

**TOWN OF CHEEKTOWAGA
MEETING NO. 1
JANUARY 7, 2002**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 7th of January, 2002 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; Brian Krause, Director of Finance; Susan A. Pella, Coordinator of Employee Relations; William Pugh, Town Engineer; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; Bruce Chamberlin, Chief of Police; Thomas Adamczyk, Supervising Building and Plumbing Inspector; Patricia Wojcik, Director Senior Services and Christopher Kowal, Highway Superintendent.

I. RESOLUTIONS

Item No. 2 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 January 4, 2002 are hereby approved and made a part thereof;

GENERAL FUND	\$ 82,470.60
HIGHWAY FUND	79,366.04
TRUST & AGENCY	30,722.50
PART TOWN FUND	1,556.81
RISK RETENTION FUND	20,133.23
HUD CDBG FUND	18,830.00
SPECIAL DISTRICTS FUND	17,512.80
CAPITAL FUND	<u>36,553.75</u>
	\$ 287,145.73

Upon roll call

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

Item No. 3a Motioned by Supervisor Gabryszak , Seconded by Councilmember Mazur

BE IT RESOLVED, that regular meetings of the Town Board of the Town of Cheektowaga for the calendar year 2002 shall be held at 7:00 P.M. in the Council Chambers of the Town Hall, 3301 Broadway, Cheektowaga, New York on the following referenced dates:

- First and Third Mondays of March, April, May, June, July, August, October, November and December
- January 22nd
- February 4th and 25th
- September 3rd and 16th

and BE IT FURTHER

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

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Item No. 3a cont'd.

Upon roll call

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

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

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga shall hold work sessions for the calendar year 2002 at 6:00 P.M. on Wednesdays preceding each Town Board meeting, and BE IT FURTHER

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

Upon roll call

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

Item No. 4 Motioned by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 2002:

New Year's Day	January 1, 2002	Tuesday
Martin Luther King, Jr. Day	January 21, 2002	Monday
President's Day	February 18, 2002	Monday
Good Friday	March 29, 2002	Friday
Memorial Day	May 27, 2002	Monday
Independence Day	July 4, 2002	Thursday
Labor Day	September 2, 200	Monday
Columbus Day	October 14, 2002	Monday
Election Day	November 5, 2002	Tuesday
Veterans Day	November 11, 2002	Monday
Thanksgiving Day	November 28, 2002	Thursday
Day After Thanksgiving	November 29, 2002	Friday
Christmas Eve	December 24, 2002	Tuesday
Christmas Day	December 25, 2002	Wednesday

Upon roll call

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

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

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

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

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

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Item No. 5 cont'd.

Upon roll call

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

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

BE IT RESOLVED, that the following banking institutions be named official Town Depositories for Year 2002:

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

Upon roll call

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

Item No. 7 Motioned by Councilmember Rogowski, Seconded by Councilmember Mazur

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

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

Upon roll call

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

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

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

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

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

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Item No. 8 cont'd.

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

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

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Town of Cheektowaga is the owner of property known as the Cheektowaga Historical Museum located at 3329 Broadway, AND

WHEREAS, the Town has an agreement with the Cheektowaga Historical Association for the use of the Cheektowaga Historical Museum, AND

WHEREAS, the term of such agreement expires of December 31, 2001, and

WHEREAS, the Cheektowaga Historical Association has requested the Town to renew the agreement for another five (5) years, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with the Cheektowaga Historical Association.

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. 9b Motioned by Councilmember Jankowiak Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Department of Parks, Recreation & Youth Services is desirous of continuing the operation of the Youth Engaged in Service (Y.E.S.) program with the Youth Department – Diocese of Buffalo of 795 Main Street, Buffalo, New York, which prepares and provides teenagers with opportunities to assist their community in various projects that have a need for volunteers, AND

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, or creed, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and the Youth Department – Diocese of Buffalo to continue said program for a twelve month period, January 1, 2002 through December 31, 2002 with a total cost not to exceed the sum of \$54,032.00 and BE IT FURTHER

RESOLVED, that the Youth Department – Diocese of Buffalo will reimburse the Town up to \$9,185.00 of the total budget for said program leaving the actual cost to the Town at \$44,847.00.

CONTRACT # (BUDGET LINE ITEM) 01-7310-4685

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Cheektowaga Department of Parks, Recreation and Youth Services is desirous of continuing the operation of a joint program with the Cheektowaga Public Library System at each of Cheektowaga's four branch libraries, to provide special activities that encourage children to read and become more familiar with the library, AND

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, creed, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement between the Town of Cheektowaga and the Cheektowaga Public Library System to continue said program for a twelve (12) month period, January 1, 2002 through December 31, 2002 with a total cost not to exceed \$2,200.00.

CONTRACT # (BUDGET LINE ITEM) 01-7310-4675

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 9d Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Department of Parks, Recreation & Youth Services is desirous of continuing the operation of a joint program with Child and Family Services of Erie County, 330 Delaware Avenue, Buffalo, New York, 14202, for the purpose of providing group, individual and family counseling to police and court referred juveniles, youthful offenders, and runaway and homeless youth, AND

WHEREAS, said program is open to all Cheektowaga youth regardless of race, color, or creed, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Child and Family Services to continue said program for a twelve month period, January 1, 2002 through December 31, 2002 with a total cost not to exceed \$114,065.00 and BE IT FURTHER

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Item No. 9d cont'd.

RESOLVED, that Child and Family Services will reimburse the Town for up to \$8,208.00 of the total budget for said program and the New York State Office of Children and Family Services will reimburse the Town for up to \$30,051.00 leaving the actual cost to the Town at \$75,806.00

CONTRACT # (BUDGET LINE ITEM) 01-7310-4687

Upon roll call

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

NAYES: 0

ABSENT: 0

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

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

WHEREAS, the Boys and Girls Clubs of Buffalo has successfully operated the Cleveland Hill Safe Places program under contract with the Town the past three years, including the first half of the 2001-2002 school year, AND

WHEREAS, although the three-year State grant which partially funded the program expired on December 31, 2001, the Town wishes to continue to provide said program through the end of 2001-2002 school year, AND

WHEREAS, the Cleveland Hill School District will provide the necessary facilities and \$1,000.00 to operate said program, AND

WHEREAS, the Town of Cheektowaga is one of four municipalities included in a Safe Places grant application submitted by Erie County to the NYS Office of Children and Family Services for a multi-year continuation of said program, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute an agreement with the Boys and Girls Clubs of Buffalo to provide said service for the period January 1, 2002 through June 28, 2002 for a sum not to exceed \$12,500.00.

BUDGET LINE ITEM: 7310.4789

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 9f Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Cheektowaga Department of Parks, Recreation & Youth Services is desirous of continuing the operation of a joint program with Catholic Charities Metropolitan Services Department, 525 Washington Street, Buffalo, New York, 14203, whereby high risk youth within the Town will receive individual and family counseling through the School Intervention Service, and

WHEREAS, said program is open all Cheektowaga youth regardless of race, color, or creed, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor of the Town of Cheektowaga be and hereby is directed to execute an agreement between the Town of Cheektowaga and Catholic Charities Metropolitan Services Department, to continue said program for a twelve month period, January 1, 2002 through December 31, 2002 with a total cost not to exceed the sum of \$150,628.00 and BE IT FURTHER

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Item No. 9f cont'd.

