Shield for reimbursement, etc. for medical care which was provided after the earlier proposed settlement, AND

WHEREAS, based on all of the facts and circumstances of this matter, it would be fair and reasonable for the Town to waive its statutory lien, NOW, THEREFORE BE IT

MEETING NO. 8  
APRIL 16, 2001

RESOLVED, that the Town Attorney's Office be and hereby is authorized to appear before the Justice of the Supreme Court, and to waive the Town's statutory lien on this matter.

Upon roll call ....

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

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

WHEREAS, vacancies exist on the Cheektowaga Traffic Safety Commission, AND

WHEREAS, Brendon J. Simon, Robert W. Boye and Sam Fassari have expressed an interest in serving on the Traffic Safety Commission, AND

WHEREAS, the Traffic Safety Commission has recommended that the aforesaid individuals be appointed to the Traffic Safety Commission, NOW, THEREFORE BE IT

RESOLVED, that the following individuals be and hereby are appointed to the Traffic Safety Commission, effective immediately and terminating on December 31, 2003:

Brendon J. Simon, Depew, New York 14043  
Robert W. Boye, Cheektowaga, New York 14225  
Sam Fassari, Cheektowaga, New York 14225

Item No. 26 cont'd.

Upon roll call ....

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

Item No. 27 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of William Fenske, a retired Police Detective. This meeting was adjourned at 8:05 P.M.

Richard M. Moleski  
Town Clerk



**TOWN OF CHEEKTOWAGA  
MEETING NO. 9  
MAY 7, 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 7<sup>th</sup> of May, 2001 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; Michael Stachowski, Town Attorney; Salvatore LaGreca, Planning Board Chairman; Thomas Adamczak, Supervising Building and Plumbing Inspector; William Pugh, Town Engineer; Patricia Wojcik, Director of Senior Services; Brian Krause, Director of Administration and Finance; and William Conway, Town Assessor.

**I. RESOLUTIONS**

Item No. 2 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

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	\$ 16,700.00
To:	0100-3120-1112	Police Chief	16,700.00

SPECIAL DISTRICTS FUND

From:	1500-1910-2799	Appropriated Fund Balance	\$ 137,276.00
	9000-1910-2799	Appropriated Fund Balance	144,026.00
To:	1500-1930-4601	Judgments & Claims	137,276.00
	9000-1930-4601	Judgments & Claims	144,026.00

Upon roll call ....

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

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

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

2001

GENERAL FUND

From:	100-1910-4711-0000 Contingency	\$ 1,000.00
To:	100-7270-4384-0000 Symphony Orchestra	1,000.00

MEETING NO. 9  
May 7, 2001

Item No. 2b cont'd.

Upon roll call ....

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

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 May 4, 2001 are hereby approved and made a part thereof;

GENERAL FUND	\$ 2,132,496.80
HIGHWAY FUND	377,385.05
TRUST & AGENCY	23,220.63
HUD CDBG FUND	918.68
PART TOWN FUND	61,610.79
RISK RETENTION FUND	107,877.18
HUD HOUSING REHABILITATION FUND	26,489.00
SPECIAL DISTRICTS FUND	793,093.37
CAPITAL FUND	<u>37,598.87</u>
	\$ 3,560,690.37

Upon roll call ....

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

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

WHEREAS, the Town has entered into agreement with the Community Action Partnership to implement recreation activities at the JFK Middle After-School Program with costs not exceed \$18,887.00, NOW, THEREFORE, BE IT

RESOLVED, that the following account lines of the 2001 budget be and hereby are amended to reflect the additional revenue awarded through said agreement:

CAP Consulting Fees (Revenue)	Account #7310.3950
Teen Center Initiative Salaries (Expense)	Account #7310.1814

Upon roll call ....

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

Item No. 5 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, on January 2, 2001, this Town Board formally adopted a separate Personnel Policy for Non-Union Department Heads; AND

WHEREAS, the position of Deputy Superintendent of Highways was erroneously omitted from Schedule "A" of said policy; NOW, THEREFORE BE IT

RESOLVED, that the Personnel Policy for Non-Union Department Heads be amended to include the position of Deputy Superintendent of Highways retroactive to its adoption on January 2, 2001.

Upon roll call ....

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

MEETING NO. 9  
May 7, 2001

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

WHEREAS, the Sewer Maintenance Department is in need of one (1) TV Inspection Truck for use in visual inspection/televising of sanitary sewers, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of one (1) 2001 TV Inspection Truck for the Sewer Maintenance 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 23<sup>rd</sup> day of May, 2001 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on May 23, 2001 at 11:00 A.M., Eastern Daylight Savings Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of One (1) New 2001 TV Inspection Truck for the Sewer Maintenance Department.

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

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

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

Richard M. Moleski  
Town Clerk

Dated: May 7, 2001



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

AFFIDAVIT – NEXT PAGE

MEETING NO. 9  
May 7, 2001

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

WHEREAS, the Town Engineer has advised that plans and specifications prepared by the Cheektowaga Engineering Department for the rehabilitation of various sanitary sewers located in the Consolidated Sanitary Sewer District have been completed and the project is ready for bidding, AND

WHEREAS, funds have been budgeted for the proposed sanitary sewer rehabilitation project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the Rehabilitation of Sanitary Sewer Facilities (inversion/curing resin impregnated tube process) and related work in the Consolidated Sanitary Sewer District, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 23<sup>rd</sup> day of May, 2001 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.



NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 23<sup>rd</sup> day of May, 2001 at 11:00 A.M., Local Time, in the Town Hall in the Town of Cheektowaga, New York, for Sanitary Sewer System Rehabilitation and Related Work in the Consolidated Sanitary Sewer District, for furnishing all labor, materials, tools, equipment, sewer facilities, including, but not limited to; cleaning existing sanitary sewers; rehabilitation of sanitary sewers (inversion – curing resin impregnated tube), in place and ready for use, in accordance with the contract documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by the Cheektowaga Engineering Department and approved by the Town Board of the Town of Cheektowaga, New York; all of which are on file in the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the Office of the Town Engineer at the Alexander Community Center, 275 Alexander Avenue, Cheektowaga, New York 14211 and from the Town Clerk's Office, Cheektowaga Town Hall, Broadway & Union Road, Cheektowaga, New York 14227 from which latter office copies may be secured.

All bids must be enclosed in a separate sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, New York, and marked as "Proposal for Sanitary Sewer System Rehabilitation and Related Work in the Consolidated Sanitary Sewer District".

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

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

Award of this contract or any Subcontracts thereof, to firms or individuals listed on the USEPA's "Master List of Departments, Suspensions and Voluntary Exclusions", is expressly forbidden.

The Town of Cheektowaga, New York, is an exempt organization under the Tax Law and is exempt from payment of Sales and Compensating Use Taxes of the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the Contract. These taxes are not to be included in the bid. Sales tax will be due on all materials purchased by the contractor, which are either "consumable" or rental property used by the contractor in connection with the construction or repair.

MEETING NO. 9  
May 7, 2001

Item No. 6b cont'd.

Attention of the bidders is called particularly to the requirements of the conditions of employment to be observed, minimum wage rates to be paid under the Contract, and to the "Non-Collusion Statement" in the form of Proposal, Page P-8.

BIDDERS ON THIS WORK WILL BE REQUIRED TO COMPLY WITH THE PRESIDENT'S EXECUTIVE ORDERS NO. 11246 AND 11375 AS INCLUDED HEREIN. THE REQUIREMENTS FOR BIDDERS AND CONTRACTORS UNDER THESE ORDERS WHICH CONCERN NON-DISCRIMINATION IN EMPLOYMENT, ARE EXPLAINED IN THE SPECIFICATIONS.

Bidders shall be required to certify that they are in compliance with Executive Order No. 11615. This Certification is on Page P-8 of the Proposal.

A surety bond by a company satisfactory to the Attorney for the Town of Cheektowaga, New York, and in an amount of not less than 100 percent (100%) of the Contract price will be required of the successful bidder.

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

This Contract shall be completed no later than 120 consecutive calendar days from the date of the Notice to Proceed.

Richard M. Moleski  
Town Clerk  
Town of Cheektowaga

Dated: May 7, 2001



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

AFFIDAVIT – NEXT PAGE

MEETING NO. 9  
May 7, 2001

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

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions 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 recommendation submitted to it by the Planning Board, AND

WHEREAS, a development review application and site plan was submitted by Brian Manthey, Architect for the construction of an additional off street parking area for (41) forty one parking spaces at 75 Allied Drive, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of April 12, 2001 recommended its approval of this site plan, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the site plan at their meeting of April 17, 2001 and has recommended its approval with the condition that the applicant construct a public sidewalk (5) five feet in width along the entire frontage of 75 Allied Drive, AND

WHEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board and Traffic Safety Commission, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project site plan is acceptable.

Upon roll call ....

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

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

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions 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 recommendation submitted to it by the Planning Board, AND

WHEREAS, a development review application and site plan was submitted by McDonald's Corporation for the construction of a connecting driveway between 3815 Union Road and 3823 Union Road to improve ingress and egress to both properties, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the site plan at their meeting of March 20, 2001 and has recommended its approval, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of April 12, 2001 recommended its approval of this site plan, AND

WHEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board and Traffic Safety Commission, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project site plan is acceptable.

Upon roll call ....

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



MEETING NO. 9  
May 7, 2001

ABSENT: Councilmember Jaworowicz

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

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions 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 recommendation submitted to it by the Planning Board, AND

WHEREAS, a development review application and site plan was submitted by Benderson Development Co, Inc. for the construction of a 19,243 square foot retail building (including a 7,643 square foot "Firestone" automotive service facility) at 810-830 Thruway Plaza Drive, AND

WHEREAS, the Environmental Advisory Committee at its meeting of May 5, 1999 reviewed revisions to the original Thruway Mall redevelopment plans and rendered the determination shown on the attached memo dated May 6, 1999, AND

WHEREAS, the Town of Cheektowaga Zoning Board of Appeals at a meeting held on July 19, 2000 issued a variance/interpretation for the re-establishment/re-location of the existing "Firestone" automotive service facility to the new location at 810 Thruway Plaza Drive shown on the attached Zoning Board of Appeals resolution dated September 11, 2000, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of April 12, 2001 recommended its approval of this site plan and reserved their recommendation on the approval of an acceptable landscaping plan, AND

WHEREAS, this Town Board has reviewed the development review application and recommendations made by the Environmental Advisory Committee, the Planning Board and the Zoning Board of Appeals, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project site plan is acceptable.

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

\* SEE NEXT PAGE(S) FOR ATTACHMENTS



**MEETING NO. 9  
May 7, 2001**

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

WHEREAS, by Town Board Resolution dated May 19, 1997, the Town engaged the engineering consulting firm of Pratt & Huth Associates to perform a flood study and evaluate the flood plain delineation for Scajaquada Creek Tributary T-1, which flood study was submitted to the Federal Emergency Management Agency (FEMA) in October 1999, in support of a request by the Town for revisions to Flood Insurance Rate Map 0005E, and which review by F.E.M.A. is nearing completion, AND

WHEREAS, following the study submission, additional hydrologic modeling and mapping was required to be submitted beyond the original scope of services of Pratt & Huth Associates, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned professional services agreement with Pratt & Huth Associates be and hereby is amended to include hydrologic modeling and re-mapping as required by F.E.M.A. following the study submission, in the amount of \$2,322.95 chargeable to Account No. 4000-8140-4581.

Upon roll call ....

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

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

WHEREAS, on the 7<sup>th</sup> 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 52-5 of the Code of the Town of Cheektowaga 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 on the attached list, providing such ambulance so listed meets the insurance requirements set forth in the Ambulance Ordinance.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENTS

**MEETING NO. 9  
May 7, 2001**

Item No. 10a Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Erie County Water Authority (ECWA) has awarded a watermain replacement contract to improve the water distribution system on Anderson Road, which design includes the installation of one (1) additional hydrant, AND

WHEREAS, the Board of Fire Commissioners for Walden Fire District No. 2 have reviewed the design drawings for the watermain replacement and hydrant locations on Anderson Road and are in agreement with the project which proposes one (1) additional hydrant, to supplement the one (1) existing hydrant, as outlined in the attached letter from Mr. Richard Siejak, Chief of Walden Fire District No. 2, dated September 10, 2000, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board be and hereby approves of the installation of one (1) additional hydrant on Anderson Road as recommended by fire district officials, AND, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the additional hydrant, with such charges being recovered by Town billings to the respective fire company.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENTS

MEETING NO. 9  
May 7, 2001

Item No. 10b Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, the Erie County Water Authority (ECWA) has awarded a Watermain Replacement Contract to improve the water system infrastructure on Donald Drive, AND

WHEREAS, as part of the Watermain Improvement Project, the U-Crest Fire District No. 4 has requested the installation of one (1) additional hydrant at the intersection of Donald Drive and Sarabel Court as outlined in the attached letter from Mr. Ronald Wanat, Chairman of the Board of Fire Commissioners, U-Crest Fire District No. 4, dated September 7, 2000, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board be and hereby approves of the installation of one (1) additional hydrant at the aforesaid intersection as recommended by fire district officials, AND, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the additional hydrant, with such charges being recovered by Town billings to the respective fire company.

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

\* SEE NEXT PAGE(S) FOR ATTACHMENTS

**MEETING NO. 9**  
**May 7, 2001**

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

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

WHEREAS, the Cheektowaga Southside Little League has made application to hold a parade on Saturday, June 2, 2001 beginning at 1:00 P.M. as follows:

- Parade will assemble at the Doyle 1 Fire Hall on William Street, then proceed east on William Street Drive to Standard Parkway, then proceed north on Standard Parkway to ITT Standard Park

AND

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Southside Little League for the aforementioned parade to be held on June 2, 2001, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law.

Upon roll call ....

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

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

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

WHEREAS, the Cleve Hill Baseball, Inc. has made application to hold a parade on Saturday, May 12, 2001 beginning at 10:00 A.M. as follows:

- Parade will assemble at the Cleveland Hill School parking lot on Maplevue Road, then proceed down Maplevue Road to Cleveland Drive, then proceed west on Cleveland Drive, then south on Harlem Road to Huth Road

AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Cheektowaga Police Department, Facilities Department and Department of Parks, Recreation & Youth Services, and has no objection to same, AND

MEETING NO. 9  
May 7, 2001

Item No. 11b cont'd.

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cleveland Hill Baseball, Inc. for the aforementioned parade to be held on May 12, 2001, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law.

Upon roll call ....

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

Item No. 11c Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

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

WHEREAS, the War of 1812 Cemetery Board of Trustees has made application to hold a parade and commemoration on June 10, 2001 beginning at 11:30 A.M. as follows:

- Parade will assemble at the corner of Aero Drive and Wehrle Drive, and proceed down Aero Drive to the War of 1812 Cemetery, where the ceremonies will be held

AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Cheektowaga Police Department, the Facilities Department and Department of Parks, Recreation & Youth Services, and has no objection to same, AND

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the War of 1812 Cemetery Board of Trustees for the aforementioned parade and commemoration ceremony to be held on June 10, 2001, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law.

Upon roll call ....

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

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**May 7, 2001**

NAYES: 0  
ABSENT: Councilmember Jaworowicz

Item No. 12a Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 48 Susan Drive, Depew, New York, AND

WHEREAS, the owners of said property have applied for a mortgage loan from HSBC Mortgage Corporation, which has conditioned its mortgage approval on the subordination of the Town's mortgage to that of HSBC Mortgage Corporation, AND

WHEREAS, the Community Development Director has recommended approval of the subordination request, which is consistent with the Town's policies governing such requests, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement with HSBC Mortgage Corporation, with its primary office located at 2929 Walden Avenue, Depew, NY 14043, pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 48 Susan Drive, Depew, New York.

Upon roll call ....

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

Item No. 12b Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, grant monies are available from East Hill Foundation; AND

WHEREAS, the Town of Cheektowaga Police Department seeks grant monies to sponsor the "Wednesdays in the Park" youth program, and the "Recreation on the Go" Playground rotation; NOW, THEREFORE, BE IT

RESOLVED, that the Police Department be authorized and directed to complete the necessary application, forms, etc., to be submitted to the East Hill Foundation for the purpose of securing this grant; and BE IT FURTHER

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

Upon roll call ....

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

Item No. 12c Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is the owner or former owner of a number of General Motors Pickup Trucks, AND

WHEREAS, in 1996, a class action lawsuit against General Motors Corporation was commenced in the State of Louisiana alleging that the outside fuel tanks on some GM pickups constituted a compensable defect, AND

WHEREAS, the Town of Cheektowaga was recently notified that a settlement on the litigation was reached and the Town was entitled to either Settlement Certificates to reduce the purchase price of GM cars or trucks by \$1,000 or a \$100 cash settlement, AND

WHEREAS, it is more advantages to the Town to accept the \$100 cash alternative for each vehicle we owned as of July 4, 1996, AND



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WHEREAS, the are 17± eligible Town vehicles under the GM class action settlement,  
NOW, THEREFORE, BE IT

Item No. 12c cont'd.

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the necessary Cash Alternative and Application for Certificate forms and all other documents necessary to obtain the cash alternative payment on the aforementioned class action settlement.

Upon roll call ....

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

Item No. 12d Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Town formerly used a "one-arm" truck for trash pick-up, together with specially designed trash containers which were purchased by the Town; AND

WHEREAS, the Town no longer uses the one-arm truck, and there are presently several hundred specially-designed trash containers remaining, for which the Town no longer has any use; AND

WHEREAS, Christopher Kowal, the Town Highway Superintendent, has determined that there is an outside market for these containers; AND

WHEREAS, Section 64 of the Town Law of the State of New York authorizes the sale of unneeded equipment, and Section 142(5) of the Highway Law of the State of New York specifically authorizes the Town Highway Superintendent, with Town Board approval, to sell unneeded equipment without public advertisement and by a method which will bring the best price or the most beneficial terms to the Town;

NOW, THEREFORE, BE IT

RESOLVED, that Highway Superintendent Christopher Kowal is hereby authorized and directed to dispose of the surplus, unneeded trash containers, in any manner he deems appropriate, and which, in his sound discretion, will bring the best price obtainable or the maximum financial benefits to the Town, either by auction or private negotiation or competitive bidding; and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute any and all documents that may be required to effectuate the sale and transfer of this surplus equipment.

Upon roll call ....

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

Item No. 12e Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

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

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



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

Item No. 12e cont'd.

RESOLVED, that the Supervisor of the Town of Cheektowaga is hereby authorized to execute a three-year Cooperation Agreement with the Towns of Amherst and Tonawanda for federal Fiscal Years 2002, 2003, and 2004 for the purpose of forming a Consortium to participate in the HOME Investment Partnership Program.