RESOLVED, that Catholic Charities Metropolitan Services will reimburse the Town \$43,210.00 of the total budget for said program and the New York State Office of Children and Family services will reimburse the Town \$30,051.00 leaving the actual cost to the Town at \$77,367.00

CONTRACT # (BUDGET LINE ITEM) 01-7310-4677

Upon roll call

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

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

WHEREAS, Section 150 of the Town Law grants discretionary authority to a town for entry into an agreement with a village located primarily within its boundaries having a police department of 4 or more police officers on an annual full-time basis, to determine what part of the cost of the town police department shall be assessed against the property in the village, AND

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

WHEREAS, the annual budget of the Town for the Town for the fiscal year beginning January 1, 2002 provides for a credit of \$225,000.00 to the Village of Depew for the cost of the Town Police Department assessed against the property in the Village of Depew, AND

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

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

Upon roll call

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

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

BE IT RESOLVED, that the salaries of the following Town Officials be and hereby are established and set forth as follows, effective January 1, 2002:

Supervisor	\$71,000.00
Councilmember (6)	\$18,551.00
Tax Receiver	\$56,689.00
Town Clerk	\$63,781.00
Highway Superintendent	\$70,494.00
Town Justice (2)	\$63,779.00
Budget Director	\$ 5,000.00
Registrar of Vital Statistics	\$ 5,000.00

Upon roll call

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

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

BE IT RESOLVED, that the salaries of the following Town officials and employees who are not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 2002:

Town Engineer	\$71,884
Assistant Town Engineer	\$55,646
Director of Administration & Finance	\$68,794
Accountant	\$49,711
Supervising Building & Plumbing Inspector	\$58,425
Assessor	\$65,150
Executive Director Parks, Youth & Recreation	\$73,749
Coordinator-I	\$40,562
Town Attorney	\$60,864
Deputy Town Attorney (1)	\$41,061
Deputy Town Attorney (1)	\$31,949
Prosecuting Attorney (2)	\$15,789
Clerk to Justice Court	\$36,151
Director of Community Development	\$61,777
Council Office Clerk Steno	\$37,187
Assistant to the Supervisor	\$36,365
Deputy Tax Receiver	\$38,845
1 st Deputy Town Clerk	\$45,396
Supervisor of Sanitation	\$12,664
Senior Citizens Director	\$63,365
Deputy Highway Superintendent	\$69,038
Secretary to Coordinator of Employee Relations (1)	\$35,708
Real Property Appraiser	\$47,559
Council Office Clerk Steno	\$29,400
Clerk to Supervisor	\$23,898
Director of Employee Relations	\$79,000

Upon roll call

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

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

BE IT RESOLVED, that the salaries for the following Town employees not covered by any bargaining unit be and hereby are established and set forth as follows, effective January 1, 2002:

Disaster Coordinator	\$17,000
Bingo Inspector (5)	\$ 7,193
Bingo Chairman (1)	\$ 7,532
Planning Board Members (5)	\$ 3,397
Planning Board Secretary (1)	\$ 4,300
Planning Board Chairman (1)	\$ 5,019
Planning Board Clerical Assistant	\$ 1,500
Zoning Board Member (4)	\$ 4,005
Zoning Board Chairman (1)	\$ 5,425
Zoning Inspector (Part-Time)	\$ 16.955/hr.
Assessment Review Board Member (4)	\$ 1,526
Assessment Review Board Chairman (1)	\$ 1,896
Police Matron (3)	\$13,250
School Crossing Guard (30)	\$ 7.107/hr.
School Crossing Guard Supervisor	\$16,000
Town Historian	\$ 2,000
Court Officer	\$ 12.50/hr.
Court Officer Supervisor	\$ 13.50/hr.
Secretary to Traffic Safety Commission	\$ 4,300
Cell Block Attendants	\$ 14.00/hr.

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Item No. 11c cont'd.

Upon roll call

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

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

BE IT RESOLVED, that Jennifer A. Runfola be and hereby is terminated from her position as Deputy Town Attorney, effective immediately, and BE IT FURTHER

RESOLVED, that Jeffrey L. Whiting, Cheektowaga, New York be and hereby is terminated as Prosecutor in the Town Justice Court and appointed Deputy Town Attorney, effective immediately.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 12A, 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. 12b Motioned by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

BE IT RESOLVED, that James M. Vallone be and hereby is terminated from his position as Prosecutor in the Town Justice Court, effective immediately, AND BE IT FURTHER

RESOLVED, that Athena M. Vinolus, Cheektowaga, New York be and hereby is appointed Prosecutor in the Town Justice Court, effective immediately.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 12B, 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. 13a Motioned by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

BE IT RESOLVED, that the following individuals be and hereby are appointed as Bingo Inspectors, effective immediately and terminating on December 31, 2002:

Ruth A. Cassacci, Cheektowaga, New York 14225
John Abraham, Depew, New York 14043
Thaddeus I. Marciniak, Cheektowaga, New York 14227
Dennis Smith, Cheektowaga, New York 14225
James Rogowski, Depew, New York 14043

and BE IT FURTHER

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Item No. 13a cont'd.

RESOLVED, that the following individual be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 2002 for a term of one year:

Kenneth J. Jeffords, Depew, New York 14043



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 13A, 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. 13b Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following individuals be and hereby are reappointed as Bingo Inspectors, effective immediately and terminating on December 31, 2002.

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

and BE IT FURTHER

RESOLVED, that the following individual be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 2002 for a term of one year:

Kenneth J. Jeffords, Depew, New York 14043

and BE IT FURTHER

RESOLVED, that effective and beginning immediately, Bingo Inspectors shall serve no more than three (3) one-year terms; prior years served by the above referenced individuals shall not count towards this term limit.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 13B, 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. 13c Motioned by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, the term of Andrew A. Kulyk as Chairman of the Zoning Board of Appeals expired on December 31, 2000, AND

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Item No. 13c cont'd.

WHEREAS, Andrew Kulyk submitted a letter to this Town Board requesting reappointment to this position, AND

WHEREAS, Andrew Kulyk has satisfactorily served as Chairman of the Zoning Board of Appeals and merits reappointment to such position, NOW, THEREFORE, BE IT

RESOLVED, that Andrew A. Kulyk, Cheektowaga, New York be and hereby is reappointed to the position of Chairman of the Zoning Board of Appeals, effective January 1, 2001 and terminating on December 31, 2005.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 13C, 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. 13d Motioned by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, the term of one of the members of the Zoning Board of Appeals expired on December 31, 2001, AND

WHEREAS, John Kaczorowski submitted a letter to this Town Board requesting appointment to this position, AND

WHEREAS, this Board feels that John Kaczorowski would be an asset to the Zoning Board of Appeals and merits appointment to such position, NOW, THEREFORE, BE IT

RESOLVED, that John Kaczorowski, Cheektowaga, New York be and hereby is appointed to the position of Member of the Zoning Board of Appeals, effective immediately and terminating on December 31, 2006.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 13D, 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. 13e Motioned by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, the term of Andrew A. Kulyk as Chairman of the Zoning Board of Appeals expired on December 31, 2000, AND

WHEREAS, the term of James Speyer as Member of the Zoning Board of Appeals expired on December 31, 2001, AND

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Item No. 13e cont'd.