Upon roll call ....

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

Item No. 13 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 various departments listed and in compliance with the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

		<u>EFFECTIVE</u>
<u>RECYCLING DEPARTMENT – Laborer - \$7.00 per hour</u>		
Patrick McCloskey	Cheektowaga, NY 14211	05/07/01
Eric Bakowski	Cheektowaga, NY 14206	immediately
Francis Kasprzyk	Cheektowaga, NY 14227	immediately
Bryan Kazmierczak	Cheektowaga, NY 14225	immediately
Jay Morosey, Jr.	Cheektowaga, NY	immediately
Ryan Rucinski	Cheektowaga, NY 14227	immediately
Jeffrey Speaker	Cheektowaga, NY 14225	immediately
Jesse Cole	Cheektowaga, NY 14227	immediately
Casey Diaz	Cheektowaga, NY 14225	immediately
Michael Full	Cheektowaga, NY 14227	immediately
John Kasperek	Cheektowaga, NY 14225	immediately
Kenneth Piatek	Cheektowaga, NY 14212	immediately
Marvin Rowland	Cheektowaga, NY 14206	immediately
<u>SEWER MAINTENANCE DEPARTMENT – Laborer - \$7.00 per hour</u>		
Nicholas Puszert	Cheektowaga, NY 14225	immediately
Thomas Kazmierczak	Cheektowaga, NY 14227	immediately
Greg Wilder	Cheektowaga, NY 14227	immediately

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

RECYCLING DEPARTMENT  
Geoffrey Roeser immediately

BUILDING AND PLUMBING DEPARTMENT  
Randall Sevilla immediately

Upon roll call ....

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

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NAYES: 0  
ABSENT: Councilmember Jaworowicz



MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JOHNSON TO DISPENSE WITH READING OF NAMES, IN THE FOLLOWING RESOLUTION, ITEM #14, AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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



Item No. 14 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

Effective May 7, 2001

TO PART-TIME

RINK PERSONNEL – 7140.1811

From Recreation Attendant VI to Recreation Leader X - \$8.40  
Glen Au

From Recreation Attendant VII to Recreation Attendant VIII - \$6.90  
Tom Goff

Recreation Attendant V to Recreation Attendant VI - \$6.40  
Kim Michalak

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

HOCKEY – 7140.1639

From Recreation Leader VI to Recreation Leader VII - \$7.65  
Matt Bean

SOCCER – 7140.1636

From Recreation Attendant VIII to Recreation Attendant IX - \$7.15  
Lynne Butts

IN-LINE HOCKEY – 7149.1640

From Recreation Attendant VI to Recreation Attendant VII - \$6.65  
Kenneth Swain

TO SEASONAL

RINK GUARD – 7140.1611

From Recreation Leader IV to Recreation Leader V - \$7.15  
Cher Stucke

From Recreation Attendant III to Recreation Attendant V - \$6.15

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Robert Halter

Item No. 14 cont'd.

From Recreation Attendant I to Recreation Attendant II - \$5.40

Erica Au

Gregory Fischer

Andy Saskowski (CCC Youth Leader - \$6.75 – 7310.1811)

Recreation Attendant I - \$5.15

Alex Godzich

SOCCER – 7140.1636

From Recreation Leader X to Recreation Supervisor X - \$8.65

Tony Pierino

From Recreation Attendant IV to Recreation Attendant V - \$6.15

Shawn Rozewicz

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

Scott Becker

IN-LINE HOCKEY – 7140.1640

From Recreation Attendant IX to Recreation Leader VI - \$7.40

Jacques Desjardins

From Recreation Instructor VI to Recreation Instructor VIII - \$7.15

Wilmer Froman

From Recreation Attendant III to Recreation Attendant V - \$6.15

Eric Godzich

SPORT CAMPS – 7140.1646

From Recreation Leader VII to Recreation Leader VIII - \$7.90

Peter J. Odrobina

CHEEKTOWAGA CONSERVATION CORPS – 7310.1811

From CCC Program Supervisor to Program Supervisor - \$12.490

Roger Newhouse

From CCC Education Coordinator to Education Coordinator - \$10.50

Todd Bush

TRANSFER FROM ADAPTED RECREATION – 7310.1803 to:

(effective May 21, 2001 – revert to part-time status, effective September 1, 2001)

CAMP CRABAPPLE – 7310.1802

From Assistant Program Coordinator to Nurse - \$10.65

Barbara Walters

From Activity Director IV to Recreation Supervisor VI - \$7.65

Daniel Quigley

CAMP JI-IK-DO-WAH-GAH – 7310.1801

From Activity Director VII to Recreation Supervisor IX - \$8.40

Victor Nosal

From Activity Director II to Recreation Supervisor IV - \$7.15

Tracy Malczewski

Brian Pane

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Item No. 14 cont'd.

CAMP FLAMINGO 7310.1810

Program Coordinator - \$13.40

Deborah Ann Fleetwood

From Activity Director I to Recreation Supervisor III - \$6.90

Katie Astran

Melissa Uhteg

Timothy Zgliczynski

BE IT RESOLVED, that the following individuals be and hereby are transferred and/or upgraded; effective June 4, 2001:

TO SEASONAL

ADMINISTRATIVE INTERNS – 7310.1804

From Recreation Attendant VIII to Recreation Specialist - \$8.90

Steve Ciemcioch

From Recreation Attendant III to Recreation Attendant IV - \$7.15

Chris Mahalic

(effective June 28, 2001 – revert to part-time status effective September 18, 2001)

TRANSFER FROM 7140.1614 – SPORTS ROTATION – 7140.1645

Recreation Attendant II - \$5.40

Amanda Penski

Jessica Porter

Recreation Attendant V - \$6.15

Andrea Deuser

Recreation Supervisor III - \$6.90

Craig Mahalic

FROM 7140.1614 TO ARTS AND CRAFTS ROTATION – 7140.1648

Recreation Attendant II - \$5.40

Julie Mastandrea

Joelle Reinheimer

Recreation Attendant V - \$6.15

Stephanie Gerace

Recreation Supervisor I - \$6.40

Andrea Ketterl

Recreation Supervisor II - \$6.65

Joelle Pantling

TRANSFER FROM 7140.1614 TO TENNIS – 7140.1642

Recreation Attendant II - \$5.40

Jenelle Kostran

Nicole Neyerlin

Recreation Attendant III - \$5.65

Louis Bystrak

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TRANSFER FROM 7140.1614 TO TEEN CENTER INITIATIVE – 7310.1814

Recreation Supervisor IV - \$7.15  
Jill Zarazinski

Item No. 14 cont'd.

TRANSFER FROM 7310.1803 TO TEEN CENTER INITIATIVE – 7310.1814

Senior Counselor II - \$6.40  
Sara Chapman

ARTS & CRAFTS – 7140.1613

Recreation Attendant II - \$5.40  
Joseph Alberti  
Amy Monkelbaan

BE IT RESOLVED, that the following Cheektowaga Parks, Recreation & Youth Services (Parks Division) employees be and hereby are upgraded, retroactive to April 16, 2001 (part-time):

Laborer – 7110.1491 - \$7.00 per hour

George C. Alder  
John Bratek  
Michael DeCecco  
James M. Eller  
Patricia Kantor  
Elizabeth B. Little  
Jason M. Rydzynski  
Karol J. Szymczuk  
Robert J. Trembowicz  
Brian F. Wielinski

Upon roll call ....

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



MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JOHNSON TO DISPENSE WITH READING OF NAMES, IN THE FOLLOWING RESOLUTION, ITEM #15, AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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



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

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

CAMP DARTWOOD – 7140.1632

Recreation Supervisor V - \$7.40  
Kammy Kossow

14225

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ARTS AND CRAFTS ROTATION – 7140.1648

Recreation Attendant I - \$5.15  
Michael Young 14225  
Item No. 15 cont'd.

Recreation Attendant II - \$5.40  
Laura Brown 14227  
Christine Mantione 14043

SPORTS ROTATION – 7140.1645

Recreation Attendant I - \$5.15  
Gregory Pane 14225  
Lisa Wnuk 14225

Recreation Attendant III - \$5.65  
Melissa King 14225

Recreation Attendant V - \$6.40  
Scott Syroczyński 14206

TENNIS – 7140.1642

Program Coordinator IV - \$8.15  
Brion McGhee 14225

Recreation Attendant III - \$5.65  
Lisa Wittman 14227

Recreation Attendant VII - \$6.65  
Eric J. Burns 14225

THEATRE WORKSHOP – CONCERT SERIES – 7140.1651

Recreation Instructor IV - \$6.15  
Julie Babulski 14227

ARTS AND CRAFTS – 7140.1613

Recreation Attendant V - \$6.15  
Kim Godzich 14211

THEATER WORKSHOP – ARTS AND CRAFTS – 7140.1613

Recreation Attendant I - \$5.15  
James Neyerlin 14225

TEEN CENTER INITIATIVE – 7310.1814

Recreation Supervisor II - \$6.65  
Jill Otterstein 14227

CHEEKTOWAGA CONSERVATION CORPS SUPERVISORS – 7310.1811

Supervisors – Level I - \$9.50  
William Vannelli 14043

Supervisors – Level II - \$9.75  
John Kulesz 14043  
David Schiess 14225

CCC Youth Leaders – Level I - \$6.75  
Sean Agnew 14225

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CCC Youth Leaders – Level II - \$7.00  
Eric Reinheimer

14043

Item No. 15 cont'd.

CCC PARTICIPANTS (LABORER) – 7310.1812

Level I - \$5.15

Nicholas Carter	14212
Jolanda Clark	14227
Travis Conrad	14227
Valerie Crane	14225
Adam Czerniejewski	14227
Amber Dirschberger	14227
Theresa Eusanio	14225
Andrew Gretch	14225
April Rodriguez	14225
Steve Saskowski	14225
William Swiat	14227
Graham Szydlowski	14227
Michael Trembowicz	14206

Level II - \$5.40

David Jachimiak	14225
Michael Lewis	14225
Patrick Mudd	14227
Adam Nowicki	14227
Matthew Zamoyski	14225

BE IT FURTHER RESOLVED, that the following individuals be and hereby are hired as Laborers in the Parks, Recreation & Youth Services (Parks Division), effective immediately (seasonal):

Laborer – 7110.1469 - \$6.50

Christopher M. Pew	14225
Robert W. Hanel	14211
Daniel P. Wagner	14225

7110.1469 - \$7.00

Andrew J. Sciandra Jr.	14206
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Upon roll call ....

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

Item No. 16a Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga Police Department is working with the Career Criminal Task Force (Buffalo Violent Crime Career Criminal Task Force); AND

WHEREAS, the Police Department has requested an individual to be appointed as Task Force Liaison Officer; AND

WHEREAS, Valentine Zimniewicz has expressed an interest in said task force office position; THEREFORE, BE IT

RESOLVED, that Valentine Zimniewicz be and hereby is appointed Task Force Liaison Officer for the Career Criminal Task Force (Buffalo Violent Crime Career Criminal Task Force) effective April 30, 2001.

Upon roll call ....



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

Item No. 16b Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

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

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

WHEREAS, Kyle Tobolski, 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 Kyle Tobolski of Cheektowaga, New York 14227, be and hereby is appointed to the position of Light Motor Equipment Operator – B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call ....

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

Item No. 16c Motioned by Unanimous, Seconded by Unanimous

WHEREAS, a vacancy exists in the position of Laborers' Aide in the Recycling Department; AND

WHEREAS, James Dalka, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that James Dalka of Cheektowaga, NY 14227 be and hereby is appointed to the position of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call ....

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

Item No. 16d Motioned by Unanimous, Seconded by Unanimous

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

WHEREAS, no bargaining unit member bid on said vacancy; AND

WHEREAS, Joseph Rydzynski, has bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Joseph Rydzynski 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 May 8, 2001.

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Upon roll call ....

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

Item No. 17 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, the term of office of William R. Conway as State Certified Assessor of the Town of Cheektowaga expires on the 1<sup>st</sup> day of October, 2001; AND

WHEREAS, Mr. Conway meets or exceeds the qualification standards established for the office of Assessor by the State Board of Equalization and Assessment; AND

WHEREAS, Mr. Conway has successfully completed prescribed courses of training and education, and Mr. Conway has thirty-four years of experience, knowledge, and training, which enables him to perform the duties of Assessor in a manner most advantageous to the Town and its residents; NOW, THEREFORE, BE IT

RESOLVED, that Mr. William R. Conway be and hereby is re-appointed to the position of sole Assessor of the Town of Cheektowaga for a term commencing on October 1, 2001 and ending September 30, 2007.

Upon roll call ....

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

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

WHEREAS, the New York State Association of Area Agencies on Aging and the New York State Coalition for the Aging is sponsoring an Aging Network Conference on June 4-6, 2001 in Albany, New York entitled, "Aging Concerns Unite Us", AND

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

WHEREAS, Patricia L. Wojcik, Director of Senior Services has requested to attend this Conference at a cost to the Town of \$718 from budget account 0100-7620-4681, NOW, THEREFORE, BE IT

RESOLVED, that permission is granted to attend this Conference.

Upon roll call ....

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

Item No. 19 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga is the owner of 169.99± acres of land located south of Genesee Street, east of Sonwil Drive and north and west of Rehm Road in the Town; AND

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

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

WHEREAS, Garrett, LLC has approached the Town to construct and operate a public golf course on this land at its expense; AND

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

Item No. 19 cont'd.

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

RESOLVED, that this Town Board hereby appoints Garrett, LLC as the designated developer of a golf course on the above referenced Town-owned land, said designation to continue for 120 days; and BE IT FURTHER

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

Upon roll call ....

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

**II. DEPARTMENTAL COMMUNICATIONS**

Item No. 20 Building Permits  
Received and Filed.

Item No. 21 Minutes of CCAC - April 5, 2001  
Received and Filed.

**III. GENERAL COMMUNICATIONS**

Item No. 22 Order to Show Cause: Philip and Brenda Michalowski vs Town of Cheektowaga, State of New York, Concept Construction Corporation, and Federal Express

Item No. 23 Summons and Complaint: Sharon A. Suriani, Parent of Michael vs Margaret A. Schwartz, Town of Cheektowaga, and County of Erie  
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. 24a Notice of Claim: Karen Bonetto 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. 24b Notice of Claim: Oni Cole vs Town of Cheektowaga and Police Department  
Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Police Department; and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 24c Notice of Claim: Breyne E. Cotes vs Town of Cheektowaga

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Copies sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation Department; and Allied Claims Insurance Carrier.  
Received and Filed.

Item No. 24d Notice of Claim: Michael Croston 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. 24e Notice of Claim: Marc Hockenberry 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. 24f Notice of Claim: Charles McAllister vs Town of Cheektowaga, Town of Cheektowaga Police Department, and Officer Ford  
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. 24g Notice of Claim: Lucy M. Sikowski 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.



MOTION BY COUNCILMEMBER MAZUR, 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 Rogowski, Johnson, Swiatek, Jankowiak, and Mazur  
NAYES: 0  
ABSENT: Councilmember Jaworowicz



**IV. SUSPENSION OF RULES**

Item No. 25 Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the Town of Cheektowaga seeks grant monies to acquire office equipment for use in the Town Attorney's Office; AND

WHEREAS, grant monies are available through Erie County Legislator Raymond Dusza for this purpose; 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 Erie County Legislator Ray Dusza for the purpose of securing this grant, and BE IT FURTHER

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

Upon roll call ....

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

MEETING NO. 9  
May 7, 2001

ABSENT: Councilmember Jaworowicz

Item No. 26 Motioned by Councilmember Rogowski, Seconded by Councilmember Mazur  
Councilmember Johnson

WHEREAS, developers of residential subdivisions are required to install street lighting along public highways as a component of the subdivision and subject to the Public Improvement Permit Ordinance, AND

Item No. 26 cont'd.

WHEREAS, a number of homes have been constructed of Elmleaf Lane within Phase 9 of the Losson Green Estates Subdivision and the Town Engineer has recommended that street light standards and appurtenances be installed, NOW, THEREFORE, BE IT

RESOLVED, that the developer of the Losson Green Estates Subdivision, Phase 9, is hereby authorized to install seven (7) 5200 lumen H.P.S. post top luminaries, fiberglass standards and related conduit and conductors as required in conjunction with the development of the subject subdivision, AND, BE IT FURTHER,

RESOLVED, that following final inspection by the Engineering Department, the New York State Electric & Gas Corporation be and hereby is authorized to connect seven (7) 5200 lumen H.P.S. post top luminaries within said subdivision in the Town of Cheektowaga at an annual increase to the Town's General Lighting District of \$378.35 in accordance with the attached New York State Electric & Gas Corporation proposal dated May 4, 2001, which is hereby made a part of this resolution.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENTS

MEETING NO. 9  
May 7, 2001

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

WHEREAS, the State of New York Police Juvenile Officers Association will be holding its 2001 training course from May 7<sup>th</sup> through 11<sup>th</sup>, 2001 in Poughkeepsie, New York, AND

WHEREAS, training topics at this course will include The Role of the Juvenile Officer, Laws Relating to Juveniles and Current Trends in Juvenile Crime, AND

WHEREAS, the Chief of Police has requested permission for Lt. Gary Grieco and Det. Wasyl Potienko to attend this training course, AND

WHEREAS, it will be advantages to the Town for these police officers to attend this course, NOW, THEREFORE, BE IT

RESOLVED, that Lt. Grieco and Det. Potienko be and hereby are authorized to attend the aforementioned course and to utilize a Town vehicle to travel to and from such course, and BE IT FURTHER

RESOLVED, that fees for attendance at this course, in an amount not to exceed \$600.00, shall be appropriated from budget line item numbers 0100-3210-4085 and 0100-3120-4093.

Upon roll call ....

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

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

WHEREAS, the Cheektowaga Police Department utilizes a dog (Breton) and K-9 handler to assist it with crime control, AND

WHEREAS, the Annual K-9 Working seminar will be held in Binghamton, New York, AND

WHEREAS, this training will serve as a NYS Certification for Breston, AND

WHEREAS, the Chief of Police has requested permission for Police Officer Daniel Smith to attend this training course, AND

WHEREAS, it will be advantageous to the Town for this police officer to attend this course, NOW, THEREFORE, BE IT

RESOLVED, that Officer Smith be and hereby are authorized to attend the aforementioned course and to utilize a Town vehicle to travel to and from such course, AND, BE IT FURTHER

RESOLVED, that fees for attendance at this course, in an amount not to exceed \$100.00, shall be appropriated from budget line item numbers 0100-3210-4095.

Upon roll call ....

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



MEETING NO. 9  
May 7, 2001

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

WHEREAS, by Local Law No. 5 of the Year 1990, the Cheektowaga Town Board enacted a Garbage, Rubbish and Refuse Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), AND

WHEREAS, presently, the Town allows yard waste to be disposed of in clear plastic bags, AND

Item No. 29 cont'd.

WHEREAS, this Town Board wishes to require that yard waste be disposed of only in galvanized or vinyl containers, AND

WHEREAS, Local Law Intro. No. 2001-3 of the Year 2001 has been prepared to so amend Chapter 206 of the Town Code, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 21<sup>st</sup> day of May, 2001 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro. No. 2001-3 of the Year 2001, entitled "A Local Law to amend the Garbage, Refuse and Rubbish Law of the Town of Cheektowaga", AND BE IT FURTHER

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



NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 21<sup>st</sup> day of May, 2001 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the following proposed Local Law:

Local Law Intro No. 2001-3 of the Year 2001

A Local Law To Amend the

Garbage, Rubbish and Refuse Law of the Town of Cheektowaga

This local law would amend Section 206.4.G. of the Code of the Town of Cheektowaga ("Garbage, Rubbish, and Refuse Law") to read as follows:

"G. All cut grass, leaves and garden clippings shall be placed in an open top galvanized container with handles not exceeding 20 gallons capacity or a vinyl container not exceeding 35 gallons capacity, which containers shall not exceed 40 pounds in weight."

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

Dated: Cheektowaga, New York  
May 10, 2001

\_\_\_\_\_  
RICHARD M. MOLESKI  
Town Clerk



Upon roll call ....

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



**MEETING NO. 9**  
**May 7, 2001**

NAYES: 0  
ABSENT: Councilmember Jaworowicz

AFFIDAVIT – NEXT PAGE

Item No. 30 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of Amedeo J. Duke, member of the Cheektowaga Symphony Orchestra at 9:25 P.M.

Richard M. Moleski  
Town Clerk

**TOWN OF CHEEKTOWAGA  
MEETING NO. 10  
MAY 21, 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 21st of May, 2001 at 7:00 o'clock P.M. there were:

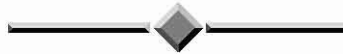
PRESENT: Supervisor Dennis H. Gabryszak  
Councilmember Patricia A. Jaworowicz  
Councilmember William P. Rogowski  
Councilmember Thomas M. Johnson, Jr.  
Councilmember Jeff Swiatek  
Councilmember James J. Jankowiak  
Councilmember Thomas J. Mazur

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; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; Christopher Kowal, Highway Superintendent; and Salvatore LaGreca, Chairman of Planning Board.

**I. PUBLIC HEARINGS**

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss amending Section 206.4.G of the Code of the said Town of Cheektowaga (Garbage, Rubbish and Refuse Law) 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:



Local Law Intro No. 2001-3 of the Year 2001  
A Local Law to Amend the  
Garbage, Rubbish and Refuse Law of the Town of Cheektowaga

This local law would amend Section 206.4.G of the Code of the Town of Cheektowaga ("Garbage, Rubbish and Refuse Law") to read as follows:

"G. All cut grass, leaves and garden clippings shall be placed in an open top galvanized container with handles not exceeding 20 gallons capacity or a vinyl container not exceeding 35 gallons capacity, which containers shall not exceed 40 pounds in weight."



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

**II. RESOLUTIONS**

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

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

Item No. 3 cont'd.

**MEETING NO. 10  
MAY 21, 2001**

**GENERAL FUND**

From:	100-1910-2775 100-1910-3095 100-9010-8101 100-7620-2038	Cellular Tower Lease Revenues Misc. County Aid Employee State Retirement Center Programs Revenue	\$ 5,000.00 4,000.00 2,000.00 3,000.00
To:	100-1625-4432 100-1420-2201 100-1430-4502 100-7620-4624	Repairs & Maintenance Office Equipment Contracted Legal Services Center Programs	\$ 5,000.00 4,000.00 2,000.00 3,000.00

**RISK RETENTION FUND**

From:	101-1910-5031	Transfers In	\$100,000.00
To:	101-1938-4703	Assessment Challenges	\$100,000.00

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 Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to May 18, 2001 are hereby approved and made a part hereof:

GENERAL FUND	\$ 803,626.48
HIGHWAY FUND	534,255.76
TRUST & AGENCY	10,364.02
HUD CDBG FUND	679.55
PART TOWN FUND      2,620.67	
RISK RETENTION FUND	93,162.06
HUD HOUSING REHABILITATION FUND	27,076.00
SPECIAL DISTRICTS FUND	507,564.11
CAPITAL FUND	<u>5,528.50</u>
	<b>\$1,984,877.15</b>

Upon roll call ....

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

**Item No. 5** Oppose Erie County Legislature's Plan of Apportionment  
 This item was withdrawn.

**Item No. 6** Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, Cub Scout Pack 618 has requested permission to conduct an overnight campout on Saturday, June 2, 2001 to Sunday, June 3, 2001 in John C. Stiglmeier Park, AND

WHEREAS, Section 174-14 of the Code of the Town of Cheektowaga states that "[all parks shall be closed between the hours of sunset and sunrise the following morning and no person shall remain inside any parks during the hours when so closed. . .]", NOW, THEREFORE BE IT

**Item No. 6 cont'd.**

MEETING NO. 10  
MAY 21, 2001

RESOLVED, that this Town Board hereby permits a waiver of Section 174-14 of the Code of the Town of Cheektowaga and that said waiver shall be extended to Cub Scout Pack 618 for the use of John C. Stiglmeier Park on June 2-3, 2001 and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution to the Chief of Police and to the Executive Director of the Department of Parks, Recreation and Youth Services.

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 Councilmember Johnson

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

WHEREAS, the North Cheektowaga Amateur Athletic Association has made application to hold a parade on Saturday, June 2, 2001 beginning at 12:00 P.M. as follows:

- Parade will assemble at the Maryvale Primary School on Nagel Drive, then proceed south on Nagel Drive to George Urban Boulevard, then proceed west on George Urban Boulevard to the TOPS parking lot

,AND

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

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

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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the North Cheektowaga Amateur Athletic Association for the aforementioned parade to be held on June 2, 2001 and, BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law.

Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

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

MEETING NO. 10  
MAY 21, 2001

WHEREAS, the Cheektowaga Patriotic Commission has made application to hold its Independence Day Celebration in Cheektowaga Town Park from July 3-4, 2001, AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, Building Department, Highway Department, Parks Department and the Department of Parks, Recreation and Youth Services, and has no objection to same, AND

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

1. Submittal of plan for sanitary facilities;
2. Submittal of site plan;
3. Submittal of Security Plan;
4. Submittal of Fire Prevention/Emergency Services Plan;
5. Certificate of Insurance from Cheektowaga Patriotic Commission.

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Patriotic Commission for the aforementioned Independence Day celebration to be held on July 3-4, 2001 and, BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for the parade and to ensure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law.

Upon roll call ....

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

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

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

WHEREAS, the Cheektowaga Cultural Society has made application to hold its annual Family Days-Cultural Weekend in Cheektowaga Town Park from July 7-8, 2001, AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Police Department, Facilities Department and the Department of Parks, Recreation and Youth Services, and has no objection to same, AND

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

1. Submittal of plan for sanitary facilities;
2. Submittal of site plan;
3. Submittal of Security Plan;
4. Submittal of Fire Prevention/Emergency Services Plan;
5. Certificate of Insurance from Cheektowaga Cultural Society.

NOW, THEREFORE BE IT

Item No. 7c cont'd.

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Cultural Society for the aforementioned Family Days-Cultural Weekend celebration to be held on July 7-8, 2001.

Upon roll call ....

MEETING NO. 10  
MAY 21, 2001

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

Item No. 8 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 80 Claudette Court, Cheektowaga, New York, SBL #92.17-9-7 and according to the Assessors' Office is owned by William Strasburg, 80 Claudette Court, Cheektowaga, New York 14225, AND

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

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

Upon roll call ....

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

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

WHEREAS, by resolution dated April 2, 2001, this Town Board engaged the Archeological Survey, State University of New York at Buffalo, Department of Anthropology, to conduct a Phase 1 archeological survey along the route of the proposed gravity sanitary sewer trunkline, which project will enable the elimination of the Alpine Wastewater Pumping Facility, AND

WHEREAS, the Phase 1 study has been completed and has determined the presence of historic artifacts and prehistoric cultural material which warrants further investigation in the form of a Phase 2 site examination, AND

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) concurs with the Phase 1 findings and Phase 2 study requirement, NOW, THEREFORE BE IT

RESOLVED, that the proposal of the Archeological Survey, State University of New York at Buffalo, Department of Anthropology, as submitted to the Town Engineer and dated April 23, 2001 to perform a Phase 2 Survey in accordance with the requirements of (OPRHP) is hereby approved and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to sign said professional services proposal for the Phase 2 Survey on behalf of this Town Board and, BE IT FURTHER

RESOLVED, that funding for the aforesaid professional services in the amount of \$6,639.50 shall be chargeable to Account No. 2550-8125-4581.

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 Jankowiak

WHEREAS, the New York State Department of Transportation (NYSDOT) under Contract D 258525, PIN 5755.51 is constructing sidewalks on Walden Avenue, N.Y. Route 952Q, from Harlem Road to the Conrail overpass in the Town of Cheektowaga, AND

WHEREAS, the NYSDOT proposes to install street lighting on Walden Avenue at the I-90 Thruway ramps to enhance pedestrian safety, AND



MEETING NO. 10  
MAY 21, 2001

WHEREAS, the Town of Cheektowaga supports the NYSDOT proposal to institute a street lighting system at the I-90 ramps consisting of a total of eight (8) standards, related equipment and appurtenances, AND

WHEREAS, the State of New York has agreed to provide, as a part of the project, the following items in connection with a street lighting system:

1. Underground duct system, including conduits, pull boxes, hand holes and drainage pockets
2. Ducts, pull boxes and anchor bolts on structure
3. Foundation for light standards
4. Light standards and bracket arms
5. Luminaries, wiring switches and ballasts and all other components necessary to complete the lighting system

provided that the Town of Cheektowaga agrees to maintain, repair and energize such highway lighting system until such time as the Commissioner, in his discretion, determines that such lighting and/or the maintenance of such lighting system is no longer necessary for such highway arterial, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves of the aforesaid street lighting improvements project, and, BE IT FURTHER

RESOLVED, that the Town of Cheektowaga shall maintain, repair and energize such highway lighting system and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with the State of New York and through the Commissioner of Transportation to commit to maintain, at its own expense, the lighting system on the above-identified project, such agreement to provide that the maintenance shall include the repair and replacement of equipment and the furnishing of electric current for the lighting system and, BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to transmit five (5) certified copies of the foregoing resolution to the State Department of Transportation to the attention of:

Mr. Thomas Romano  
Assistant Regional Design Engineer  
New York State Department of Transportation  
125 Main Street  
Buffalo, New York 14203

Upon roll call ....

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

Item No. 9c Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the Town has been advised that the State of New York has budgeted \$450,000 in the 2001 New York State budget for a Neighborhood Wellness Program in the Town of Cheektowaga to provide subsidies for lower income persons purchasing a home in targeted neighborhoods within the Town of Cheektowaga, AND

Item No. 9c cont'd.

WHEREAS, THE county of Erie has offered a grant to the Town of Cheektowaga in the amount of \$25,000 for program design and staff development for said State-funded Neighborhood Wellness Program, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a contract with the County of Erie for the receipt of a grant of up to \$25,000 for purposes of program design and staff development for said New York State funded Neighborhood Wellness Program in the Town of Cheektowaga.



MEETING NO. 10  
MAY 21, 2001

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 Councilmember Swiatek

BE IT RESOLVED, the Town Board hereby creates the Part-Time position of Computer Support Technician pursuant to Civil Service Laws and Rules, effective immediately.

Upon roll call ....

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

Item No. 11a Motioned by Unanimous, Seconded by Councilmember Swiatek

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

WHEREAS, such position was duly advertised, AND

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

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

WHEREAS, Susan Pella applied for said position and meets all the requirements, NOW, THEREFORE BE IT

RESOLVED, that Susan Pella of Franklin Square, New York 11010, be and hereby is appointed to the position of Coordinator of Employee Relations effective June 18, 2001, at an annual salary of \$79,000 and, BE IT FURTHER

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

Upon roll call ....

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

Item No. 11b Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, two (2) vacancies exist in the position of Light Motor Equipment Operator-B in the Recycling 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 bargaining unit employee bid on said vacancies, AND

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MAY 21, 2001

WHEREAS, Gregory Gaczewski and Peter Gerlach, currently temporary Light Motor Equipment Operator-B's in the Recycling Department have expressed an interest in said vacancies and meet the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Gregory S. Gaczewski of Depew, New York 14043 and Peter Gerlach of Cheektowaga, New York 14227 be and hereby are appointed to the position of Light Motor Equipment Operator-B in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call ....

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

Item No. 11c Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

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

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

WHEREAS, Shawn Surdej, currently employed as a Laborer in the Sanitation Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Shawn Surdej of Cheektowaga, New York 14212 be and hereby is appointed to the position of Motor Equipment Operator-B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call ....

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

Item No. 11d Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department, AND

WHEREAS, notice of such vacancy has been posted in accordance with the provisions of the Town of Cheektowaga Employees Association, AND

WHEREAS, John Strong, currently employed as Laborer in the Recycling Department, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

Item No. 11d cont'd.

RESOLVED, that John Strong of Cheektowaga, New York 14227 be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call ....

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

MEETING NO. 10  
MAY 21, 2001



MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER MAZUR TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 12, 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. 12 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

Part-Time to Seasonal

Pools

(effective immediately)

Beach and Pool Supervisors – 7180.1902

Pool Director - \$14.85

Brian Hansen

Swim Aquatic Director - \$12.88

Cathy Giles

Special Activity Director - \$11.38

Kurt Hansen

Supervisor (Town Park - 1<sup>st</sup> Shift) - \$10.54

Jacqueline Houser

Supervisor (Town Park - 2<sup>nd</sup> Shift) - \$9.86

Margaret Brezowski

Supervisor - (Maryvale) - \$9.19

Darryl Lindell

Supervisor (Dingens) - \$8.84

Beth Kawczynski

Item No. 12 cont'd.

Head Lifeguard – (Town Park) - \$8.95

Mark Przybysz

Head Lifeguard – (Maryvale) - \$8.40

Aaron Grupka

Head Lifeguard – Dingens) - \$8.40

Elizabeth Sinski

Lifeguards - 7180.1903

(Town Park - 1<sup>st</sup> shift)

Level IV - \$7.15

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Maureen Brezowski  
Tracy DiBiasio  
David Schnettler

Level III - \$6.65  
Mary Kay Brezowski  
Abby Grupka  
Jennifer Bogacz

Town Park (2<sup>nd</sup> Shift)

Level II - \$6.15  
Nicole Kunkel

Dingens

Level III - \$6.65  
Evan Zynda

Level I - \$5.90  
Shannon Lach (effective 6/18/01)

Level I - \$5.90  
Brandon Lehman  
Sally Lipinoga

From 7310.1814 to 7140.1645 - Sports Rotation  
(effective 6/18/01)

Recreation Attendant VI - \$6.40  
Jeremy Hoffman

Recreation Attendant V - \$6.15  
Randy Matuszewski

Recreation Attendant II - \$5.40  
Rayshawn Bolden

From 7310.1814 to 7140.1648 - Arts & Crafts Rotation

Recreation Supervisor I - \$6.40  
Adam Kehrer

Recreation Attendant III - \$5.65  
Elena Kehrer

Recreation Attendant II - \$5.40  
Brad Walters  
Jen Weishaupt

Item No. 12 cont'd.

Gymnastics - 7140.1630  
(effective immediately)

Program Coordinator VII - \$8.90  
Cheryl Witt

Recreation Supervisor IV - \$7.15  
Eileen Skowronski

Recreation Instructor V - \$6.40  
Amy Cole

Recreation Instructor III - \$5.90  
Amy Kawrysiak

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Administrative Interns - 7310.1804

Recreation Specialist - \$8.90

Steve Ciemcioch

(retro to May 7<sup>th</sup> – effective date erroneously listed on May 7<sup>th</sup> resolution)

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 13 Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

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 – Recreation Attendant - \$6.50 per hour

Thaddeus Siuda Cheektowaga 14227

Immediately

ACCOUNTING DEPARTMENT – Computer Support Technician - \$10.00 per hour

Lorie Misso

Cheektowaga 14227

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

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

Meghan Hannel

Cheektowaga 14211

Immediately

RECYCLING DEPARTMENT – Laborer - \$7.00 per hour

Thomas Niedziela

Cheektowaga 14227

Immediately

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

Item No. 13 cont'd.

EFFECTIVE

PARKS DIVISION

Elizabeth Dickey

Immediately

Christopher Pew

“

James Bolszjo

“

Robert Hanel

“

SENIOR SERVICES

Laura Kubik

Immediately

RECYCLING DEPARTMENT

Paul Urban

Immediately

Upon roll call ....

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

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NAYES: 0  
ABSENT: 0



MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER MAZUR TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTION, ITEM 14, 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. 14 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be and hereby are hired as Seasonal employees in the Departments of Parks, Recreation and Youth Services, effective as indicated:

Youth Conservation Corp - 7310.1812  
(effective immediately)

Participants (Laborers) - \$5.15

Ryan Elizabeth Smith 14227  
Patrick McDonough 14225

Tennis - 7140.1642

Recreation Attendant I - \$5.15

Jill Marie Litfin 14206

Recreation Attendant III - \$5.65

Nick Wierzbicki 14211

Gymnastics - 7140.1630

Item No. 14 cont'd.

Recreation Instructor II - \$5.65 (effective 6/4/01)

Sarah Stortz 14043

Recreation Instructor I - \$5.15

Sherry Lesser (effective 6/28/01) 14225  
Melisa Petre 14211

Arts & Crafts Rotation - 1740.1648

(effective 6/4/01)

Recreation Attendant II - \$5.40

Kimberly Kendzierski 14227

Theatre Workshop (Concert Series) – 7140.1651

Recreation Attendant I - \$5.15

Courtney Fox 14227

Pools

(effective immediately)

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Lifeguards - 7180.1903

Town Park - 1<sup>st</sup> Shift

Level V - \$7.65

Samantha Garcea 14225  
Jennifer Strobele 14227

Level IV - \$7.15

Eric Burns 14211  
Luke Mazur 14211

Level III - \$6.65

Christopher Garcea 14225  
Danielle Ketterl 14225

Town Park - 2<sup>nd</sup> Shift

Level II - \$6.15

Carrie DiBiasio 14227  
Melissa Esposito 14225  
Steven Kaun 14225  
Laura Mayle 14215

Maryvale

Level V + WSI - \$7.90

Adam Connor 14225

Level III - \$6.65

Nicole Mansfield 14225

Level II - \$6.15

Mark Kuczmanski 14225

Dingens

Level V - \$7.65

Natalie Michalski 14227

Level II + WSI - \$6.40

Jonathan Miller 14227

Item No. 14 cont'd.