WHEREAS, Andrew Kulyk and James Speyer have submitted letters to this Town Board requesting reappointment to these positions, AND

WHEREAS, Andrew Kulyk and James Speyer have satisfactorily served on the Zoning Board of Appeals and merit reappointment to such positions, NOW, THEREFORE, BE IT

RESOLVED, that Andrew A. Kulyk, Cheektowaga, New York be and hereby is reappointed to the position of Chairman of the Zoning Board of Appeals, effective January 1, 2001 and terminating on December 31, 2005, AND BE IT FURTHER

RESOLVED, that James Speyer, Depew, New York be and hereby is reappointed to the position of Member of the Zoning Board of Appeals, effective January 1, 2002 to December 31, 2006.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 13E, 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. 14a Motioned by Supervisor Gabryszak, Seconded by Councilmember Swiatek

BE IT RESOLVED, that Michael J. Stachowski, Depew, New York be and hereby is reappointed as Town Attorney, effective January 1, 2002 to December 31, 2003.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 14A, 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. 14b Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that William R. Pugh, Cheektowaga, New York be and hereby is reappointed as Town Engineer, effective January 1, 2002 to December 31, 2003.

Upon roll call

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

**MEETING NO. 1
JANUARY 7, 2002**

Item No. 14c Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, Robert Buczynski resigned from his position as Member of the Cheektowaga Traffic Safety Commission, effective November 1, 2001, AND

WHEREAS, the terms of Cheektowaga Traffic Safety Commission members Charles Getz and Paul Gasiewicz and Treasurer Lou Penkalski expired on December 31, 2001, AND

WHEREAS, Charles Getz, Paul Gasiewicz and Lou Penkalski have expressed an interest in continuing to serve on the Traffic Safety Commission, AND

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

RESOLVED, that this Town Board hereby accepts the resignation of Robert Buczynski from the Traffic Safety Commission, AND BE IT FURTHER

RESOLVED, that the following individuals be and hereby are re-appointed to the Traffic Safety Commission, effective immediately and terminating on December 31, 2004:

Charles Getz, West Seneca, NY 14224
Paul Gasiewicz, Depew, NY 14043
Lou Penkalski, Cheektowaga, NY 14227

Upon roll call

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

Item No. 14d Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

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

WHEREAS, the members of the Veterans Affairs Committee serve for terms of one (1) year, and expired on December 31, 2001, AND

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

RESOLVED, that the following individuals be and hereby are reappointed to the Veterans Affairs Committee, effective January 1, 2002 and expiring on December 31, 2002:

Alexander Burke, Cheektowaga, NY 14206
Victor Carlucci, Depew, NY 14043
Robert DelRoy, Depew, NY 14043
Wesley Fuqua, Cheektowaga, NY 14225
Donald LeBarron, Cheektowaga, NY 14225
Joseph Lipowski, Depew, NY 14043
Sylvia Lipowski, Depew, NY 14043
Joseph Porempski, Cheektowaga, NY 14227
Karen Porempski, Cheektowaga, NY 14227
George Ross, Sloan, NY 14212
Edward Schultz, Sloan, NY 14212
Raymond Wolniewicz, Cheektowaga, NY 14225

Upon roll call

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

MEETING NO. 1
JANUARY 7, 2002

Item No. 14e Motioned by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, the term of Raymond Pugh as Member of the Cheektowaga Planning Board expired as of December 31, 2001, AND

WHEREAS, Raymond Pugh has requested reappointment of such position, AND

WHEREAS, Raymond Pugh has satisfactorily served on the Planning Board and merits reappointment, NOW, THEREFORE, BE IT

RESOLVED, that Raymond Pugh be and hereby is reappointed to the position of Member of the Cheektowaga Planning Board, effective January 1, 2002 and terminating on December 31, 2008.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 14f Reappoint Planning Board Member
This item was withdrawn.

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

WHEREAS, the term of Judith Skretny as Member of Cheektowaga Public Library Board expired on December 31, 2001, AND

WHEREAS, Judith Skretny has requested reappointment to such position, AND

WHEREAS, Judith Skretny has satisfactorily served on the Cheektowaga Library Board and merits reappointment, NOW, THEREFORE, BE IT

RESOLVED, that Judith Skretny be and hereby is reappointed to the position of Vice-Chairman of the Cheektowaga Public Library Board, effective January 1, 2002 and terminating on December 31, 2006.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 15a Motioned by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

RESOLVED, that Donald R. Guerra, Cheektowaga, New York 14211 be and hereby is appointed Prosecutor in the Town Justice Court, effective immediately.



MOTION BY UNANIMOUS, SECONDED BY UNANIMOUS TO TABLE THE ABOVE RESOLUTION, ITEM 15A, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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

NAYES: 0

ABSENT: 0



**MEETING NO. 1
JANUARY 7, 2002**

Item No. 15b Appoint Five (5) Police Officers
 This item was withdrawn.

Item No. 15c Motioned by Councilmember Mazur, Seconded by Councilmember Johnson

 WHEREAS, a vacancy exists in the position of Pump Operator in the Main Pump Station, AND

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

 WHEREAS, the existing Civil Service list was canvassed, AND

 WHEREAS, Louis J. Arricale appears on said Civil Service list and meets all the necessary qualifications, NOW, THEREFORE, BE IT

 RESOLVED, that Louis J. Arricale of Cheektowaga, New York 14225 be and hereby is appointed to the position of Pump Operator in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective January 21, 2002.

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 Parks, Recreation & Youth Services employees be and hereby are transferred as indicated:

From Part-time to Seasonal

Camille Russell
(effective 1/7/02)

Part-time

Administrative Interns – 7310.1804
Recreation Attendant (Y.E.S.) - \$6.50
Alicia Wyzykowski
(effective 1/14/02)

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 17a Motioned by Councilmember Jaworowicz, Seconded by Councilmember Rogowski
 This item was withdrawn.

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

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

- A. Annual Audit – A complete financial audit of the Town's records will be performed to include:
1. Compilation of the Annual Financial Report to the New York State Department of Audit and Control.

**MEETING NO. 1
JANUARY 7, 2002**

Item No. 17b cont'd.

2. Compilation of financial statements from the Town's records for the year ended December 31, 2001.
 3. Preparation of management letter relative to regular audit.
- B. Single Audit –
Conduct audit of Town's Federal financial assistance for compliance with applicable federal laws and regulations in accordance with OMB Circular A-133.
- C. Consultative Services – Periodic consultation (minimum 90 hours) will be provided to the Supervisor and the Town's Director of Administration and Finance on areas such as: State Revenue Sharing, borrowings, federal and state legislative developments, and other areas as requested.
- D. Benefit Basis Budget Preparation – Assistance will be provided to the Supervisor, Town Board and the Town's Director of Administration and Finance in various phases of the preparation of the 2003 benefit basis budget. Will assist in compiling the special district rates for submission to Erie County to assist in the preparation of individual property tax bills.
- E. Ad Valorem Budget Consultation – Will read the tentative 2003 Ad Valorem Budget and report as to their observations and recommendations to the Supervisor and Town Board on that document. Will also provide commentary on the internally-prepared projections of available fund balances related to budget preparation (minimum 100 hours).
- F. Audit of Town Clerk, Tax Receiver and Town Justice Budgets – Will compile financial statement for these departments on the cash basis of accounting.
- G. Will aid the Town in the preparation of the Comprehensive Annual Financial Report to be submitted to the Government Finance Officer's Association – for review in the Certificate of Excellence in Financial Report Program.
- H. Compilation of Detailed Budget Presentation Document

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

RESOLVED, that Deloitte & Touche be retained to perform the services listed above for the year 2002 according to the following fee schedule:

\$23,250.00	General Fund
\$21,000.00	Sanitary Sewer Dist.
\$32,500.00	Special Districts
\$ 9,200.00	Capital Projects fund
\$ 8,200.00	Various Federal Programs

Upon roll call

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

Item No. 17c Motioned by Councilmember Jaworowicz, Seconded by Councilmember Johnson

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

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

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

WHEREAS, this Town Board wishes to continue to retain the services of a grants consultant firm for the 2002 calendar year, NOW, THEREFORE, BE IT

MEETING NO. 1
JANUARY 7, 2002

Item No. 17c cont'd.