Level II - \$6.15

Jennifer Pugh 14043

Pools (undecided pool site)

Level I - \$5.90

Ashley Agnew 14227  
Danielle Marie Burzynski 14227  
Laura Garcea 14225  
Alison M. Hess 14227  
Kim Johnson 14225  
Joshua Rutski 14043  
Jonathan Sinski 14206  
James Wojciehowski 14227

Level I - \$5.90 (Alternate)

Sandra Miller-Snyder 14206

Bathhouse Attendants (Laborers)

Level II - \$5.40



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Joseph Conti	14225
Nicholas Emmanuele	14225
Derek Gabryszak	14043
Lindsay Kaminsky	14043
Daniel Lysiak	14227

Level I - \$5.15

Cheryl Castenik	14225
Amber Derenda	14225
Jennifer Fetes	14225
Katie Frank	14215
Roseanne Gawronski	14227
Florian Gutowski	14225
Cassie King	14225
Holly Rutkowski	14227
Maria Pinzone	14225
Zachary Porterfield	14225*
Eric Rejman	14227
Amy Tornambe	14225
Amber Wozniak	14206

\*(effective 7/16/01 transfer to Level I - Lifeguard - \$5.90 per hour)

Bathroom Attendants – Laborers - \$5.15

(Alternates)

Nicholas Carter	14212
Kristina Esposito	14225
Amanda Giczkowski	14211
Jessica Hanel	14211
Sarah Mastandrea	14225
Sara Musial	14212
Lindsay Ritzenthaler	14206
Margaret Neyerlin	14043
Matthew Weaver	14225
Amy Wroblewski	14225

Sports - 7140.1646

Recreation Attendant VII - \$7.15

Jeffrey Rogowski	14212
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Item No. 14 cont'd.

BE IT FURTHER RESOLVED, that the following individuals be and hereby are hired as Seasonal employees in the Parks, Recreation and Youth Services Department (Parks Division), effective immediately:

Laborers - 7110.1496 - \$7.00

Christopher Meszaros	14227
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Laborers - 7110.1491 - \$7.00

Todd Stucke	14225
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Laborers - 7110.1491 - \$6.50

Nicholas J. Astyk	14225
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Upon roll call ....

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

Item No. 15a Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

**MEETING NO. 10  
MAY 21, 2001**

WHEREAS, the U.S. Department of Justice Federal Bureau of Investigation's Academy Program will be held July 1, 2001 - September 7, 2001 at the FBI Academy in Quantico, Virginia.

WHEREAS, Chief Bruce D. Chamberlin is requesting authorization from the Town Board to send Det. Lt. James Morath to attend such Academy, AND

WHEREAS, Det. Lt. Morath will bring back the latest technical and operational skills in case management, forensic sciences, interpersonal communications and advanced management supervision training and tactical theories, Lt. Morath will be required to take 13-19 semester hours of academic work to prepare for an increasingly complex and dynamic leadership role in the law enforcement community, AND

NOW, THEREFORE BE IT RESOLVED, that Det. Lt. Morath is authorized to attend the FBI National Academy Program and that the expenses not to exceed \$1,035.00 will be charged to lines 0100-3120-4085, 0100-3120-4093 and 0100-3120-4073.

Upon roll call ....

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

Item No. 15b Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, the Division of Criminal Justice Services is hosting the Basic Law Enforcement Mountain Bike School to be held on June 4-8, 2001, at Ithaca College, Ithaca, New York.

WHEREAS, Patrol Officer Steven Berez and Patrol Officer Christopher Chojnacki are requesting authorization from the Town Board to attend such school, AND

WHEREAS, the Town of Cheektowaga Bike Patrol Unit is used on a daily basis (Seasonal) throughout our community promoting an increased public awareness of our Police Department, AND

WHEREAS, this five day course is for law enforcement personnel utilizing specialized mountain bicycles for patrol activities, the training will involve several phases including classroom, practical exercises, and riding evaluations, and P.O. Steven Berez and P.O. Christopher Chojnacki will bring back to the department knowledge of various specialized riding techniques for officer safety, as well as knowledge in regard to maintenance of the bicycle, AND

Item No. 15b cont'd.

WHEREAS, the Cheektowaga Police Department will be responsible for lodging and registration expenses which amount to \$648.00, and approximately \$75.00 for gasoline and tolls.

NOW, THEREFORE BE IT RESOLVED, that P.O. Berez and P.O. Chojnacki are authorized to attend the Basic Law Enforcement Mountain Bike School and that the expenses stated above will be charged to line 0100-3120-4093 and 0100-3120-4085.

Upon roll call ....

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

Item No. 15c Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, as owner and operator of underground facilities, the Town is subject to the provisions of 16 NYCRR, Part 753, which govern the protection of underground facilities, and the Town must accurately locate and identify its facilities in advance of private and public construction activities within the Town, AND

WHEREAS, the Sewer Maintenance Department General Foreman, James Burst and Town Engineer, William Pugh, P.E. have recommended and requested permission for Sewer Maintenance Department personnel Robert Latshaw, Foreman, and Gene Dudek, Sewer Maintenance

MEETING NO. 10  
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Man, to attend and participate in a one-half day education program, training session and equipment demonstration hosted by Metrotech, manufacturer of utility locating instrumentation, which program will reinforce techniques to accurately and efficiently perform utility stakeout duties, NOW, THEREFORE BE IT

RESOLVED, that Messrs. Robert Latshaw and Gene Dudek of the Town Sewer Maintenance Department be and hereby are authorized to attend the Underground Locating Training Seminar being conducted on May 30, 2001 at the Holiday Inn, 601 Dingens Street, Buffalo, New York 14206 from 8:00 A.M. to 12:00 noon and, BE IT FURTHER

RESOLVED, that the conference fee totaling \$168.00 for both individuals shall be chargeable to Account No. 2550-8125-4087 and, BE IT FURTHER

RESOLVED, that a Town sewer maintenance vehicle shall be utilized for travel to and from said seminar.

Upon roll call ....

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

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

WHEREAS, the Parks, Recreation and Youth Services Department utilizes Class Software as part of the management information system, AND

WHEREAS, the Escom Corporation is providing multi-track training at the White Oak Conference Center in Niagara Falls, Ontario from May 31<sup>st</sup>-June 2<sup>nd</sup>, 2001 which will assist local users in enhancing their ability to maximize use of the software applications, BE IT

RESOLVED, that Paul Marchewka, Recreation Supervisor, and Phyllis Dennis, Clerk-Typist, be authorized to attend said conference to represent the program planning staff and the secretarial staff, respectively and, BE IT FURTHER

RESOLVED, that all necessary conference expenses be authorized to include training fees, meals (In-Service Training – 7310.4681), and mileage (1910.4083), not to exceed a total of \$595.00 per individual.

Item No. 15d 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 Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, on April 5, 2001, the Town of Cheektowaga became the owner of property located at 1155 Walden Avenue, Cheektowaga, New York, AND

WHEREAS, buildings on such property are in a deteriorated and dilapidated condition, AND

WHEREAS, the Town Engineering Department prepared a written RFP and received proposals from three (3) contractors to demolish the structures on such property and to remove the debris, AND

WHEREAS, the Town Engineering Department analyzed and tabulated all proposals and determined that Metzger & Weisbeck, Inc. meet all requirements of the RFP and submitted the lowest price for the requested work at 1155 Walden Avenue, NOW, THEREFORE BE IT

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RESOLVED, that Metzger & Weisbeck, Inc., 997 Exchange Street, Alden, New York 14004 be and hereby is awarded the contract for the demolition of buildings at 1155 Walden Avenue as per the RFP and its proposal in an amount of \$14,150.00 and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute any and all documents to authorize Metzger & Weisbeck, Inc. to proceed with the work on this project and, BE IT FURTHER

RESOLVED, that the Engineering Department shall be responsible for supervising this project and, BE IT FURTHER

RESOLVED, that this Town Board hereby directs the Supervising Building and Plumbing Inspector to waive any and all fees relating to the demolition of structures on this property and, BE IT FURTHER

RESOLVED, that moneys for this project shall be appropriated from budget line item number 100-1910-2200.

Upon roll call ....

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

**III. DEPARTMENTAL COMMUNICATIONS**

Item No. 17 Supervisor's Statement of Funds – January 2001  
Received and Filed.

Item No. 18a Minutes of Cheektowaga Public Library Board – March 28, 2001  
Received and Filed.

Item No. 18b Minutes of Cheektowaga Planning Board – April 12, 2001  
Received and Filed.

Item No. 18c Minutes of Cheektowaga Traffic Safety Commission – April 17, 2001  
Received and Filed.

**IV. GENERAL COMMUNICATIONS**

Item No. 19a Notice of Claim: Chester L. Miller, Jr. 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. 19b Notice of Claim: Denise Jaskowiak 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. 19c Notice of Claim: Peggy Cotes 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. 19d Notice of Claim: Laura Goodrich 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.

MEETING NO. 10  
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Item No. 20 Order to Show Cause (Amended): Phillip Michalowski and Brenda Michalowski vs. Town of Cheektowaga, Erie County Industrial Development Agency, New York State Department of Transportation, FedJones Cheektowaga, LLC, Concept Construction Corporation and Federal Express, Inc.  
Received and Filed.

Item No. 21 Annual Financial Report Update Document for Town of Cheektowaga – 2000  
Received and Filed.



MOTION BY COUNCILMEMBER JANKOWIAK, 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. 22 Motioned by Councilmember Johnson, Seconded by Unanimous

WHEREAS, by resolution dated May 5, 1997, this Town Board authorized the execution of a Settlement Agreement between the Town and the Pfohl Brothers Landfill Site Steering Committee, which agreement including Addendum No. 1 dated May 13, 1997, sets forth certain provisions governing the discharge of ground water from the landfill perimeter barrier drainage system being installed in accordance with the Remedial Action Plan to Town sewer district facilities for conveyance and treatment by the Buffalo Sewer Authority, AND

Item No. 22 cont'd

WHEREAS, Severson Environmental Services, Inc., the contractor selected by the Steering Committee to implement and construction the Remedial Action Plan has made application for a Wastewater Discharge Permit associated with the Pfohl Brothers remediation plan to discharge wastewater, following on-site pretreatment, to the Town of Cheektowaga and Buffalo municipal sewer system, AND

WHEREAS, discharge limitations, monitoring and reporting requirements, and a wastewater pretreatment plan for said Class III wastewater discharge have been established as part of the Remedial Action design and review process and are set forth in a Town of Cheektowaga/Buffalo Pollutant Discharge Elimination System Permit to regulate discharge in accordance with the Federal Water Pollutant Control Act, Federal Categorical Pretreatment Standards, the sewer regulations of the Buffalo Sewer Authority, Town of Cheektowaga Sewer Use Ordinance and New York State 6NYCRR Part 380 Rules and Regulations, NOW, THEREFORE BE IT

RESOLVED, that the Town Engineer, Administrator of the Local Law No. 2 of the Year 1984 related to Sewer Use, be and hereby is authorized and directed to execute the Wastewater Discharge Permit administered jointly with the Buffalo Sewer Authority to Severson Environmental Services, Inc., 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

MEETING NO. 10  
MAY 21, 2001

Item No. 23 Motioned by Councilmember Mazur, Seconded by Councilmember Johnson  
Councilmember Swiatek

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

WHEREAS, the Southline Athletic Association has made application to hold a parade on Monday, May 28, 2001 beginning at 9:00 A.M. as follows:

- Parade will assemble at the Garden Village Plaza, then proceed east on French Road to Towers Boulevard, then proceed north on Towers Boulevard to North Seine Drive to the Southline Athletic Association baseball fields.

,AND

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

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

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

NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Southline Athletic Association, Inc. for the aforementioned parade to be held on May 28, 2001 and, BE IT FURTHER

Item No. 23 cont'd.

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure compliance with Section 1660(a)(6) of the Vehicle and Traffic Law.

Upon roll call ....

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

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

WHEREAS, the Town Department of Parks Recreation and Youth Services is a recipient of a \$3,000 donation for the purpose of purchasing in-line hockey jerseys, AND

WHEREAS, this donation was unexpected when planning the 2001 budget, NOW, THEREFORE BE IT

RESOLVED, that the following account lines of the 2001 budget be and hereby are amended to reflect the additional revenue awarded through said donation:

In-line Skating (Revenue)	Account #7140.2139
In-line Skating (Expense)	Account #7140.4540

Upon roll call ....

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

MEETING NO. 10  
MAY 21, 2001

ABSENT: 0

Item No. 25 Accept Revised Site Plan - 2727 William Street  
This item was withdrawn.

Item No. 26 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting.  
This meeting was adjourned at 9:05 P.M.

Richard M. Moleski  
Town Clerk



**MEETING NO. 11  
JUNE 4, 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 4th of June, 2001 at 7:00 o'clock P.M. there were:

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

ABSENT: Councilmember Patricia A. Jaworowicz

Also present were: Richard M. Moleski, Town Clerk; Michael Stachowski, Town Attorney; Brian Krause, Director of Finance; William Conway, Town Assessor; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Captain Thomas Rowan; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; Kerry Switalski, Recreation Supervisor - Senior Center; and James Keane, Director of the Buffalo Office Representing Hillary Clinton.

**I. RESOLUTIONS**

Item No. 2 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

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

2000

GENERAL FUND

From:	100-1910-4710	Contingency	\$12,000.00
	100-1910-4710	Contingency	20,000.00
	100-1910-4101	Unallocated Insurance	100.00
	100-1910-4710	Contingency	343.25
	100-1420-4013	Law Books	500.00
	100-7550-4379	War of 1812 Cemetery	1,200.00
	100-7510-4043	Maps Record Supplies	246.99
	100-7510-4051	Records Management	690.00
	100-7510-4052	Printing Historical Material	1,000.00
	100-1910-4711	Contingency Fund	1,138.01
To:	100-1410-4343	Records Storage Space	12,000.00
	100-1910-4709	Management Studies	20,000.00
	100-1910-4706	Real Property Taxes	100.00
	100-1220-4088	Training	343.25
	100-1420-4001	Office Supplies	500.00
	100-7510-4375	Historical Observance	4,275.00

Upon roll call ....

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

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 June 1, 2001 are hereby approved and made a part hereof:

MEETING NO. 11  
JUNE 4, 2001

Item No. 3 cont'd.

GENERAL FUND	\$ 1,909,526.67
HIGHWAY FUND	312,525.45
TRUST & AGENCY	42,745.37
HUD CDBG FUND	446.95
PART TOWN FUND	59,469.81
RISK RETENTION FUND	160,996.14
DEBT SERVICE FUND	579,318.75
HUD HOUSING REHABILITATION FUND	1,100.00
SPECIAL DISTRICTS FUND	631,557.76
CAPITAL FUND	<u>315.00</u>
	\$ 3,698,001.90

Upon roll call ....

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

Item No. 4 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, by Local Law No. 5 of the Year 1990, the Cheektowaga Town Board enacted a Garbage, Rubbish and Refuse Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), AND

WHEREAS, presently, the Town allows yard waste to be disposed of in clear plastic bags, AND

WHEREAS, this Town Board wishes to require that yard waste be disposed of only in galvanized or vinyl containers, AND

WHEREAS, Local Law Intro No. 2001-3 of the Year 2001 has been prepared to so amend Chapter 206 of the Town Code, AND

WHEREAS, a public hearing was held on the 21<sup>st</sup> day of May, 2001 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2001-3 of the Year 2001, entitled "A Local Law to amend the Garbage, Refuse and Rubbish Law of the Town of Cheektowaga ", AND

WHEREAS, it is in the public interest to enact "A Local Law to Amend the Garbage Refuse and Rubbish Law of the Town of Cheektowaga", NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 3 of the Year 2001, entitled "A Local Law to Amend the Garbage, Refuse and Rubbish Law of the Town of Cheektowaga", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy of this local law in his office and one (1) certified copy with the Secretary of State, and BE IT FURTHER

RESOLVED, that Local Law No. 3 of the Year 2001 shall take effect as of July 15, 2001.



Local Law No. 3 of the Year 2001

A Local Law to Amend the Garbage, Rubbish and Refuse Law of the Town of Cheektowaga

This local law would amend Section §206-4.G. of the Code of the Town of Cheektowaga ("Garbage, Rubbish and Refuse Law") to read as follows:

MEETING NO. 11  
JUNE 4, 2001

Item No. 4 cont'd.

"G. All cut grass, leaves and garden clippings shall be placed in an open top galvanized container with handles not exceeding 20 gallons capacity or a vinyl container not exceeding 35 gallons capacity, which containers shall not exceed 40 pounds in weight."

This local law shall become effective as of July 15, 2001.



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

Upon roll call ....

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



AS PER THE ADVICE, DIRECTION AND INSTRUCTIONS OF DEPUTY TOWN ATTORNEY, KEVIN SCHENK, AND COUNCILMEMBER JANKOWIAK, AND ACCORDING TO MUNICIPAL HOME RULE LAW 20 (4):

this local law may not be passed "until it shall have been in its final form and either (a) upon the desks or table of the members at lease seven calendar days, exclusive of Sunday, prior to its final passage, ..."

THE FOLLOWING RESOLUTION WILL BE RESUBMITTED TO THE TOWN CLERK FOR ADOPTION WITH AMENDMENT AT THE JUNE 18<sup>TH</sup>, 2001 TOWN BOARD MEETING.



AMENDED

WHEREAS, by Local Law No. 5 of the Year 1990, the Cheektowaga Town Board enacted a Garbage, Rubbish and Refuse Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), AND

WHEREAS, presently, the Town allows yard waste to be disposed of in clear plastic bags, AND

WHEREAS, this Town Board wishes to require that yard waste be disposed of only in galvanized or vinyl containers, or New York State Department of Environmental Conservation (D.E.C.) approved biodegradable paper bags; AND

WHEREAS, Local Law Intro No. 2001-3 of the Year 2001 has been prepared to so amend Chapter 206 of the Town Code, AND

WHEREAS, a public hearing was held on the 21<sup>st</sup> day of May, 2001 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2001-3 of the Year 2001, entitled "A Local Law to amend the Garbage, Refuse and Rubbish Law of the Town of Cheektowaga ", AND

WHEREAS, it is in the public interest to enact "A Local Law to Amend the Garbage Refuse and Rubbish Law of the Town of Cheektowaga", NOW, THEREFORE, BE IT

RESOLVED, that Local Law No. 3 of the Year 2001, entitled "A Local Law to Amend the Garbage, Refuse and Rubbish Law of the Town of Cheektowaga", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

MEETING NO. 11  
JUNE 4, 2001

Item No. 4 cont'd.

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. 3 of the Year 2001 shall take effect as of January 1, 2002.



Local Law No. 3 of the Year 2001

A Local Law to Amend the Garbage, Rubbish and Refuse Law of the Town of Cheektowaga

"G. All cut grass, leaves and garden clippings shall be placed in an open top galvanized container with handles not exceeding 20 gallons capacity, a vinyl container not exceeding 35 gallons capacity, or New York State Department of Environmental Conservation (D.E.C.) approved biodegradable paper bags, which container or bags shall not exceed 40 pounds in weight."

This local law shall become effective as of January 1, 2002.



Upon roll call ....

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

Item No. 5a Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

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) be held on June 18, 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 amendment, and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 7<sup>th</sup> day of June, 2001, 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 June 18, 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 deleting therefrom the following:

FRENCH ROAD – North side: from the east curblineline of Fradine Drive to a point sixty (60) feet east

ANDERSON ROAD – East side: from the south curblineline of Walden Avenue to the north curblineline of Dale Road (to be effective after completion by the Erie County Water Authority of a waterline and hydrant relocation on Anderson Road)

MEETING NO. 11  
JUNE 4, 2001

Item No. 5a cont'd.

§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:

NORTH RUSHFORD DRIVE – West side: from the north curblineline of Losson Road to the south curblineline of Crabapple Lane

ELMLEAF DRIVE – North side: from the east curblineline of North Rushford Drive to the cul-de-sac

FRENCH ROAD – North side: from the east curblineline of Fradine Drive to a point seventy (70) feet east

ANDERSON ROAD – West side: from the south curblineline of Walden Avenue to the north curblineline of Dale Road (to be effective after completion by the Erie County Water Authority of a waterline and hydrant relocation on Anderson Road)

SONWIL DRIVE – East side: from the south curblineline of Genesee Street to a point one hundred ninety (190) feet south

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

Dated: June 4, 2001



Upon roll call ....

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

AFFIDAVIT – NEXT PAGE

MEETING NO. 11  
JUNE 4, 2001

Item No. 5b Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

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 (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, this Town Board, by resolution dated March 19, 2001, adopted Local Law No. 1 of the Year 2001, entitled "A Local Law Creating A Special Review Zoning District Law" imposing a 90-day moratorium on the issuance of building permits, etc. for property abutting on Harlem Road from the Amherst Town line to Genesee Street, AND

WHEREAS, the Town needs additional 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 extending the 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 18<sup>th</sup> day of June, 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 Intro No. 2001-4 of the Year 2001, entitled A Local Law amending Local Law No. 1 of the Year 2001 should be enacted, and BE IT FURTHER

RESOLVED, that the Town Clerk still 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 18<sup>th</sup> day of June, 2001 at 6:30 P.M. on said day for the purpose of considering the adoption of Local Law Intro No. 2001-4 of the Year 2001, entitled A Local Law amending Local Law No. 1 of the Year 2001. A summary of such proposed Local Law is as follows:

LOCAL LAW INTRO NO. 2001-4 of the YEAR 2001

A LOCAL LAW TO AMEND LOCAL LAW NO. 1 of the YEAR 2001

MEETING NO. 11  
JUNE 4, 2001

Item No. 5b cont'd.

1. For a period of one hundred eighty (180) 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, NEW YORK.

Dated: June 4, 2001

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Richard M. Moleski  
Town Clerk



Upon roll call ....

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

AFFIDAVIT – NEXT PAGE



MEETING NO. 11  
JUNE 4, 2001

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

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Phase I Storm Sewer Installation on Various Town Highways and Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project, which bids were duly received and opened on May 2, 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 May 17, 2001, AND

WHEREAS, said letter recommends the contract for the Phase I Storm Sewer Installation on Various Town Highways Project be awarded to Janik Paving & Construction, Inc. for their submission of the lowest bid, NOW, THEREFORE, BE IT

RESOLVED, that the bid for Phase I Storm Sewer Installation on Various Town Highways Project be and hereby is awarded to Janik Paving & Construction, Inc., 97 Evans Street, P.O. Box 706, Hamburg, New York 14075-0706 for the bid price of \$202,655.50, being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Janik Paving & Construction, Inc. for the aforesaid project, AND, BE IT FURTHER

RESOLVED, that funding for said project shall be funded with budgeted C.D.B.G. funds, AND, BE IT FURTHER

RESOLVED, that said award shall be contingent upon receipt of Release of Funds from the U.S. Department of Housing and Urban Development.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 11  
JUNE 4, 2001

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

WHEREAS, a Notice to Bidders was published for the receipt of bids for the Phase I Storm Sewer Installation on Various Town Highways and Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project, which bids were duly received and opened on May 2, 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 said analysis, tabulation and report is hereto attached and contained in a letter from the Engineering Department dated May 17, 2001, AND

WHEREAS, said letter recommends the contract for the Phase II Cedargrove heights Sanitary/Storm Sewer Improvements Project be awarded to Kissell Excavating for their submission of the lowest bid, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project be and hereby is awarded to Kissell Excavating for the bid price of \$97,980.00, being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Kissell Excavating for the aforesaid project, AND, BE IT FURTHER

RESOLVED, that funding for said project shall be funded with budgeted C.D.B.G. funds, AND, BE IT FURTHER

RESOLVED, that said award shall be contingent upon receipt of Release of Funds from the U.S. Department of Housing and Urban Development.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 11  
JUNE 4, 2001

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

WHEREAS, bids were duly received on May 23, 2001 as a result of advertisement for the Rehabilitation of Sanitary Sewers in the Town of Cheektowaga Consolidated Sanitary Sewer District, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Allan Blachowski, Principal Engineer Assistant, to the Town Board dated May 30, 2001, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Rehabilitation of Sanitary Sewers in the Consolidated Sanitary Sewer District within the Town, as per said unit prices and as recommended by the Town Engineer is hereby awarded to:

New Hope Pipe Liners, Inc.  
625 Mt. Hope Road  
Wharton, New Jersey 07885

For a total contact amount for Items I-IV of \$155,544.00 covering repairs in the Consolidated Sanitary Sewer District, AND, BE IT FURTHER

RESOLVED, that the costs for rehabilitation work have been budgeted in the Consolidated Sanitary Sewer District Account No. 5017-2550-2001 and Contracted Sewer Repairs Account No. 2550-8125-4543.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 11  
JUNE 4, 2001

Item No. 7 Motioned by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, by resolution dated February 26, 2001, this Town Board advertised for bids for the purchase of one (1) Four-Wheel Drive 2001 Tractor with Flail Mulcher Mower for the Highway Department, AND

WHEREAS, bids for such Tractor were duly opened on March 14, 2001, AND

WHEREAS, after review of the bids and the bidders' tractors, the Town Engineer has recommended that all bids be rejected and that revised bid specifications be issued in the future, NOW, THEREFORE, BE IT

RESOLVED, that bids for the purchase of one (1) Four-Wheel Drive 2001 Tractor with Flail Mulcher Mower as advertised and opened as hereinabove stated be and hereby are rejected.

Upon roll call ....

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

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

WHEREAS, the contract for Phase I Storm Sewer Installation on Various Town Highways and Phase II Cedargrove Heights Sanitary/Storm Sewer Improvements Project, awarded by Town Board resolution dated September 18, 2000 to Janik Paving & Construction, Inc., in the amount of \$330,719.76 has been substantially completed in accordance with the contract requirements, AND

WHEREAS, the Town Engineer has recommended approval of Change Order No. 1 (Final) for the aforesaid project, which provides for final adjustment to contract item quantities to those actually incorporated into the project, as outlined in the change order documents dated June 1, 2001, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 (Final) in the amount of \$15,899.53 as an addition to the contract of Janik Paving & Construction, Inc., 97 Evans Street, P.O. Box 706, Hamburg, New York 14075-0706 be and hereby is approved and is to be funded with available CDBG funds, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized and directed to execute said Change Order No. 1 (Final) and the owner's acceptance statement for the completed project on behalf of this Town Board.

Upon roll call ....

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

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

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

WHEREAS, the Beverly Hills Athletic Association has made application to hold a parade on Sunday, June 3, 2001 beginning at 1:30 P.M. as follows:

- Parade will assemble at the Anna Reinstein Library on Harlem Road, then proceed down McNaughton Avenue to the Beverly Hills Athletic Association baseball fields at George Urban Boulevard

AND

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

MEETING NO. 11  
JUNE 4, 2001

Item No. 9a cont'd.

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Beverly Hills Athletic Association for the aforementioned parade to be held on June 3, 2001, and BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such parade and to ensure compliance with Section 1660 (a)(6) of the Vehicle and Traffic Law.

Upon roll call ....

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

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

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

WHEREAS, the Cheektowaga Patriotic Commission has made application to hold its Flag Day Celebration in Cheektowaga Town Park on June 10, 2001, AND

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Parks Department and the Department of Parks, Recreation & Youth Services, and has no objection to same, AND

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

1. Submittal of plan for sanitary facilities;
2. Submittal of site plan;
3. Submittal of Security Plan;
4. Submittal of Fire Prevention/Emergency Services Plan;
5. Certificate of Insurance from Cheektowaga Patriotic Commission.

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Patriotic Commission for the aforementioned Flag Day celebration to be held on June 10, 2001.

Upon roll call ....

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

MEETING NO. 11  
JUNE 4, 2001

Item No. 10 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga is contemplating entering into a lease with Garrett, LLC, for developing and operating a golf course on Town-owned lands; AND

WHEREAS, due to the fact that such lands are or may be considered parklands under state law, it is necessary that special State legislation be enacted to authorize same; AND

WHEREAS, bills have been introduced in the State Senate (S.5329) and Assembly (A.8954) to authorize the Town to enter into the necessary lease agreement for the proposed golf course; NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the State Senate and Assembly to enact Senate Bill S.5239 and Assembly Bill A.8954; AND BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to execute the Home Rule Request forms for the aforementioned Senate and Assembly bills, and to forward same to the Home Rule Counsels for the Senate and Assembly, with copies to Senator William T. Stachowski and Assemblyman Paul A. Tokasz.

Upon roll call ....

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

Item No. 11 Grant Sanitary Sewer Easement to Erie County Sewer District No. 1 (rear of Hillpine Road)  
This item was withdrawn.

Item No. 12 Motioned by Councilmember Jankowiak, Seconded by Councilmember Johnson

WHEREAS, Riffel Terrace is a sixty (60) foot wide Town highway, AND

WHEREAS, a sixty (60) foot wide by (70) foot long extension of Riffel terrace (located south of the south line of lands shown on Borden Heights Subdivision filed in the Erie County Clerk's Office under Map Cover 2186) has been constructed under the direction and supervision of the Town Superintendent of Highways, AND

WHEREAS, the Town Superintendent of Highways has inspected and approved the aforesaid extension of Riffel Terrace, and he has recommended that this Town Board accept same as a Town highway, NOW, THEREFORE, BE IT

RESOLVED, that the sixty (60) foot wide by seventy (70) feet long extension of Riffel Terrace, as further described in the deed, be and the same is hereby accepted and dedicated as a Town highway, AND BE IT FURTHER

RESOLVED, that the Town Attorney's Office be and hereby is directed to file the deed for said extension of Riffel Terrace in the Erie County Clerk's Office.

Upon roll call ....

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

Item No. 13 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak  
Councilmember Swiatek

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

MEETING NO. 11  
JUNE 4, 2001

Item No. 13 cont'd.

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

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

WHEREAS, an application was submitted by Hamister Development Company for the rezoning of part of 2727 William Street from M-1 Light Manufacturing to CM-General Commercial, for the construction of nine (9) self storage buildings, AND

WHEREAS, the plan showed a combined driveway with Big L Distributors, AND

WHEREAS, the plan and rezoning for the parcel was approved by the Town Board of the Town of Cheektowaga at their meeting of April 16, 2001, AND

WHEREAS, the applicant has determined, subsequent to the approval meeting, that the combined driveway will not be suitable for the use of both Big L Distributor and the storage facility for reasons explained by the developer on the attached letter of May 24<sup>th</sup>, AND

WHEREAS, the applicant has obtained approval from the Erie County Highway Department to construct a separate driveway as shown on the attached drawing, AND

WHEREAS, Big L Distributor has agreed to eliminate the westerly driveway to maintain the same number of curb cuts, AND

WHEREAS, this Town Board has reviewed the revised plan submitted by Hamister Development Company, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, reaffirms the decision of April 16, 2001 that the project will not have a significant effect on the environment and finds the revised site plan acceptable.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHEMENTS



MEETING NO. 11  
JUNE 4, 2001

Item No. 14 Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek  
Councilmember Jankowiak

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 Seneca Creek Development to rezone a vacant 2.91 acre parcel of property known as 2911 William Street, AND

WHEREAS, the change in zoning from RA-Apartment District to NS-Neighborhood Service District was requested to construct an 84 bed assisted living facility, AND

WHEREAS, the applicant has had the proposal reviewed by URS Greiner Woodward Clyde, author of the William/Losson Corridor Study commissioned by the Town of Cheektowaga, AND

WHEREAS, URS Greiner Woodward Clyde has concluded that the proposal would have no greater impact than an apartment use and would recommend that the use of the property be limited to the proposal as shown, AND

WHEREAS, the Town Engineer has reviewed the drainage with the applicant's engineer and is satisfied with the proposal, AND

WHEREAS, the applicant has attended numerous meetings, including meeting with nearby residents, AND

WHEREAS, the applicant has agreed to a number of conditions including providing new landscaping, security lighting, an emergency-only gate between Brookfield and the three phase development and consolidating of curb cuts on the north side of William Street, AND

WHEREAS, the Town Board of the Town of Cheektowaga had previously approved the negative declaration August 16, 1999 and the rezoning for the parcel on September 7, 1999 for the same use, AND

WHEREAS, the Advisory Committee, at its meeting held on January 11, 2001 rendered the determination shown on the attached memo dated January 12, 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 finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

Upon roll call ....

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

\* SEE NEXT PAGE(S) FOR ATTACHEMENTS

MEETING NO. 11  
JUNE 4, 2001

Item No. 15a Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 11 Bell Street, Cheektowaga, New York, SBL # 101.28-10-5 and according to the Assessors' Office is owned by Robert V. Larkin & Lynn Draves Larkin, Cheektowaga, New York 14225, AND

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

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

Upon roll call ....

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

Item No. 15b Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 1368 Cleveland Drive, Cheektowaga, New York, SBL # 81.17-5-7 and according to the Assessors' Office is owned by Wendy Metz, Cheektowaga, New York 14225, AND

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

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

Upon roll call ....

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

Item No. 15c Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 54 Cunard Avenue, Cheektowaga, New York, SBL # 91.15-10-19 and according to the Assessors' Office is owned by Joel Puglia & Michelle M. Puglia, Cheektowaga, New York 14227, AND

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

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

Upon roll call ....

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

MEETING NO. 11  
JUNE 4, 2001

Item No. 15d Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 55 Gardenvale Drive, Cheektowaga, New York, SBL # 91.06-14-24 and according to the Assessors' Office is owned by Anne A. Eusanio, Cheektowaga, New York 14225, AND

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

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

Upon roll call ....

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

Item No. 15e Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 89 Gardenvale Drive, Cheektowaga, New York, SBL # 91.06-14-19 and according to the Assessors' Office is owned by George A. Young, Jr. and Wife, Cheektowaga, New York 14225, AND

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

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

Upon roll call ....

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

Item No. 15f Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 89 Henry Street, Cheektowaga, New York, SBL # 113.69-2-30 and according to the Assessors' Office is owned by Bernard J. Jakubiak, Cheektowaga, New York 14227, AND

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

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

Upon roll call ....

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

MEETING NO. 11  
JUNE 4, 2001

Item No. 15g Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 67 Homewood Avenue, Cheektowaga, New York, SBL # 114.09-2-22 and according to the Assessors' Office is owned by James M. Lepsch, Ransomville, New York 14131, AND

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

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

Upon roll call ....

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

Item No. 15h Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 274 Huth Road, Cheektowaga, New York, SBL # 91.06-4-42 and according to the Assessors' Office is owned by John & Linda Hussey, Cheektowaga, New York 14225, AND

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

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

Upon roll call ....

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

Item No. 16 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, on the 7<sup>th</sup> 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 52-5 of the Code of the Town of Cheektowaga 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 on the attached list, providing such ambulance so listed meets the insurance requirements set forth in the Ambulance Ordinance.

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

<u>VEHCILE MAKE &amp; YEAR</u>	<u>LICENSE NO.</u>	<u>CALL NO.</u>
2001 Ford	10600ET	587
2001 Ford	10602ET	588
2001 Ford	10601ET	589
2001 Ford	10603ET	590

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Item No. 16 cont'd.

Upon roll call ....

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

Item No. 17a Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, the NYS Office of Children and Family Services has approved renewal of a Safe Places Grant Award, in the amount of \$50,000, to the Erie County Department of Youth Services, as the lead agency, working in conjunction with the municipal youth bureaus in the Town's of Amherst, Cheektowaga, Lancaster, and Tonawanda; AND

WHEREAS, the Cheektowaga Department of Parks, Recreation & Youth Services and the three other municipal youth bureaus will receive an equal distribution of the full grant award, namely \$12,500 each; AND

WHEREAS, the Safe Places grant application addresses the collective mission of the NYS Office of Children and Family Services and the County and municipal youth bureaus to enable the positive development of children, youth and families, especially in creating youth development opportunities during the non-school hours; AND

WHEREAS, the TOWN has entered into an agreement with the Boys and Girls Club of Buffalo to provide the services specified in the grant application; NOW, THEREFORE BE IT

RESOLVED, that the Supervisor is hereby authorized and directed to sign the necessary agreement between the TOWN and COUNTY to advance said funds.

Upon roll call ....

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

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

WHEREAS, under the Clean Water/Clean Air Bond Act of 1996, moneys are available through the New York State Department of Environmental Conservation for Environmental Restoration/Brownfields Projects, AND

WHEREAS, the Brownfields Program provides grants to municipalities to reimburse up to 75% of eligible costs for site investigation and remediation activities, AND

WHEREAS, the Town of Cheektowaga owns certain properties on Walden Avenue (#1155 and #1281) and is seeking to acquire other properties on Walden Avenue (#1279 and #1071), all of which were or may be contaminated by petroleum products, AND

WHEREAS, these properties on Walden Avenue are eligible for funding under the aforementioned Brownfields Program, AND

WHEREAS, applications have been prepared by the Town Attorney's Office and the Town Engineer for Brownfields funding, AND

WHEREAS, such application has been approved through the Grant Review Process, AND

WHEREAS, matching funds are available from the sale of lands on Walden Avenue to FedJones Cheektowaga, LLC for this grant, NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grants consultant, be and hereby is authorized and directed to complete and file such applications with the DEC, AND, BE IT FURTHER



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Item No. 17b cont'd.