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

RESOLVED, that the fees stipulated in such agreement, \$32,000.00, shall be appropriated from budget line item number 0100-1220-4957.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

MEETING NO. 1
JANUARY 7, 2002

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

WHEREAS, the Town is eligible to receive \$1,111,000 in Community Development Block Grant funds for the Year 2002 Program Year, AND

WHEREAS, the Town is eligible to receive approximately \$352,667 in Home Investment Partnership program funds for the 2002 Program Year through the Amherst-Cheektowaga-Tonawanda HOME Consortium, AND

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

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

WHEREAS, proposed activities for Program Year 2002 Community Development Block Grant and HOME Program funds have been made available for public review and comment in the public libraries within the Town, the Cheektowaga Town Clerk's Office and the Community Development Office, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on January 22, 2002 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, NY 14227 for the above stated purpose, AND BE IT FURTHER

RESOLVED, that the attached public notice of such public hearing be published in the Cheektowaga Times on Thursday, January 10, 2002.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

AFFIDAVIT NEXT PAGE

MEETING NO. 1
JANUARY 7, 2002

Item No. 19 Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for drainage systems maintenance and erosion control projects in the Town of Cheektowaga, AND

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

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

RESOLVED, that sealed bids will be received in the 23rd day of January, 2002 at 11:00 a.m., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT NEXT PAGE

**MEETING NO. 1
JANUARY 7, 2002**

Item No. 20a Seconded 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 the Town of Cheektowaga Engineering Department to construct a 4.4± mile bicycle/pedestrian pathway known as the Cheektowaga Historic Rails to Trails – Phase I, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on December 19, 2001 recommended a determination of non significance as shown on the attached memorandum dated January 2, 2002, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission at its meeting held on March 20, 2001 recommended approval of the project subject to the installation of ladder type crosswalk and pedestrian crossing signage at the Como Park Boulevard road crossing, AND

WHEREAS, the New York State Office of Parks, Recreation and Historic Preservation reviewed the project and indicated that the project will not have an impact on cultural resources in or eligible for inclusion in the State and National Registers of Historic Places as shown on the attached correspondence dated June 15, 2001, AND

WHEREAS, the New York State Department of Environmental Conservation and the Erie County Department of Environment and Planning have reviewed this project and have agreed that the Town should act as lead agency as shown on the attached correspondence dated December 12, 2001 respectively, AND

WHEREAS, the Town of Cheektowaga Town Board previously adopted a Master Plan for Bicycle Trails within the Town of Cheektowaga as shown on the attached resolution dated March 21, 1994 and held a public information meeting regarding the proposed bicycle/pedestrian trails, AND

WHEREAS, this Town Board has reviewed the application submitted the recommendations made by the Environmental Advisory Committee, and the Traffic Safety Commission, 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 purposes of SEQRA.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

**MEETING NO. 1
JANUARY 7, 2002**

Item No. 20b 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 Brett Morgan, representing Cricket Communications for the construction of a 135 foot tall monopole cellular communications tower within an existing Niagara Mohawk electrical transmission tower at the property identified as SBL number 102.04-3-7.1 along Broadway, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on November 28, 2001 recommended a determination of non significance as shown on the attached memorandum dated November 29, 2001, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting held on December 31, 2001 recommended approval of the special use permit and site plan as shown on the attached recommendation dated December 14, 2001, AND

WHEREAS, Cricket Communications has verbally committed to allow the Town to locate its Police/Emergency Communications equipment, if necessary on the top of the proposed tower if such installation does not interfere with Cricket's ability to render its services and Niagara Mohawk has no objection to the Town's installation, AND

WHEREAS, this Town Board has reviewed the application submitted the recommendations made by the Environmental Advisory Committee and Planning Board 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 purposes of SEQRA and finds the site plan acceptable.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

**MEETING NO. 1
JANUARY 7, 2002**

Item No. 20c 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 Benderson Development Co., Inc. to construct a 51,456 square foot retail building at 3770 Union Road, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on December 19, 2001 recommended a determination of non significance as shown in the attached memorandum dated January 2, 2002, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting held on September 14, 2000 recommended approval of the site plan as shown on the attached recommendation dated September 29, 2000, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission at its meeting held on October 16, 2001 recommends approval of the site plan with the condition that the developer provide signage at the proposed Union Road full access drive way to restrict outbound left hand turning movements during peak hours. Furthermore, that developer commit to a future modification of the existing Citibank Driveway along Galleria Drive by restricting movements to right in and right out only; and that the developer agree to pay for a traffic impact study to re-evaluate traffic movements to and from the subject site as a result of said further modifications to the Citibank (Galleria Drive) driveway, AND

WHEREAS, Benderson Development Company, Inc. has provided written commitments with respect to the aforesaid traffic improvements/study and has further agreed to participate in the Town's access management objectives along Galleria Drive by working cooperatively with neighboring landowners, AND

WHEREAS, this Town Board has reviewed the application submitted the recommendations made by the Environmental Advisory Committee, the Planning Board and the Traffic Safety Commission, 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 purposes of SEQRA and approves the site plan.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

**MEETING NO. 1
JANUARY 7, 2002**

Item No. 20d 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 Lou Terragnoli, representing Tim Horton's to construct a 2,810± square foot restaurant at 1610 Walden Avenue, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on December 19, 2001 recommended a determination of non significance as shown on the attached memorandum dated January 2, 2002, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting held on November 8, 2001 recommends approval of the site plan as shown on the attached correspondence dated December 7, 2001, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission at its meeting held on November 20, 2001 reviewed the site plan and its recommending approval, AND

WHEREAS, the New York State Department of Transportation has reviewed the proposed project and is recommending the easterly driveway to be restricted to right in and right out only as shown on the attached correspondence dated December 20, 2001, AND

WHEREAS, the applicant is committed to seeking a cooperative agreement with the neighboring land owner for an access easement to utilize the existing traffic signal on Walden Avenue for egress and ingress, AND

WHEREAS, this Town Board has reviewed the application submitted the recommendations made by the Environmental Advisory Committee, the Planning Board and the Traffic Safety Commission, 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 purposes of SEQRA and approves the site plan subject to the installation of a restricted access driveway as recommended by NYSDOT.

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

**MEETING NO. 1
JANUARY 7, 2002**

Item No. 21 Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Niagara Mohawk/Cricket Communications applied for a Special Permit and site plan approval for the erection of a telecommunications facility on property located on Broadway (S.B.L. No. 102.04-3-7.1), Cheektowaga, New York pursuant to Sections 260-47 and 260-48 of the Code of the Town of Cheektowaga ("Zoning Law"), AND

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 17th day of December, 2001 at 6:30 P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the 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 recommended approval of this Special Permit, AND

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA for this project, NOW, THEREFORE, BE IT

RESOLVED, that the aforesaid Special Permit be and hereby is granted.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT NEXT PAGE

MEETING NO. 1
JANUARY 7, 2002

II. DEPARTMENTAL COMMUNICATIONS

- Item No. 22 Building Permits – December 2001
Received and Filed.
- Item No. 23 Supervisor's Statement of Funds – November 2001
Received and Filed.
- Item No. 24 Cheektowaga Conservation Advisory Council – December 6, 2001
Received and Filed.

III. GENERAL COMMUNICATIONS

- Item No. 25 Notice of Order: Prohibited Left Turn from West on Sunset Road at Union Road, Rte. 277, at Designated Times
Received and Filed.
- Item No. 26 Summons & Complaint: State Street Bank & Trust vs. Town of Cheektowaga, et al.
Copies sent to: Michael Stachowski, Town Attorney.
Received and Filed.

IV. SUSPENSION OF RULES

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

WHEREAS, bids were received on December 19, 2001 for the Supplying of Custodial Supplies for 2002, 2003 and 2004, AND

WHEREAS, said bids were referred to the Town of Cheektowaga Department of Parks, Recreation & Youth Services, Parks Division, for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Supplying of Custodial Supplies for the fiscal years 2002, 2003 and 2004 be awarded to the following at the total bid price listed below:

		<u>TOTAL BID PRICE</u>
CATEGORY I	Paper Products	\$ 52.73 Inc./Del.
CATEGORY II	Polyethylene Liners	\$ 35.60 Inc./Del.
CATEGORY III	Cleaner/Disinfectant	\$182.49 Inc./Del.
CATEGORY IV	Cleaner/Polishers	\$ 45.95 Inc./Del.

AWARD OF CATEGORY I Dobmeier Janitor Supply, Inc.
354 Englewood Avenue
Buffalo, New York 14223-2806

AWARD OF CATEGORY II Central Poly Corporation
18 Donaldson Place
Linden, NJ 07036

AWARD OF CATEGORY III Corr Distributors, Inc.
33 Chandler Street
Buffalo, New York 14207

AWARD OF CATEGORY IV Corr Distributors, Inc.
33 Chandler Street
Buffalo, New York 14207

Upon roll call

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

NAYES: 0

ABSENT: 0

**MEETING NO. 1
JANUARY 7, 2002**

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

WHEREAS, Bid proposals were received for the Leasing and Servicing of Portable Chemical Toilets on January 2, 2002, AND

WHEREAS, said proposals have been reviewed for compliance under the terms of the Specifications, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby award said Bid for the Leasing and Servicing of Portable Chemical Toilets to:

J.B. New York Enterprises, Inc.
Ball Toilet & Septic Services
P.O. Box 2072
3725 Jeffrey Boulevard
Blasdell, New York 14219

Category A Single Units \$1.38 per day, per unit, Items I through X

Category B Handicapped Units \$2.30 per day, per unit, Item I

Modern Portable Toilets
4746 Model City Road
Model City, New York 14107

Category C Special Events \$24.95 per day, per unit, Items I through V

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the New York State Division of Justice Services will be hosting a D.A..R.E. Elementary Component Instructor Course January 7-18th, 2002, in Rochester, New York at the Four Points Sheraton Hotel, AND

WHEREAS, P.O. Brian Coons will be representing our Department at this training course, AND

WHEREAS, this training is offered at no cost to the Town of Cheektowaga except for the expense of gasoline/tolls to travel to such training and if weather necessitates a stay (over the weekend only) at an approximate cost of \$200.00, AND, NOW THEREFORE BE IT

RESOLVED, that Chief Bruce D. Chamberlin is authorized to send P.O. Brian Coons to such training and that the expenses will be charged to line #0100-3120-4006, D.A.R.E. Program.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 29a Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting at 8:00 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
JANUARY 22, 2002**

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 22nd of January, 2002 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; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Patricia Wojcik, Director of Senior Services; Bruce Chamberlin, Chief of Police; Kenneth J. Kopacz, Director of Parks, Recreation and Youth Services; Brian Krause, Director of Administration and Finance; Michael Stachowski, Town Attorney; Ronald Kmiotek, Town Justice; Andrew Kulyk, Chairman of Zoning Board of Appeals; Jerome Gabryszak, Director of Community Development and Thomas Kolbert, Town Justice.



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER JOHNSON TO GO INTO EXECUTIVE SESSION AT 7:15 P.M. AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER JOHNSON TO TERMINATE EXECUTIVE SESSION AT 7:35 P.M. AND TO RESUME THE REGULAR MEETING. THE VOTING WAS AS FOLLOWS:

Upon roll call

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



I. FROM THE TABLE

Item No. 2a Motioned by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that Jennifer A. Runfola be and hereby is terminated from her position as Deputy Town Attorney, effective immediately and, BE IT FURTHER

RESOLVED, that Jeffrey L. Whiting, Cheektowaga, New York be and hereby is terminated as Prosecutor in the Town Justice Court and appointed Deputy Town Attorney, effective immediately.

Item No. 2a cont'd.

MEETING NO. 2
JANUARY 22, 2002

Upon roll call

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

This resolution was defeated with a 5 to 2 vote.

Item No. 2b Motioned by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

BE IT RESOLVED, that James M. Vallone be and hereby is terminated from his position as Prosecutor in the Town Justice Court, effective immediately and, BE IT FURTHER

RESOLVED, that Athena M. Vinolus, Cheektowaga, New York be and hereby is appointed Prosecutor in the Town Justice Court, effective immediately.

Upon roll call

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

This resolution was defeated with a 5 to 2 vote.

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

BE IT RESOLVED, that the following individuals be and hereby are appointed as Bingo Inspectors, effective immediately and terminating on December 31, 2002:

Ruth A. Cassacci, Cheektowaga, New York 14225
John Abraham, Depew, New York 14043
Thaddeus I. Marciniak, Cheektowaga, New York 14227
Dennis Smith, Cheektowaga, New York 14225
James Rogowski, Depew, New York 14043

and, BE IT FURTHER

RESOLVED, that the following individual be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 2002 for a term of one year:

Kenneth J. Jeffords, Depew, New York 14043

—◆—
MOTION BY COUNCILMEMBER SWIATEK, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 3A, AS FOLLOWS:

—◆—
Amendment No. 1

BE IT RESOLVED, that the following individuals be and hereby are appointed as Bingo Inspectors, effective immediately and terminating on December 31, 2002:

Ruth A. Cassacci, Cheektowaga, New York 14225
John Abraham, Depew, New York 14043
Thaddeus I. Marciniak, Cheektowaga, New York 14227
Dennis Smith, Cheektowaga, New York 14225
Kathy Ferdinand, Cheektowaga, New York 14043

and, BE IT FURTHER

Item No. 3a cont'd.