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents for this application and approval of Brownfields funding for these properties, AND BE IT FURTHER,

RESOLVED, that the Town's matching funds for these grants are available through budget line item number 0100-1910-2200.

Upon roll call ....

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

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

WHEREAS, the Town of Cheektowaga has previously engaged Troy & Banks consulting firm to audit the Town's utility accounts to determine that the Town is being properly charged for the Town's utility billings which includes billings by Niagara Mohawk, AND

WHEREAS, based on the work Troy & Banks has performed to date, Niagara Mohawk has offered a settlement proposal of \$34,014.15 to be inclusive from any time in the past through December 31, 2000, AND

WHEREAS, Troy & Banks believes it would be a prudent and beneficial outcome to accept the settlement for the Town of Cheektowaga and its taxpayers, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to sign the settlement offer term sheet and the settlement agreement and release, and all other documents that may be necessary to effect the said settlement.

Upon roll call ....

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

Item No. 17d Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, Bennett-Feinberg Foundation, or its designee, organized under the laws of the State of New York as a not-for-profit corporation having its offices at c/o Trespasz & Marquardt, LLP, 251 West Fayette Street, Syracuse, New York (the "Institution") proposes to finance the costs of constructing and equipping a 100-unit senior living facility located on approximately 9.02 acres of land at 575 Cayuga Creek Road in the Town of Cheektowaga, County of Erie, State of New York ("the Project"), AND

WHEREAS, the Project will be owned by the Institution, operated by Peregrine Health Management Group and be licensed by the New York State Division of Social Services to operate as an Enriched Housing Program for seniors, AND

WHEREAS, the Institution has advised the Town of Cheektowaga (the "Town") that the financing of the Project would be facilitated by the issuance of tax-exempt FHA-Insured Mortgage Revenue Bonds (GNMA Collateralized) Series 2001 (Cayuga Creek Project) (the "Bonds") by the Village of East Rochester Housing Authority (the "Authority") pursuant to section 41 of the Public Housing Law of New York State, AND

WHEREAS, it is intended that interest on the Bonds will be exempt from federal income taxation pursuant to Section 145 of the Code, AND

WHEREAS, as special obligations of the Authority payable solely out of the revenues, receipts of other payments derived from or in connection with the Project, the Bonds would not be a debt of the United States of America, the State of New York, the County of Erie, the Town of Cheektowaga or the Village of East Rochester, AND

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Item No. 17d cont'd.

WHEREAS, under the provisions of Section 37[1](aa) of the Public Housing Law of the State of New York, the Town is empowered to enter into an agreement of cooperation with a housing authority which need not be within the territorial jurisdiction of the Town to assist such housing authority in the construction, maintenance, operation or management of a housing project, AND

NOW, THEREFORE, HAVING CONSIDERED THE RESULTS OF THE PUBLIC HEARINGS, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA AS FOLLOWS:

Section 1. The Town hereby determines to enter into an Agreement of Cooperation with the Village of East Rochester Housing Authority pursuant to Section 37(1)(aa) of the Public Housing Law of the State of New York. The Supervisor of the Town is hereby authorized, on behalf of the Town, to execute and deliver the Certificate of Approval of the Highest Elected Official and the Agreement of Cooperation and the Town Clerk is hereby authorized to affix the seal (or a facsimile thereof) of the Town to the Agreement of Cooperation and to attest to it, all in substantially the form presented to this meeting with changes, variations, omissions and insertions as the Supervisor shall approve. The execution of the Town Supervisor shall constitute conclusive evidence of that approval.

Section 2. In consequence of the foregoing, the Town hereby approves the issuance by the Authority of the Authority's \$11,000,000 FHA-Insured Mortgage Revenue Bonds (GNMA Collateralized), Series 2001 (Cayuga Creek Project) for the purpose of refinancing the cost of acquiring, constructing and equipping the project.

Section 3. This Resolution shall take effect immediately.

Upon roll call ....

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

Item No. 18a Motioned by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department;  
AND

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

WHEREAS, Daniel Miller, currently employed as LMEO-B in the Recycling Department, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Daniel Miller of Cheektowaga, NY 14206, be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective immediately.

Upon roll call ....

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

Item No. 18b Motioned by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, a vacancy exists in the position of Laborers' Aide in the Recycling Department; AND

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



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Item No. 18b cont'd.

WHEREAS, Timothy Jaworowicz, currently employed as a Laborer in the Sanitation Department, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Timothy Jaworowicz of Cheektowaga, NY 14227, be and hereby is appointed to the position of Laborer's Aide in the Recycling Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call ....

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

Item No. 18c Motioned by Councilmember Mazur, Seconded by Councilmember Swiatek

WHEREAS, a temporary vacancy exists in the position of Account 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, no bargaining unit member bid on said vacancy; AND

WHEREAS, said job title is in the competitive class if Civil Service; AND

WHEREAS, the existing Civil Service open competitive list for said title was canvassed; AND

WHEREAS, Sandra Sweeney, appears on the Account Clerk Typist Erie County Civil Service open competitive list and meets all the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Sandra Sweeney of Cheektowaga, New York 14227 be and hereby is appointed to the temporary position of Account Clerk Typist in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective immediately.

Upon roll call ....

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

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

WHEREAS, the Chief of Police has not received a raise since 1998; AND

WHEREAS, pursuant to General Municipal Law section 207-m, related to salary increases for heads of police departments of municipalities, the Chief of Police is entitled to salary increases based on increases of subordinate officers in negotiating units; NOW, THEREFORE BE IT

RESOLVED, the salary of the Chief of Police, which includes a stipend for variable hours of work, be as follows:

For the year 1999	\$77,914
For the year 2000	\$82,326
For the year 2001	\$84,295

and BE IT FURTHER

Item No. 19 cont'd.

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RESOLVED, that the other compensation items of longevity, and clothing allowance be as follows:

Longevity:  
For the year 1999           \$3,375  
For the year 2000           \$3,625  
For the year 2001           \$3,875

Clothing:  
For the year 1999           \$1,100  
For the year 2000           \$1,100  
For the year 2001           \$1,100

Upon roll call ....

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

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

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

		<u>EFFECTIVE</u>
<u>RECYCLING DEPARTMENT – Laborer - \$7.00 per hour</u>		
Ronald Juliano	Depew, NY 14043	immediately
Alan Cialone	Cheektowaga, NY 14227	immediately
Joseph Vecere	Cheektowaga, NY 14206	immediately
Jeremy Gaca	Depew, NY 14043	immediately
Kenneth Kelly	Cheektowaga, NY 14225	immediately
<u>PARKS DIVISION – Laborer - \$6.50 per hour</u>		
Wayne Iwanski	Cheektowaga, NY 14225	immediately

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

	<u>EFFECTIVE</u>
<u>ACCOUNTING DEPARTMENT</u>	
Lorie Misso	05/22/01
Christine Stelmach	04/30/01
<u>RECYCLING DEPARTMENT</u>	
Eric Bakowski	05/18/01
Thomas Niedziela	05/25/01

AND BE IT FURTHER RESOLVED, that the following part-time employee be elevated to the hourly salary as stipulated, effective immediately:

EMPLOYEE RELATIONS – Clerk - \$7.25 per hour  
Michele Gaj                   Cheektowaga, NY 14227

Upon roll call ....

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

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

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BE IT RESOLVED, that the following Parks, Recreation & Youth Services employee be and hereby is terminated, effective immediately (part-time):

Stephanie Gretch 14212

Upon roll call ....

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

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

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

PART-TIME to SEASONAL

Lifeguards – 7180.1903  
Level II - \$6.15  
Patrick Dalton, Jr.

SEASONAL

Arts and Crafts Rotation – 7140.1648  
From Recreation Supervisor I to Recreation Supervisor II - \$6.65  
Adam Kehrer

Cheektowaga Conservation Corps  
Crew Supervisors – 7310.1811  
Program Supervisor - \$12.40  
Roger Newhouse

Camp Flamingo – 7310.1810  
Program Coordinator - \$13.70  
Deborah Ann Fleetwood  
(retro to 5/7/01)

(\*salaries erroneously listed 5/7/01)

From Part-time to Seasonal  
Recreation Supervisors (Arts and Crafts) – 7140.1613  
From Program Coordinator VI to Program Coordinator VII - \$8.90  
Amy Pruski  
(effective 6/18/01)

Part-time  
Administrative Interns – 7310.1804  
Clerk - \$6.25  
Catherine Tomasik

Upon roll call ....

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

Item No. 23 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

Item No. 23 cont'd.

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POOLS

Lifeguards – 7180.1903

Level I + WSI - \$6.15

Joseph F. Niezgodna, III 14212

Gymnastics – 7140.1630

Recreation Attendant I - \$5.15

Denise Pajak 14227

Cheektowaga Conservation Corps

Participants – (Laborers) – 7310.1812

David Guercio 14227

Kevin M. Lizak, Jr. 14225

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

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

WHEREAS, a feasibility study of proposed enhancements and renovations to the Cheektowaga Senior Citizen facility dated March 12, 2001 prepared by Kideney Architects has identified the need to construct masonry fire wall partitions, fire rated doors and related modifications in both the east and west wings in order to bring the structure into compliance with the New York State Uniform Fire Prevention and Building Code, NOW, THEREFORE, BE IT

RESOLVED, that the firm of Kideney Architects, 200 John James Audubon Parkway, Suite 303, Buffalo, New York 14228-1120 be and hereby is retained to provide professional services for the design of the Firewall Retrofit Project to include preparation of contract drawings and specifications for public bidding and services during construction in accordance with the proposal submitted to the Director of Senior Services dated May 16, 2001, and reviewed by the Town Engineer and Supervising Building Inspector, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute said professional services agreement for the aforementioned project on behalf of the Town Board, AND, BE IT FURTHER

RESOLVED, that funding for professional services associated with the Firewall Retrofit Project in the amount of \$6,160.00, plus reimbursable expenses as outlined in the stated proposal, shall be chargeable to Account No. 0500-7620-2520-5120.

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

**III. DEPARTMENTAL COMMUNICATIONS**

Item No. 25 Supervisor's Statement of Funds – February 2001

Item No. 26 Building Permits – June 2001

**IV. GENERAL COMMUNICATIONS**

Item No. 27a Summons and Complaint: Louis Pelino 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.

MEETING NO. 11  
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- Item No. 27b Summons and Complaint: Sally and Lewis Rogers vs 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. 28a Notice of Claim: Nancy Johnston vs 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. 28b Notice of Claim: Helen Nice 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. 28c Notice of Claim: Sally Petko vs. the Town of Cheektowaga  
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sewer Department and Allied Claims Insurance Carrier.  
Received and Filed.
- Item No. 28d Notice of Claim: Natalie Woodward 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. 29 Notice of Highway Closure: Aero Drive between Rein Road to Transit Road



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

Upon roll call ....

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



**V. SUSPENSION OF RULES**

Item No. 30 Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Louis M. Manko petitioned for a rezoning from RA-Apartment District to NS-Neighborhood Services District for property owned by Seneca Creek Development Corporation and located at 2911 William Street, 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 5<sup>th</sup> day of February, 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

MEETING NO. 11  
JUNE 4, 2001

Item No. 30 cont'd.

RESOLVED, that the application of Louis M. Manko for the rezoning from RA-Apartment District to NS-Neighborhood Services 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 Rogowski, Johnson, Swiatek, Jankowiak, and Mazur  
NAYES: 0  
ABSENT: Councilmember Jaworowicz

\* SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

MEETING NO. 11  
JUNE 4, 2001

Item No. 31 Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions 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 recommendation submitted to it by the Planning Board, AND

WHEREAS, a development review application and site plan was submitted by Dale Wilhelm, representing Costanzo's Bakery for the construction of a 1,740 square foot cooler addition at 30 Innsbruck Drive, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the site plan at their meeting of May 15, 2001 and has recommended its approval with the condition that a five (5) foot wide concrete sidewalk be established along the frontage of Innsbruck Drive, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of May 10, 2001 recommended its approval of this site plan, AND

WHEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board and Traffic Safety Commission, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project site plan is acceptable.

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

Item No. 32 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting in memory of Ed Winiewicz, a long-time businessman of Winiewicz Hardware Store on Walden Avenue. This meeting was adjourned at 9:15 P.M.

Richard M. Moleski  
Town Clerk



MEETING NO. 12  
JUNE 13, 2001

Item No. 1 At a special meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 13th of June, 2001 at 6:00 o'clock P.M. there were:

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

ABSENT: Councilmember William P. Rogowski

Also present were: Richard M. Moleski, Town Clerk; Michael Stachowski, Town Attorney; Brian Krause, Director of Finance; Thomas Adamczak, Supervising Building and Plumbing Inspector; Christopher Kowal, Highway Superintendant.

**I. RESOLUTIONS**

Item No. 2 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, by resolution dated June 4, 2001, this Town Board requested the State Senate and Assembly to enact Senate Bill S.5329 and Assembly Bill A.8954 to authorize the Town to enter into a 30-year lease with Garrett, LLC for developing and operating a golf course on Town-owned lands, AND

WHEREAS, Senator Stachowski's Office has informed this Board that it must amend said bill and that it needs this Town Board to enact a resolution to request them to enact the amended bills, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests the State Senate and Assembly to enact Senate Bill S.5329-A and Assembly Bill A.8954-A, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to execute the Home Rule Request forms for the aforementioned Senate and Assembly bills, and to forward same to the Home Rule Counsels for the Senate and Assembly, with copies to Senator William T. Stachowski and Assemblyman Paul A. Tokasz.

Upon roll call ....

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

NAYES: 0

ABSENT: Councilmember Rogowski

Item No. 3 Motioned by Councilmember Johnson, Seconded by Unanimous to adjourn this meeting. This meeting was adjourned at 6:10 P.M.

Richard M. Moleski  
Town Clerk

**TOWN OF CHEEKTOWAGA  
MEETING NO. 13  
JUNE 18, 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 18th of June, 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; Brian Krause, Director of Administration and Finance; Patricia Wojcik, Director of Senior Services; Salvatore LaGreca, Chairman of Planning Board; Thomas Rowan, Police Captain; William Conway, Town Assessor; Robert Sprada, Mark Wegner, Foreman-Building and Grounds Division.



A Public Hearing was held at 6:30 P.M. to consider and discuss adopting Local Law No. 2001-4 of the Year 2001, entitled "A Local Law Amending Local Law No. 1 of the Year 2001" (Create Special Review Zoning District) hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof that such notice has been published and posted, and upon the order of the Supervisor such proof was duly filed. Said amendments being as follows:

**LOCAL LAW INTRO NO. 2001-4 OF THE YEAR 2001**

**A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF THE YEAR 2001**

1. For a period of one hundred eighty (180) 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.



**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:

Item No. 2 cont'd.

MEETING NO. 13  
JUNE 18, 2001



ARTICLE V  
Schedules

§235-49, SCHEDULE X, PARKING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by deleting therefrom the following:

FRENCH ROAD – North side: from the east curblineline of Fradine Drive to a point sixty (60) feet east.

ANDERSON ROAD – East side: from the south curblineline of Walden Avenue to the north curblineline of Dale Road (to be effective after completion by the Erie County Water Authority of a waterline and hydrant relocation on Anderson Road).

§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:

NORTH RUSHFORD DRIVE – West side: from the north curblineline of Losson Road to the south curblineline of Crabapple Lane.

ELMLEAF DRIVE – North side: from the east curblineline of North Rushford Drive to the cul-de-sac.

FRENCH ROAD – North side: from the east curblineline of Fradine Drive to a point seventy (70) feet east.

ANDERSON ROAD – West side: from the south curblineline of Walden Avenue to the north curblineline of Dale Road (to be effective after completion by the Erie County Water Authority of a waterline and hydrant relocation on Anderson Road).

SONWIL DRIVE – East side: from the south curblineline of Genesee Street to a point one hundred ninety (190) feet south.



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

**II. RESOLUTIONS**

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

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

GENERAL FUND

From:	100-1910-2799	Appropriated Fund Balance	\$	14,150.00
	100-1415-4003	Travel Expenses	\$	62.00
	100-1910-4101	Unallocated Insurance	\$	65.00
To:	100-1910-2200	Property Purchases	\$	14,150.00
	100-1415-4500	Supplies & Materials	\$	62.00
	100-1910-4706	Real Property Taxes	\$	65.00

Item No. 3 cont'd.

HUD-CDBG FUND

MEETING NO. 13  
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From:	700-1000-0661	Wilshire Drainage Imp.	\$	967.70
	700-5095-0770	Depew Senior Citizen Center	\$	3,815.39
	700-5095-0770	Depew Senior Citizen Center	\$	2,934.00
To:	700-1000-0602	Clover Drainage Imp.	\$	967.70
	700-1095-0662	U-Crest Area Drainage	\$	3,815.39
	700-1095-0664	Cedargrove Drainage Imp.	\$	2,934.00

SPECIAL DISTRICTS FUND

From:	150-8160-9131	Bond Principal	\$	800.00
To:	150-8160-4470	Solid Waste Management Board	\$	800.00

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 Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to June 15, 2001 are hereby approved and made a part hereof:

GENERAL FUND	\$2,220,679.20
HIGHWAY FUND	\$ 346,139.74
TRUST & AGENCY	\$ 1,520.58
HUD CDBG FUND	\$ 77,865.65
PART TOWN FUND	\$ 64,073.82
RISK RETENTION FUND	\$ 70,157.89
DEBT SERVICE FUND	\$ 548,915.63
HUD HOUSING REHABILITATION FUND	\$ 24,160.00
SPECIAL DISTRICTS FUND	\$2,545,899.54
CAPITAL FUND	<u>\$ 304,335.50</u>
	\$6,203,747.55

Upon roll call ....

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

◆

*ITEMS 5A THROUGH 5F (PERTAINING TO BONDS) WERE ACTED UPON AFTER ITEM 25.  
SEE PAGES 32 THROUGH 38*

◆

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

WHEREAS, by Local Law No. 5 of the Year 1990, the Cheektowaga Town Board enacted a Garbage, Rubbish and Refuse Law (now known as Chapter 206 of the Code of the Town of Cheektowaga, AND

Item No. 6a cont'd.