MEETING NO. 2
JANUARY 22, 2002

RESOLVED, that the following individual be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 2002 for a term of one year:

Kenneth J. Jeffords, Depew, New York 14043

Upon roll call

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

NAYES: Councilmembers Jaworowicz and Rogowski

ABSENT: 0



MOTION BY COUNCILMEMBER ROGOWSKI, SECONDED BY COUNCILMEMBER JAWOROWICZ TO AMEND THE ABOVE RESOLUTION, ITEM 3A, AS FOLLOWS:



Amendment No. 2

BE IT RESOLVED, that the following individuals be and hereby are appointed as Bingo Inspectors, effective immediately and terminating on December 31, 2002:

Ruth A. Cassacci, Cheektowaga, New York 14225

John Abraham, Depew, New York 14043

Thaddeus I. Marciniak, Cheektowaga, New York 14227

Dennis Smith, Cheektowaga, New York 14225

Joseph Przemielewski, Cheektowaga, New York 14227

and, BE IT FURTHER

RESOLVED, that the following individual be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 2002 for a term of one year:

Kenneth J. Jeffords, Depew, New York 14043

Upon roll call

AYES: Councilmembers Jaworowicz and Rogowski

NAYES: Supervisor Gabryszak, Councilmembers Johnson, Swiatek, Jankowiak and Mazur

ABSENT: 0

This resolution was defeated with a 5 to 2 vote.



MOTION BY COUNCILMEMBER SWIATEK, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 3A, AS FOLLOWS:



Amendment No. 3

BE IT RESOLVED, that the following individuals be and hereby are appointed as Bingo Inspectors, effective immediately and terminating on December 31, 2002:

Ruth A. Cassacci, Cheektowaga, New York 14225

John Abraham, Depew, New York 14043

Thaddeus I. Marciniak, Cheektowaga, New York 14227

Dennis Smith, Cheektowaga, New York 14225

Kathy Ferdinand, Cheektowaga, New York 14227

and, BE IT FURTHER

Item No. 3a cont'd.

**MEETING NO. 2
JANUARY 22, 2002**

RESOLVED, that the following individual be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 2002 for a term of one year:

Kenneth J. Jeffords, Depew, New York 14043

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Swiatek, Jankowiak and Mazur

NAYES: Councilmembers Jaworowicz, Johnson and Rogowski

ABSENT: 0

Item No. 3b Reappoint Bingo Inspectors and Chairman
This resolution was withdrawn.

Item No. 3c Motioned by Councilmember Jaworowicz, Seconded by Councilmember Rogowski

WHEREAS, the term of Andrew A. Kulyk as Chairman of the Zoning Board of Appeals expired on December 31, 2000, AND

WHEREAS, Andrew Kulyk submitted a letter to this Town Board requesting reappointment to this position, AND

WHEREAS, Andrew Kulyk has satisfactorily served as Chairman of the Zoning Board of Appeals and merits reappointment to such position, NOW, THEREFORE BE IT

RESOLVED, that Andrew A. Kulyk, Cheektowaga, New York be and hereby is reappointed to the position of Chairman of the Zoning Board of Appeals, effective January 1, 2001 and terminating on December 31, 2005.

Upon roll call

AYES: Councilmembers Jaworowicz and Rogowski

NAYES: Supervisor Gabryszak, Councilmembers Johnson, Swiatek, Jankowiak and Mazur

ABSENT: 0

This resolution was defeated with a 5 to 2 vote.

Item No. 3d Motioned by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, the term of one of the members of the Zoning Board of Appeals expired on December 31, 2001, AND

WHEREAS, John Kaczorowski submitted a letter to this Town Board requesting appointment to this position, AND

WHEREAS, this Board feels that John Kaczorowski would be an asset to the Zoning Board of Appeals and merits appointment to such position, NOW, THEREFORE BE IT

RESOLVED, that John Kaczorowski, Cheektowaga, New York be and hereby is appointed to the position of Member of the Zoning Board of Appeals, effective immediately and terminating on December 31, 2006.

Upon roll call

AYES: Councilmembers Jaworowicz and Rogowski

NAYES: Supervisor Gabryszak, Councilmembers Johnson, Swiatek, Jankowiak and Mazur

ABSENT: 0

This resolution was defeated with a 5 to 2 vote.

Item No. 3e Motioned by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, the term of Andrew A. Kulyk as Chairman of the Zoning Board of Appeals expired on December 31, 2000, AND

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WHEREAS, the term of James Speyer as Member of the Zoning Board of Appeals expired on December 31, 2001, AND

WHEREAS, Andrew Kulyk and James Speyer have submitted letters to this Town Board requesting reappointment to these positions, AND

WHEREAS, Andrew Kulyk and James Speyer have satisfactorily served on the Zoning Board of Appeals and merit reappointment to such positions, NOW, THEREFORE BE IT

RESOLVED, that Andrew Kulyk, Cheektowaga, New York be and hereby is reappointed to the position of Chairman of the Zoning Board of Appeals, effective January 1, 2001 and terminating on December 31, 2005 and, BE IT FURTHER

RESOLVED, that James Speyer, Depew, New York be and hereby is reappointed to the position of Member of the Zoning Board of Appeals, effective January 1, 2002 to December 31, 2006.

Upon roll call

AYES: Supervisor Gabryszak, Councilmembers Swiatek, Jankowiak and Mazur
NAYES: Councilmembers Jaworowicz and Johnson
Councilmember Rogowski voted Aye for Kulyk and Naye for Speyer
ABSENT: 0

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

BE IT RESOLVED, that Michael J. Stachowski, Depew, New York be and hereby is reappointed as Town Attorney, effective January 1, 2002 to December 31, 2003.

Upon roll call

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

Item No. 5 Appoint Prosecutor in Justice Court
This resolution was withdrawn.

II. RESOLUTIONS

Item No. 6 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

HIGHWAY FUND

From:	300-9501-9131	Bond Principal	\$100,000.00
To:	300-5142-4180	Contracted Snow Removal	\$100,000.00

Upon roll call

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

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

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to January 18, 2002 are hereby approved and made a part hereof:

GENERAL FUND	\$2,353,539.33
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HIGHWAY FUND	349,143.33
TRUST & AGENCY	19,617.41
PART TOWN FUND	63,911.35
RISK RETENTION FUND	59,719.20
DEBT SERVICE FUND	498,968.75
HUD HOUSING REHABILITATION FUND	4,783.00
HUD CDBG FUND	3,544.20
SPECIAL DISTRICTS FUND	808,512.63
CAPITAL FUND	<u>39,979.67</u>
	\$4,201,718.87

Upon roll call

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

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

WHEREAS, Cricket Communications has made application for a Special Use Permit to add a self-supporting telecommunications tower on property located at 203 Eggert Road with the permission of the owner, namely Calypso Development of Western New York, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on February 4, 2002 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. 8b Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, David Reszel has made application and requested the Rezoning from NS-Neighborhood Services District to C-Retail Business District for property located at 5100 Transit Road, with the permission of the owner of the property, namely Josephine Reszel, NOW, THEREFORE BE IT

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RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on February 4, 2002 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. 8c Motioned by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, John W. Shaflucas has made application and requested the Rezoning from NS-Neighborhood Services District to C-Retail Business District for property located at 2618 Union Road, with the permission of the owner of the property, namely Dolores Jakubczak, NOW, THEREFORE BE IT

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RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on February 4, 2002 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 9a Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, sealed bids were duly received by the Town Board at a bid opening on November 21, 2001 for the furnishing of clothing as a result of advertising thereof, and such bids were referred to the Department of Parks, Recreation & Youth Services, for analysis, tabulation and report, AND

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

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RESOLVED, that bids be awarded to the following lowest, responsible bidders meeting specifications, and to be in the best interest of the Town of Cheektowaga for the 2002, 2003 and 2004 calendar years:

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

Get Noticed Promotions
741 Main Street
Buffalo, New York 14203

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

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

Upon roll call

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

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

WHEREAS, as a result of advertisement, bids were received on January 9, 2002 for the furnishing of equipment and operators for the installation and repair of sanitary sewers during the calendar years 2002 and 2003 in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Allan Blachowski, Principal Engineer Assistant, to the Town Board dated January 15, 2002, NOW, THEREFORE BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for the installation and repair of sanitary sewers for the year 2002 in the Town of Cheektowaga be awarded to Nichols, Long & Moore Construction Corporation, 149 Gunville Road, Lancaster, New York 14086 for submission of the lowest bid meeting the specifications as per the unit prices of:

Item 1	Single Axle Dump	\$180.00 per 8 hour day
Item 2	Tandem Dump	\$360.00 per 8 hour day
Item 3	Rubber Tire Backhoe	\$500.00 per 8 hour day
Item 4	Laborers	\$575.00 per 8 hour day
Item 5	Crawler Hydraulic Backhoe	\$300.00 per 8 hour day
Item 6	Front End Loader	\$105.00 per 8 hour day
Item 7	Walk Behind Saw	\$ 1.00 per 8 hour day
Item 8	Vermeer Road Saw	\$ 1.00 per 8 hour day
Item 9	Equipment Truck "A"	\$ 1.00 per 8 hour day
Item 10	Equipment Truck "B"	\$ 1.50 per 8 hour day
Item 11	Shield 6'X8	\$ 1.00 per 8 hour day
Item 12	Shield 8'X16'	\$ 1.00 per 8 hour day
Item 13	Transport Shield	\$ 1.00 per 8 hour day
Item 14	Roller (small)	\$ 1.00 per 8 hour day

and, BE IT FURTHER

Item No. 9b cont'd.

RESOLVED, that the contract for the furnishing of equipment and operators for the installation and repair of sanitary sewers for the year 2003 in the Town of Cheektowaga be awarded to Nichols, Long & Moore Construction Corporation, 149 Gunville Road, Lancaster, New York 14086 for submission of the lowest bid meeting the specifications as per the unit prices of:

Item 1	Single Axle Dump	\$180.00 per 8 hour day
Item 2	Tandem Dump	\$380.00 per 8 hour day
Item 3	Rubber Tire Backhoe	\$500.00 per 8 hour day
Item 4	Laborers	\$585.00 per 8 hour day

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Item 5	Crawler Hydraulic Backhoe	\$300.00 per 8 hour day
Item 6	Front End Loader	\$105.00 per 8 hour day
Item 7	Walk Behind Saw	\$ 1.00 per 8 hour day
Item 8	Vermeer Road Saw	\$ 1.00 per 8 hour day
Item 9	Equipment Truck "A"	\$ 1.00 per 8 hour day
Item 10	Equipment Truck "B"	\$ 1.50 per 8 hour day
Item 11	Shield 6'X8'	\$ 1.00 per 8 hour day
Item 12	Shield 8'X16'	\$ 1.00 per 8 hour day
Item 13	Transport Shield	\$ 1.00 per 8 hour day
Item 14	Roller (small)	\$ 1.00 per 8 hour day

and, BE IT FURTHER

RESOLVED, that payment for said equipment and operators for sanitary sewer projects is to be chargeable on an as-needed basis by any Town departments who wish to avail themselves of this service within their appropriated budget items.

Upon roll call

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

NAYES: 0

ABSENT: 0

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, bids were received and opened at the December 19, 2001 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated January 9, 2002, NOW, THEREFORE BE IT

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

Emergency Apparel & Supply

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5319 Transit Road
Depew, New York 14043

ITEM IA	Work Pants (sizes to 44)	\$13.25
ITEM IB	Work Pants (sizes 46-50)	15.10
ITEM IC	Work Pants (sizes 52-60)	17.85
ITEM IIA	Shirts (long sleeve, sizes up to 17-1/2)	11.70
ITEM IIB	Shirts (long sleeve, sizes 18 and up)	13.55
ITEM IIIA	Chambray Shirts (long sleeve, sizes up to 17-1/2)	10.75
ITEM IIIB	Chambray Shirts (long sleeve, sizes 18 and up)	12.55
ITEM IVA	Shirts (short sleeve, sizes up to 17-1/2)	10.90
ITEM IVB	Shirts (short sleeve, sizes 18 and up)	12.70
ITEM VA	Chambray Shirts (short sleeve, sizes up to 17-1/2)	9.60
ITEM VB	Chambray Shirts (short sleeve, sizes 18 and up)	11.45
ITEM VIA	Coveralls (long sleeve, sizes 36-46, short – X long)	21.35
ITEM VIB	Coveralls (long sleeve, sizes 48-50, short – X long)	25.40
ITEM VIC	Coveralls (long sleeve, sizes 52-60, regular – tall)	29.75
ITEM VIIA	Denim Jeans (sizes to 42)	11.40
ITEM VIIB	Denim Jeans (sizes 44-50)	13.15
ITEM VIIC	Denim Jeans (sizes 52-56)	17.45
ITEM VIIIA	Bib Overalls (sizes to 44)	19.35
ITEM VIIIB	Bib Overalls (sizes 46-50)	21.90
ITEM VIIIC	Bib Overalls (sizes 52-60)	25.00
ITEM IXA	Women's Work Pants (sizes 4-20)	11.90
ITEM IXB	Women's Work Pants (sizes 22-28)	14.90

Said bid being a responsible bidder meeting the requirements of the specifications.

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. 10 Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, the contract for the furnishing and installation of ornamental and chain link fencing around the Town Park pavilion and cultural center was awarded by Town Board resolution dated September 4, 2001 to Iroquois Fence, Inc. in the amount of \$36,105.00, AND

WHEREAS, the Town Engineer has advised that work under the aforesaid contract has been completed in accordance with the contract requirements, AND

WHEREAS, the Town Engineer has also submitted and recommended the approval of Change Order No. 1 (Final) which provides for the furnishing and installation of additional fencing and gates as outlined in the change order document, NOW, THEREFORE BE IT

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RESOLVED, that the Town Board hereby accepts and approves Change Order No.1 (Final), which provides for an increase to the aforesaid contract in the amount of \$6,900.00 and, BE IT FURTHER

RESOLVED, that funding for Change Order No. 1 (Final) shall be chargeable to Account No. 5709-7110-9711.

Upon roll call

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

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

WHEREAS, by resolution dated November 22, 2000, this Town Board engaged the firm of Bergmann Associates to provide professional engineering and architectural services associated with improvements to the Town Park swimming pool, based on a defined scope of services outlined in a proposal dated November 14, 2000, AND

WHEREAS, following detailed assessment of the current pool facility as part of the project design, and following several meetings with Town officials, numerous additional work items to address applicable codes and operational enhancements not included in the original approved professional services proposal were performed by Bergmann Associates as documented in correspondence dated September 5, 2001 and January 4, 2002 as reviewed by the Executive Director of Parks, Recreation and Youth Services and the Town Engineer, AND

WHEREAS, additional consultant expenses were also incurred associated with the re-bid of the General Construction Contract necessary to ensure competitive bid submissions, NOW, THEREFORE BE IT

RESOLVED, that the professional services agreement with Bergmann Associates dated November 14, 2000 associated with the Town Park Swimming Pool Renovation Project be and hereby is amended to include the additional scope of services documented in the aforesaid correspondence resulting in an increase in the amount of \$39,300.00 chargeable to Account #5019-7180-0010.