WHEREAS, presently, the Town allows yard waste to be disposed of in clear plastic bags, AND

MEETING NO. 13  
JUNE 18, 2001

WHEREAS, this Town Board wishes to require that yard waste be disposed of only in galvanized or vinyl containers, AND

WHEREAS, Local Law Intro No. 2001-3 of the Year 2001 has been prepared to so amend Chapter 260 of the Town Code, AND

WHEREAS, a public hearing was held on the 21<sup>st</sup> day of May, 2001 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2001-3 of the Year 2001-3, entitled "A Local Law to Amend the Garbage, Refuse and Rubbish Law of the Town of Cheektowaga", AND

WHEREAS, at the June 4, 2001 Town Board meeting, this Town Board introduced and approved changes to Local Law Intro No. 2001-3 of the Year 2001, and said changes have been on the desks of Town Board members for more than seven days, AND

WHEREAS, it is in the public interest to enact "A Local Law to Amend the Garbage, Rubbish and Refuse Law of the Town of Cheektowaga", with the changes, NOW, THEREFORE BE IT

RESOLVED, that Local Law No. 3 of the Year 2001, entitled "A Local Law to Amend the Garbage, Rubbish and Refuse Law of the Town of Cheektowaga", which is attached hereto and made a part hereof, be and the same is hereby enacted and, BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy of this local law in his office and one (1) certified copy with the Secretary of State and, BE IT FURTHER

RESOLVED, that Local Law No. 3 of the Year 2001 shall take effect as of January 1, 2002.



Local Law No. 3 of the Year 2001

A Local Law to Amend the  
Garbage, Rubbish and Refuse Law of the Town of Cheektowaga

This local law would amend Section 206-4.G. of the Code of the Town of Cheektowaga ("Garbage, Rubbish and Refuse Law") to read as follows:

"G. All cut grass, leaves and garden clippings shall be placed in an open top galvanized container with handles not exceeding 20 gallons capacity, a vinyl container not exceeding 35 gallons capacity, or New York State Department of Environmental Conservation (D.E.C.) approved biodegradable paper bags, which containers or bags shall not exceed 40 pounds in weight."

This local law shall become effective as of January 1, 2002.



Upon roll call ....

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

NAYES: 0

ABSENT: 0

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

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

MEETING NO. 13  
JUNE 18, 2001

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 (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, this Town Board, by resolution dated March 19, 2001, adopted Local Law No. 1 of the Year 2001, entitled "A Local Law Creating A Special Review Zoning District Law" imposing a 90-day moratorium on the issuance of building permits, etc. for property abutting on Harlem Road from the Amherst town line to Genesee Street, AND

WHEREAS, the Town needs additional 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 extending the 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 18<sup>th</sup> day of June, 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 Intro No. 2001-4 of the Year 2001, entitled a local Law Amending Local Law No. 1 of the Year 2001, which would extend the moratorium an additional 90 days, should be enacted, AND

WHEREAS, this Board feels that it is in the Town's best interests to extend the moratorium by enacting Local Law No. 4 of the Year 2001, NOW, THEREFORE BE IT

RESOLVED, that Local Law No. 4 of the Year 2001, entitled "A Local Law amending Local Law No. 1 of the Year 2001", 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. 4 of the Year 2001 shall take effect immediately upon filing with the Secretary of State.

Item No. 6b cont'd.



LOCAL LAW NO. 4 OF THE YEAR 2001  
A LOCAL LAW TO AMEND LOCAL LAW NO. 1 OF THE YEAR 2001



MEETING NO. 13  
JUNE 18, 2001

1. For a period of one hundred eighty (180) 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 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.



Upon roll call ....

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

Item No. 6c Motioned by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

RESOLVED, by the Town Board of the Town of Cheektowaga, that Records Retention and Disposition Schedule in accordance with the Unified Court System, and containing legal minimum retention periods for municipal Town Court records, is hereby adopted for use by all Town Court Justices and Clerks is the disposition of Town Court records listed therein and, BE IT FURTHER

RESOLVED, that in accordance with Part 104 of the Rules of the Chief Administrator, Unified Court System:

(a) only those records will be disposed of that are described in Records Retention and Disposition Schedule created for and by the New York State Unified Court System, after they have met the minimum retention period prescribed therein;

(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal or historical value to merit retention beyond established time periods.

Upon roll call ....

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

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

WHEREAS, in accordance with the policies and procedures adopted by the Cheektowaga Town Board for the procurement of goods and services, the Parks, Recreation & Youth Services Department solicited proposals for transportation for its 2001 summer camp programs, AND

WHEREAS, proposals were received for the provision of said bus transportation services, AND

Item No. 7 cont'd.

WHEREAS, Laidlaw Transit, Inc. submitted the lowest responsible quotation for the provision of said bus transportation services, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby awards the contract for the provision of bus transportation at a cost of \$7,890.00 for the Parks, Recreation & Youth Services Department's summer camp programs to:

Laidlaw Transit, Inc.



MEETING NO. 13  
JUNE 18, 2001

2306 Walden Avenue  
Cheektowaga, New York 14225

Line Item Nos.: 7140.4517  
7140.4518  
7310.4691

Upon roll call ....

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

Item No. 8 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development, AND

WHEREAS, the town wishes to amend its Final Statements on the Use of Community Development Block Grant Funds pertaining to the scope of the Winston-Vegola Recreation Improvements project, AND

WHEREAS, citizens and interested parties were provided the opportunity to comment on the proposed amendment pursuant to the Citizen Participation Plan previously adopted by the Town Board, AND

WHEREAS, the Director of Community Development recommends approval of the proposed amendments, NOW, THEREFORE BE IT

RESOLVED, that the Town Board hereby amends the Town of Cheektowaga's Final Statement on the Use of Community Development Block Grant Funds and Annual Plan as indicated on the attached Community Development Block Grant Final Statement Amendment Report.

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. 9 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

WHEREAS, Contract "A", General Construction Work for the addition to the Anna M. Reinstein Memorial Library was awarded by Town Board resolution dated June 19, 2000 to Wilsandra Construction Co., Inc., AND

WHEREAS, Foit-Albert Associates, Project Architect, and the Town Engineer have advised that work under the aforesaid mentioned contract has been completed in accordance with the contract requirements, AND

MEETING NO. 13  
JUNE 18, 2001

WHEREAS, Foit-Albert has also submitted and recommended the approval of Change Order No. A-02 (Final) which provides for the upgrading of shelving supports and standards to support the Reinstein archive collection as outlined in the change order document, NOW, THEREFORE BE IT

RESOLVED, that this Town Board be and hereby accepts the completed project, Contract "A" (General Construction) and directs the Supervisor to sign the final contract acceptance documents with Wilsandra Construction Co., Inc., 300 Camden Avenue, Buffalo, New York 14216 and Change Order A-02 (Final) in the amount of \$515.00, which provides for an increase to aforesaid contract and, BE IT FURTHER

RESOLVED, that funding for Change Order A-02 (Final) shall be appropriated from the Reinstein Trust Account.

Upon roll call ....

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

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

WHEREAS, the Town of Cheektowaga is interested in purchasing property located at 1071 Walden Avenue, which property is in need of environmental cleanup, AND

WHEREAS, the Town of Cheektowaga, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest and is required in order to implement the Project, AND

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith, NOW, THEREFORE BE IT

RESOLVED, by the Town Board of the Town of Cheektowaga:

1. That the Supervisor is the representative authorized to act in behalf of the Municipality in all matters related to State assistance under ECL, Article 56, Title 5. The representative is also authorized to make application, execute State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance;
4. That this Authorization shall take effect immediately.
- 5.

Item No. 10a cont'd.

Upon roll call ....

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

Item No. 10b Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

MEETING NO. 13  
JUNE 18, 2001

WHEREAS, the Town of Cheektowaga owns property located at 1155 Walden Avenue, which property is in need of environmental cleanup, AND

WHEREAS, the Town of Cheektowaga, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest and is required in order to implement the Project, AND

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith, NOW, THEREFORE BE IT

RESOLVED, by the Town Board of the Town of Cheektowaga:

1. That the Supervisor is the representative authorized to act in behalf of the Municipality in all matters related to State assistance under ECL, Article 56, Title 5. The representative is also authorized to make application, execute State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance;
4. That this Authorization shall take effect immediately.

Upon roll call ....

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

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

WHEREAS, the Town of Cheektowaga is interested in purchasing property located at 1279 Walden Avenue, which property is in need of environmental cleanup, AND

WHEREAS, the Town of Cheektowaga, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest and is required in order to implement the Project, AND

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith, NOW, THEREFORE BE IT

Item No. 10c cont'd.

RESOLVED, by the Town Board of the Town of Cheektowaga:

1. That the Supervisor is the representative authorized to act in behalf of the Municipality in all matters related to State assistance under ECL, Article 56, Title 5. The representative is also authorized to make application, execute State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;

**MEETING NO. 13  
JUNE 18, 2001**

2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance;
4. That this Authorization shall take effect immediately.

Upon roll call ....

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

Item No. 10d Motioned by Supervisor Gabryszak, Seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga owns property located at 1281 Walden Avenue, which property is in need of environmental cleanup, AND

WHEREAS, the Town of Cheektowaga, herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest and is required in order to implement the Project, AND

WHEREAS, Article 56 of the Environmental Conservation Law authorizes State assistance to municipalities for environmental restoration projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith, NOW, THEREFORE BE IT

RESOLVED, by the Town Board of the Town of Cheektowaga:

1. That the Supervisor is the representative authorized to act in behalf of the Municipality in all matters related to State assistance under ECL, Article 56, Title 5. The representative is also authorized to make application, execute State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;
2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation;
3. That one (1) certified copy of this Authorization be prepared and sent to the Albany office of the New York State Department of Environmental Conservation together with the Application for State Assistance;
4. That this Authorization shall take effect immediately.

Item No. 10d 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 Unanimous, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga has received notification of two unsafe structures at 36E Glenwood Court, Cheektowaga, New York SBL #91.15-1-7.2 that are unsecured and

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open to unauthorized entry and a danger to the safety of others, and according to the Assessor's Office are owned by Richard L. Yancey, Jr., Buffalo, New York 14211.

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Housing Standards of the Town of Cheektowaga, and the Town Law of the State on New York, and the owner failed to take actions to safeguard the vacant structure and remove a dilapidated utility shed, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard and secure all openings in the main vacant structure and remove the dilapidated utility shed to protect the health and safety of others, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Article VII, Section 37-60 and Article VIII, Section 37-61 of the Housing Standards of the Town of Cheektowaga, and the Town law of the State of New York, that all openings in the main structure be safeguarded and secured, and the dilapidated utility shed be demolished and the debris from demolition be removed and all costs incurred be assessed against the property hereinbefore described.

Upon roll call ....

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

Item No. 12a Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 94 Cayuga Creek Road, Cheektowaga, New York, SBL #124.22-3-12.1 and according to the Assessors' Office is owned by the Bank of New York as Trustee, c/o The Money Store, 4111 South Darlington Ste 800, Tulsa, Oklahoma, AND

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

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

Upon roll call ....

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

Item No. 12b Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 570 Cayuga Creek Road, Cheektowaga, New York, SBL #113.81-2-8 and according to the Assessors' Office is owned by Samuel J. Ciccio, Jr. and Lisa Hrynczak, Cheektowaga, New York 14227, AND

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

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



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Upon roll call ....

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

Item No. 12c Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 196 Cleveland Drive, Cheektowaga, New York, SBL #79.20-8-30 and according to the Assessors' Office is owned by Jennifer M. Smith, c/o Linda M. Jerge, Buffalo, New York 14215, AND

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

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

Upon roll call ....

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

Item No. 12d Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 119 David Avenue, Cheektowaga, New York, SBL #102.21-7-20 and according to the Assessors' Office is owned by Donald F. Palmer, Cheektowaga, New York 14225, AND

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

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

Upon roll call ....

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

Item No. 12e Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 57 Fairelm Lane, Cheektowaga, New York, SBL #113.50-7-24 and according to the Assessors' Office is owned by Charles McFayden, Cheektowaga, New York 14227, AND

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

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

Upon roll call ....

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

Item No. 12f Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding high weeds and accumulated debris on vacant property located at 36E Glenwood Court, Cheektowaga, New York, SBL #91.15-1-7.2 and according to the Assessors' Office is owned by Richard I. Yancey, Jr., Cheektowaga, New York 14211, AND

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

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

Upon roll call ....

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

Item No. 12g Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 117 Hillpine Road, Cheektowaga, New York, SBL #114.17-3-10 and according to the Assessors' Office is owned by Susan Walkowiak, Cheektowaga, New York 14227, AND

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

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

Upon roll call ....

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

Item No. 12h Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 135 Louis Street, Cheektowaga, New York, SBL #91.52-4-11 and according to the Assessors' Office is owned by Richard G. Doran, Cheektowaga, New York 14225, AND

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

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

Upon roll call ....

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



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NAYES: 0  
ABSENT: 0

Item No. 12i Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 75 Pine Ridge Road, Cheektowaga, New York, SBL #101.60-4-43 and according to the Assessors' Office is owned by Stephania Bochynski of East Aurora, New York 14052, AND

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

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

Upon roll call ....

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

Item No. 12j Cleanup of Vacant Property Located at 72 Rondelay Drive  
This item was withdrawn.

Item No. 12k Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 3870 Union Road, Cheektowaga, New York, SBL #102.08-10-1 and according to the Assessors' Office is owned by Eileen M. Doino, Williamsville, New York 14221 (formally of Williamsville, New York 14221), AND

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

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

Item No. 12k cont'd.

Upon roll call ....

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

Item No. 12l Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 1071 Walden Avenue, Cheektowaga, New York, SBL #101.60-8-19 and according to the Assessors' Office is owned by 2976 Seneca Street Inc., P. O. Box 473, Grand Island, New York 14072, AND

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

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

Upon roll call ....

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

Item No. 12m Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 1217 Walden Avenue, Cheektowaga, New York, SBL #102.53-6-10 and according to the Assessors' Office is owned by Bret Schoellkopf and John M. Kregal, Buffalo, New York 14211, AND

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

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

Upon roll call ....

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

Item No. 12n Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 1219 Walden Avenue, Cheektowaga, New York, SBL #102.53-6-11 and according to the Assessors' Office is owned by Bret Schoellkopf and John M. Kregal, Buffalo, New York 14211, AND

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

Item No. 12n cont'd.

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

Upon roll call ....

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

Item No. 12o Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding and accumulated debris on vacant property located at 4 West Cherbourg Drive, Cheektowaga, New York, SBL #125.06-16-28 and according to the Assessors' Office is owned by Karen M. Anderhalt, Cheektowaga, New York 14227, AND

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

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 12p Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at William and Vern Lane, Cheektowaga, New York, SBL #113.57-2-15 and according to the Assessors' Office is owned by Tarun K. Ohri, Warsaw, New York 14569, AND

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

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 12q Motioned by Unanimous, Seconded by Unanimous

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated debris on vacant property located at 25 Woodell Avenue, Cheektowaga, New York, SBL #102.53-2-27 and according to the Assessors' Office is owned by Dwayne Carhcart, CDD Enterprises LTD., c/o Seasons Mortgage Group Inc., 9325 Midlothian Turnpike, Richmond, Virginia 23235, AND

Item No. 12q cont'd.

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

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

Upon roll call ....

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

NAYES: 0

ABSENT: 0

Item No. 13a 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

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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 Community Symphony Orchestra (amended agreement)	\$10,000.00
Cheektowaga Art Guild	\$ 1,100.00

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. 13b Motioned by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, the Town of Cheektowaga is desirous of implementing a "Neighborhood Wellness Homebuyers Program" in targeted neighborhoods within the Town for the purpose of providing homeownership opportunities to income-eligible homebuyers, AND

WHEREAS, the County of Erie will provide the Town with a grant of \$25,000 for the design and development of said Homebuyers Program, AND

WHEREAS, the Town has been advised that the State of New York will provide the Town with a grant of approximately \$450,000 to fund implementation of said Homebuyers Program, AND

WHEREAS, Anthony J. Nitkowski has submitted a proposal to the Town for the design and development of a Neighborhood Wellness Homebuyers Program, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with Anthony J. Nitkowski, for an amount not to exceed \$25,000, for the design and development of a Neighborhood Wellness Homebuyers Program for the Town of Cheektowaga and, BE IT FURTHER

RESOLVED, that said agreement with Anthony J. Nitkowski is contingent upon receipt of grant funds in the amount of \$25,000 from the County of Erie.

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Upon roll call ....

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

Item No. 13c Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

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

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

WHEREAS, activities utilizing Community Development funds have been programmed for the Villages of Depew and Sloan for the 2001 Program Year, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute Subrecipient Agreements for Community Development Block Grant funding with the Villages of Depew and Sloan for the 2001 Program Year.

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 Councilmember Rogowski

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

Item No. 14 cont'd.

	<u>EFFECTIVE</u>
<u>MAIN PUMP STATION - Laborer - \$7.00 per hour</u>	
Darius Boyd Cheektowaga, NY 14215	6/19/01
<u>SEWER MAINTENANCE - Laborer - \$7.00 per hour</u>	
Derek Tricoli Cheektowaga, NY 14227	Immediately
<u>RECYCLING DEPARTMENT - Laborer - \$7.00 per hour</u>	
Kyle Swanson Cheektowaga, NY 14227	Immediately
Anthony Marinaccio Cheektowaga, NY 14227	"

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

	<u>EFFECTIVE</u>
<u>POLICE DEPARTMENT - Clerk - \$6.00 per hour</u>	
Jennifer Kuma Cheektowaga, NY 14227	6/19/01
Laurie Vail Depew, NY 14043	"
<u>BUILDING MAINTENANCE - Laborer - \$6.00 per hour</u>	
Tamara Greathouse Cheektowaga, NY 14227	Immediately
<u>ASSESSOR'S OFFICE - Clerk - \$7.00 per hour</u>	
Suzanne O-Neill Depew, NY 14043	6/20/01

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ACCOUNTING DEPARTMENT - Computer Support Technician - \$10.00 per hour  
Jeffrey Kosicki Depew, NY 14043 6/19/01

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

	<u>EFFECTIVE</u>
<u>POLICE DEPARTMENT</u>	
Matthew Mann	3/20/01
Francis Dougherty	9/07/00
<u>ASSESSOR'S DEPARTMENT</u>	
Suzanne O'Neill	Immediately
Mary Morris	"
<u>TOWN CLERK'S OFFICE</u>	
Jennifer Farugia	Immediately

Upon roll call ....

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

Item No. 15 Appointment to Fill Vacancy in Position of Light Motor Equipment Operator-B in Recycling Department  
This item was withdrawn.



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER ROGOWSKI TO DISPENSE WITH READING THE NAMES IN THE FOLLOWING RESOLUTIONS, ITEMS 16, 17 AND 18 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. 16 Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

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

(effective June 19, 2001)

Administrative Interns - 7310.1804

Clerk - \$6.00

Erin Neff 14225  
Stephanie Zachowicz 14206

Basketball - 7140.1654/Volley Ball - 7140.1627



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Recreation Instructor V - \$6.40  
Marisa Fallacaro 14227

Recreation Instructor II - \$5.65  
Sheri Greenauer 14227

Basketball - 7140.1654

Recreation Instructor II - \$5.65  
Jocelyn Kiszewski 14206  
Craig Rejman 14227

Pools

Lifeguards - 7180.1903

Level II - \$6.15  
Christopher Fucile 14225

Cheektowaga Conservation Corps.

Participants (Laborer) - \$5.15 – 7310.1812  
Sara Ann Hammer 14043

Participants (Laborers) - \$5.15 (Alternates)  
Ryan R. Knox 14206  
Jeremy M. Cole 14227  
Charles Caccard 14225

Item No. 16 cont'd.

Camps

Dartwood Camp - 7140.1632

Recreation Attendant II - \$5.40  
Bernadette Pasek 14227

Recreation Attendant I - \$5.15  
Paul Hughes 14043  
Patrick Hughes 14043  
Heather Hussar 14227

Camp Crabapple - 7310.1802

Recreation Attendant II - \$5.40  
Kelly McCulloch 14225

Recreation Attendant I - \$5.15  
Krystle Feind 14225

Camp JI-IK-DO-WAH-GAH - 7310-1801

Recreation Attendant V - \$6.15  
Gerri DeBlasi 14225

Camp Flamingo - 7310.1810

Recreation Attendant I - \$5.15  
Joe Bender 14225  
Thomas Carter 14225  
Nicholas Czaplicki 14225  
Noelle DeBlasi 14225  
Neal Esford 14225



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Jillian Franz	14211
Roseanne Gawronski	14227
Holly Hayes	14206
Tracy Hoelzl	14206
Sara Kaczmarek	14227
Jill LoBocchiaro	14043
Alexis Rathwell	14043
Kristin Safe	14227
Melanie Stewart	14225

Recreation Attendant II - \$5.40

Marie Solecki	14225
Krystyna Szymuczuk	14227
Amber Tracy	14225
Kristina Wood	14225

Recreation Attendant III - \$5.65

Erin Esford	14225
Robert Gladwell	14227

Recreation Attendant V - \$6.15

Amy McMahon	14225
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BE IT FURTHER RESOLVED, that the following individuals be and hereby are hired as Seasonal employees in the Parks, Recreation and Youth Services Department (Parks Division), effective 6/19/01:

Laborers - 7110.1496

\$7.00

Patrick Nagy	14043
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Item No. 16 cont'd.

\$6.50

Thomas F. Somogye	14225
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Laborers - 7110.1491

\$6.50

Aaron Astyk	14227
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Deric Demyanich	14206
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Adam Mez	14227
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Jason Winkelman	14227
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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 Parks, Recreation and Youth Services employees be and hereby are transferred and/or upgraded as indicated (Seasonal):

(Effective June 19, 2001)

Transfer from 7140.1614 to Dartwood Camp - 7140.1632

From Counselor II to Recreation Attendant III - \$5.65

Debra Garrison

Erin Finn

Transfer from 7310.1803 to Camp Crabapple - 7310.1802

From Recreation Attendant IV to Recreation Attendant V - \$6.15

Amie Godzich

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From Counselor II to Recreation Attendant III - \$5.65  
Pamela Szeffler

Transfer from 7310.1803 to Camp JI-IK-DO-WAG-GAH - 7310.1801

From Counselor I to Recreation Attendant II - \$5.40  
Kristin Mills  
Amy Schnettler

Transfer from 7310.1803 to Camp Flamingo - 7310.1810

From Counselor III to Recreation Attendant - \$5.90  
Jennifer Odrobina

From Counselor II to Recreation Attendant III - \$5.65  
Barbara Czaplicki  
Nicole Ritzenhaler

From Counselor I to Recreation Attendant II - \$5.40  
Julie Suto  
Samantha Wood

Basketball - 7140.1654

Transfer from Part-Time to Seasonal  
Brian Koscielniak

Item No. 17 cont'd.

Administrative Interns - 7310.1804  
Alicia Wyzykowski

Upon roll call ....

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

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

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

WHEREAS, the Summer Youth Program starts on July 9, 2001, participants work a minimum of 24 hours per week, \$5.15 per hour, unless stated differently, and a termination date not to exceed August 24, 2001, NOW, THEREFORE BE IT

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

Abdullah, Nuha	14227
Adams, Sandra	14225
Babiarz, Crystal	14225
Baer, Virginia	14211
Bailey, Bryant	14227
Balbuzoski, Kimberly	14225
Barber, Jon	Depew 14043
Barleston, DeChante'	14225
Bell, Anthony	Sloan 14212
Bisantz, Megan	14225
Bless, Brandon	14227
Bochman, Jessica	14225
Bodish, Nichole	14225
Bonus, Matthew	14225

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Borcz, Daniel	14225
Brooks, Sarah	Sloan 14212
Bullaro, Robert	Depew 14043
Bzibziak, Jason	14227
Campbell, Katie	Buffalo 14043
Chapman, Bryan	14225
Chase, Christina	14225
Christian, Eric	14215
Cieslewicz, Brandie	14211
Clark, Jolanda	14227
Clinard, Daniel	Depew 14043
Monitor/\$12.29	
Coffey, Robin	14225
Connor, Daniel	14225
Costantino, Joseph	14225
Cramer, Pernell	14225
Crossley, Jacquelyn	Depew 14043
Daughter, Terrance	14215
DeJesus, Enrique III	14225
Donovan, Katherine	14206
Donovan, Sarah	14206
Eich, Jenine	14227
Fix, Michael	14227
Forant, Steven	14206
Frank, Adrian	14215
Frank, Andre'	14215

Item No. 18 cont'd.

Frisicaro, Vincent	Elma 14059
Principal Counselor/\$16.72	
Fyda, Leah	14225
Gabryszak, Brian	Depew 14043
Gaczewski, Dwayne	14225
Galley, Jennifer	14225
Galley, Michael	14225
Gattie, Allison	14225
Genson, Kimberly	14225
Green, Carrie	14225
Green, James	14225
Gullo, Renae	14227
Harris, Daniel	14225
Harris, Katie	14225
Haurik, Joseph	Depew 14043
Holtham, Paul	14211
Howard, Jeremy	Sloan 14212
Hubbard, Darnell	14225
Janicki, David	14225
Jarzyniecki, Bryan	Depew 14043
Johnson, Anita	14225
Kardas, Christopher	14225
Koster, Christopher	14225
Kotarski, Brian	14211
Krempa, Jamie	14225
Krempa, Jennifer	14225
Lobbins, Mike	14215
McDougal, Melinda	Buffalo 14225
Mika, Angela	Sloan 14212
Minotti, Amanda	14225
Mooney, Gerald	14225
Moudy, Michelle	14211
Mroz, Matthew	14225
Mrozek, Justin	Depew 14043
Murphy, Daniel	14225
Nader, Richard	14227
Nelligan, Courtney	14225
Nowak, Andrew	14227

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O'Brien, David	14225
Orlowski, Matthew	Depew 14043
Pace, Damone	14225
Pantano, David	14215
Parker, Ashley	14225
Perez, Russell	Buffalo 14215
Pierce, Adam	14225
Piesczynski, Michael	Buffalo 14212
Puszert, Frank	Depew 14043
Richards, Jamie Lee	14225
Rodriquez, Anthony	14227
Rodriquez, Andrew	14227
Rosado, Luis	14215
Runfolo, Sarah	14211
Santano, Danielle	Sloan 14212
Schiferle, John	14227
Seagrave, Paul	14225
Sekuterski, Laura	14227
Spink, Jessee	14211
Staszczyk, Shawn	14227
Steinwandel, Scott	14225
Stewart, Ashley	14215
Suba, Jonathan	14225
Swanick, Katie	14211
Swiderski, Justin	14227

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Szalczewski, Lori	Depew 14043
Tabak, Andrea	14211
Thauer, Jessica	14225
Thauer, Michael	14225
Thrun, Richard	Sloan 14212
Tillard, Brian	14225
Traynor, Christopher	14225
Tonsoline, Peter	Depew 14043
Principal Counselor/\$16.72	
Uplinger, Adam	14211
Velderdo, Victoria	14225
Velez, Kenneth	14225
Vesheske, Christopher	14227
Weiser, Ashley	14225
Wellington, Denise	14225
Wilkie, Ian	14225
Wozniak, Jonathan	14225
Wyatt-Bell, Vance	14227
Yacobucci, Daniel	14225
Fassel, Barbara	14225
Fassel, Frank	14225
Root, Krystina	14225
Schaub, Daniel	14225
Schaub, David	14225
Serniuk, Jennifer	14227
Shelton, Lindsey	14225
Bailey, Joshua	14227
Fulgham, Raymond	14211
Viles, Robert	14225
Weeden, John	14225
Ceasar, Autumn	14225
Kendall, Jamie	14227
Pulley, Breanna	14225
Slisz, Ashley	223 Alaska (LF) 14206
Vosburgh, Rebecca	370 McNaughton 14225

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MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER MAZUR TO AMEND THE ABOVE RESOLUTION, ITEM 18 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, funds are presently available under the Buffalo & Erie County Workforce Development consortium (WDC), Summer Youth Program, AND

WHEREAS, the Summer Youth Program starts on July 9, 2001, participants work a minimum of 24 hours per week, \$5.15 per hour, unless stated differently, and a termination date not to exceed August 24, 2001, NOW, THEREFORE BE IT

Item No. 18 cont'd.

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

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Barleston, DeChante'	14225
Bell, Anthony	Sloan 14212
Bisantz, Megan	14225
Bless, Brandon	14227
Bochman, Jessica	14225
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Bonus, Matthew	14225
Borcz, Daniel	14225
Brooks, Sarah	Sloan 14212
Bullaro, Robert	Depew 14043
Bzibziak, Jason	14227
Campbell, Katie	Buffalo 14043
Chapman, Bryan	14225
Chase, Christina	14225
Christian, Eric	14215
Cieslewicz, Brandie	14211
Clark, Jolanda	14227
Clinard, Daniel	Depew 14043
Monitor/\$12.29	
Coffey, Robin	14225
Connor, Daniel	14225
Costantino, Joseph	14225
Cramer, Pernell	14225
Crossley, Jacquelyn	Depew 14043
Daughtry, Terrance	14215
DeJesus, Enrique III	14225
Donovan, Katerine	14206
Donovan, Sarah	14206

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Eich, Jenine	14227
Fix, Michael	14227
Forant, Steven	14206
Frank, Adrian	14215
Frank, Andre'	14215
Frisicaro, Vincent	Elma 14059
Principal Counselor/\$16.72	
Fyda, Leah	14225
Gabryszak, Brian	Depew 14043
Gaczewski, Dwayne	14225
Galley, Jennifer	14225
Galley, Michael	14225
Gattie, Allison	14225
Genson, Kimberly	14225
Green, Carrie	14225
Green, James	14225
Gullo, Renae	14227
Harris, Daniel	14225
Harris, Katie	14225
Haurik, Joseph	Depew 14043
Holtham, Paul	14211
Howard, Jeremy	Sloan 14212
Hubbard, Darnell	14225

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Janicki, David	14225
Jarzyniecki, Bryan	Depew 14043
Johnson, Anita	14225
Kardas, Christopher	14225
Koster, Christopher	14225
Kotarski, Brian	14211
Krempa, Jamie	14225
Krempa, Jennifer	14225
Lobbins, Mike	14215
McDougal, Melinda	Buffalo 14225
Mika, Angela	Sloan 14212
Minotti, Amanda	14225
Mooney, Gerald	14225
Moudy, Michelle	14211
Mroz, Matthew	14225
Mrozek, Justin	Depew 14043
Murphy, Daniel	14225
Nader, Richard	14227
Nelligan, Courtney	14225
Nowak, Andrew	14227
O'Brien, David	14225
Orlowski, Matthew	Depew 14043
Pace, Damone	14225
Pantano, David	14215
Parker, Ashley	14225
Perez, Russell	Buffalo 14215
Pierce, Adam	14225
Pieszczynski, Michael	Buffalo 14212
Puszert, Frank	Depew 14043
Richards, Jamie Lee	14225
Rodriquez, Anthony	14227
Rodriquez, Andrew	14227
Rosado, Luis	14215
Runfola, Sarah	14211
Santano, Danielle	Sloan 14212
Schiferle, John	14227
Seagrave, Paul	14225
Sekuterski, Laura	14227
Spink, Jessee	14211
Staszczyk, Shawn	14227
Steinwandel, Scott	14225

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Stewart, Ashley	14215
Suba, Jonathan	14225
Swanick, Katie	14211
Swiderski, Justin	14227
Szalczewski, Lori	Depew 14043
Tabak, Andrea	14211
Thauer, Jessica	14225
Thauer, Michael	14225
Thrun, Richard	Sloan 14212
Tillard, Brian	14225
Traynor, Christopher	14225
Tonsoline, Peter	Depew 14043
Principal Counselor/\$16.72	
Uplinger, Adam	14211
Velderdo, Victoria	14225
Velez, Kenneth	14225
Vesheske, Christopher	14227
Weiser, Ashley	14225
Wellington, Denise	14225
Wilkie, Ian	14225
Wozniak, Jonathan	14225
Wyatt-Bell, Vance	14227

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Yacobucci, Daniel	14225
Fassel, Barbara	14225
Fassel, Frank	14225
Root, Krystina	14225
Schaub, Daniel	14225
Schaub, David	14225
Serniuk, Jennifer	14227
Shelton, Lindsey	14225
Bailey, Joshua	14227
Fulgham, Raymond	14211
Viles, Robert	14225
Weeden, John	14225
Ceasar, Autumn	14225
<u>Kendall, Jamie</u>	<u>14227</u>
<u>Pulley, Breanna</u>	<u>14225</u>
<u>Slisz, Ashley</u>	<u>14206</u>
<u>Vosburgh, Rebecca</u>	<u>14225</u>

Upon roll call ....

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

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

WHEREAS, the National Coalition Institute is hosting a 1-Day Prejudice Reduction Workshop on Thursday, June 21, 2001 in the Curtain Auditorium, Syracuse, New York, AND

WHEREAS, Chief Bruce D. Chamberlin is requesting authorization from the Town Board to send Lt. Craig Moriarity to the workshop, AND

WHEREAS, the NCBI Prejudice Reduction Workshop is a participatory workshop that empowers individuals of all ages and backgrounds to take leadership in their communities and workplaces to build inclusive environments that welcome diversity, AND

WHEREAS, the objective of the one-day workshop is to build effective relations in a diverse community by identifying and working through stereotypes and misinformation about other groups, listening to personal stories about the various ways different groups experience discrimination and increasing a commitment to be allies for those groups, and learning effective ways to intervene when confronted with prejudicial jokes, remarks and slurs, and Lt. Moriarity will bring back to the



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department a better understanding of the issues of cultural diversity and learn new concrete skills for taking on prejudice, AND

NOW, THEREFORE BE IT RESOLVED, that Lt. Craig Moriarity is authorized to attend the 1-Day Prejudice Reduction Workshop and that \$91.00 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

**III. DEPARTMENTAL COMMUNICATIONS**

Item No. 20 Minutes of Traffic Safety Commission Meeting – May 15, 2001  
Received and Filed.

**IV. GENERAL COMMUNICATIONS**

Item No. 21a Gerard R. Hoerber 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. 21b John J. Stock 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. 22 Order to Show Cause: CSX Transportation Corp. vs. New York State Office of Real Property Services, Town of Cheektowaga, etc.  
Copies were sent to: Town Attorney and Assessor.  
Received and Filed.

Item No. 23 Request to Speak: Cheektowaga Citizens Coalition Inc. Regarding Buffalo Crushed Stone  
Received and Filed.



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

Upon roll call ....

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



**V. SUSPENSION OF RULES**

Item No. 24a Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

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WHEREAS, Uniland Development Company has made application and requested the Rezoning from M1-Light Manufacturing District to CM-General Commercial District for property located at 155 Airborne Parkway, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on July 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. 24b Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, BB&H Enterprises has made application and requested the Rezoning from M1-Light Manufacturing District to MS-Motor Services for property located at 207 Youngs Road, with the permission of the owner of the property, namely Joseph Paradowski, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on July 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

MEETING NO. 13  
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Item No. 24c Motioned by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, Niagara Chocolates, Inc. has made application and requested the Rezoning from CM-General District to M1-Light Manufacturing District for property located at 3500 Genesee Street, NOW, THEREFORE BE IT

RESOLVED, that Public Hearing be held regarding said request under the provisions of the Zoning Law on July 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

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

WHEREAS, by resolution dated November 6, 2000, this Town Board issued environmental and site plan approvals for the proposed Rushford Hollow Subdivision for the construction of 72 patio homes located north of Crabapple Lane, AND

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

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

RESOLVED, that this Town Board hereby approves the aforementioned Rushford Hollow Subdivision Map and, BE IT FURTHER

RESOLVED, that the developer of this subdivision shall submit an executed drainage easement to permit maintenance of the bed and banks of Cayuga Creek which borders the northerly portion of the subdivision, prior to the issuance of building permits.

Upon roll call ....

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



MOTION BY COUNCILMEMBER SWIATEK, SECONDED BY COUNCILMEMBER JOHNSON AT 7:25 P.M. TO MOVE INTO EXECUTIVE SESSION TO DISCUSS THE BOND RESOLUTIONS (ITEMS 6A THROUGH 6F) AND THE VOTING WAS AS FOLLOWS:

Upon roll call ....

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

THE TOWN BOARD MEETING RECONVENED AT 7:55 P.M AND ACTED UPON ITEMS 6A THROUGH 6F AS FOLLOWS.



Item No. 5a Bond: Reconstruction and Resurfacing of Various Streets

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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Item No. 5b Bond: Drainage Improvements

\* SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

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Item No. 5c Bond: Reconstruction of Sidewalks

\* SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

MEETING NO. 13  
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Item No. 5d Bond: Building Demolition (Incinerator Building)

\* SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE



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Item No. 5e Bond: Preparation of Plans and Specifications for Future Capital Improvements

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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Item No. 5f Bond: Reconstruction and Improvements to Town Buildings

\* SEE NEXT PAGE(S) FOR ATTACHMENT

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JUNE 18, 2001

Item No. 26 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting.  
This meeting was adjourned at 8:45 P.M.

Richard M. Moleski  
Town Clerk