Upon roll call

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

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

WHEREAS, by resolution dated January 7, 2002, this Town Board reappointed Judith Skretny to the Cheektowaga Public Library Board, AND

Item No. 11b cont'd.

WHEREAS, such resolution incorrectly stated that Judith Skretny was being reappointed to the position of Vice-Chairman of the Cheektowaga Public Library Board, whereas it should have stated that she was being reappointed as a Member of the Cheektowaga Public Library Board, NOW, THEREFORE BE IT

RESOLVED, that the "Resolved" paragraph of the aforementioned resolution be and hereby is amended to provide that Judith Skretny was reappointed to the position of Member of the Cheektowaga Public Library Board.

Upon roll call

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

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ABSENT: 0

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

WHEREAS, this Town Board is responsible to the taxpayers of the Town of Cheektowaga to ensure that the taxpayers' money is spent wisely and that the Town is protected from frivolous litigation, AND

WHEREAS, this extends to making decisions as to when the Town needs to retain outside legal services to assist us with the defense of litigation or the provision of legal expertise on various matters, and which outside counsel should be retained, AND

WHEREAS, in order to properly perform our responsibilities to the taxpayers of the Town, it is necessary that we are kept fully informed as to instances where retention of outside legal services is in the best interest of the Town on all legal matters, NOW, THEREFORE BE IT

RESOLVED, that, effective immediately, where situations arise where there is a need for outside legal services, the Town Attorney be and hereby is directed to notify this Town Board of the circumstances surrounding his perceived need for outside legal service and to meet with the Town Board members as expeditiously as possible after such perceived need arises to review all aspects of the situation and, BE IT FURTHER

RESOLVED, that the Town Attorney and Town Director of Administration and Finance be and hereby are directed to notify this Town Board as to whether moneys are appropriated in the Town budget for the retention of such outside legal services or where the source of moneys for such outside legal services is and, BE IT FURTHER

RESOLVED, that effective immediately, this Town Board, by resolution, will render all decisions concerning the retention of outside counsel and retain outside counsel via resolution.

Upon roll call

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

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

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

WHEREAS, we are presently serving over 340 elderly residents daily with two homebound delivered meals, NOW, THEREFORE BE IT

RESOLVED, that the Town of Cheektowaga will present a grant of \$31,000.00 for the year 2002 to insure the continuity of this program in our Town.

Item No. 13 cont'd.

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

WHEREAS, the Department of Parks, Recreation & Youth Services has requested permission to conduct an overnight campout on Friday, February 22, 2002 in the Alexander Community Center, AND

WHEREAS, Article 48-12 of the Code of the Town of Cheektowaga states that "All parks shall be closed, except for use of driveways therein, between the hours of sunset and sunrise the

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following morning, and no person shall lounge about or remain in any of the parks during the hours when so closed", NOW, THEREFORE BE IT

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

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

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, certain computer monitors and printers are no longer used in the Police Department or any other department in Town, and are otherwise obsolete, non-functioning, or have exceeded their life expectancy, AND

WHEREAS, the Police Department is requesting authorization to dispose of this obsolete computer equipment, AND

WHEREAS, said equipment has no resale value but can be disposed of by recycling, AND

WHEREAS, the Police Department has approximately fifty hard drives previously removed from computers that have since been destroyed, and all information contained on said hard drives is no longer necessary or otherwise relevant, AND

WHEREAS, Town Network Coordinator Mark Orzechowski recommends that these hard drives be destroyed, NOW, THEREFORE BE IT

RESOLVED, that the Police Department is authorized to dispose of the equipment on the attached list by recycling same and, BE IT FURTHER

RESOLVED, that Mark Orzechowski, Network Coordinator, is hereby authorized to destroy the aforesaid hard drives in a manner to be determined by him.

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. 16 Motioned by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga previously approved a subordination agreement with Equifirst of Charlotte, North Carolina relative to the Town's housing rehabilitation mortgage on the property at 176 Harris Court in the Town of Cheektowaga, AND

WHEREAS, the owner of said property did not obtain mortgage refinancing through Equifirst and has subsequently applied for mortgage refinancing from Alliance Funding which has conditioned its mortgage approval on the subordination of the Town's mortgage, NOW, THEREFORE BE IT

RESOLVED, that the previous authorization for the Supervisor to execute a subordination agreement with Equifirst is hereby rescinded and, BE IT

FURTHER RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a Subordination Agreement with Alliance Funding, One Ramland Road, Orangeburg, New

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York 10962 pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property at 176 Harris Court in the Town of Cheektowaga.

Upon roll call

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

Item No. 17a Motioned by Councilmember Johnson, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga seeks grant monies from the New York State Education Department State Archives Local Government Records Management Improvement Fund to improve records management practices associated with Justice Court case files, NOW, THEREFORE BE IT

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

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

Upon roll call

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

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

WHEREAS, the Town of Cheektowaga seeks grant monies from the New York State Education Department State Archives Local Government Records Management Improvement Fund to create a files management system for documents in the Town Personnel Department, NOW, THEREFORE BE IT

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

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

Item No. 17b cont'd.

Upon roll call

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

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

BE IT RESOLVED, that the Supervisor is hereby authorized to execute contracts and agreements between the Town of Cheektowaga and performers and vendors for the 24th Annual Polish American Cultural Arts Festival, to be held on July 19th, 20th and 21st, 2002.

Upon roll call

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

MEETING NO. 2
JANUARY 22, 2002

NAYES: 0
ABSENT: 0

Item No. 18b Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

BE IT RESOLVED, subject to approval by the Town Attorney, that Supervisor Dennis H. Gabryszak be authorized to execute contracts between the Town of Cheektowaga and the performers at the Cultural Center summer concerts and special events to be held throughout the year 2002, not to exceed the sum of the following Town budget line items:

FUNDING SOURCE: 01-7140-4503
01-7140-4491

Upon roll call

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

Item No. 18c Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, the Town, in its 2002 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 2001 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 Chorus	\$8,500.00

and, BE IT FURTHER

Item No. 18c cont'd.

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 2002 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

MEETING NO. 2
JANUARY 22, 2002

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

WHEREAS, the Career Internship Coordinator at Maryvale Senior High School has requested that the Town participate in its Career Exploration Internship Program, which is an unpaid fifty-four hour job shadowing program, offering students the opportunity to interact with professionals having expertise in certain areas while earning school credit, AND

WHEREAS, Michelle Zook, a Senior at Maryvale Senior High School, is a participant in said program and is interested in an internship in the Supervisor's Office, beginning January 28, 2002 and ending June 7, 2002, for a total of fifty-four hours of on-the-job, non-paid internship experience, AND

WHEREAS, the Supervisor's Office has interviewed Ms. Zook and is desirous of participating in the program, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute the Memorandum of Agreement with Maryvale Senior High School, allowing Michelle Zook to participate in the Career Exploration Internship Program, under the terms and conditions of said Agreement.

Upon roll call

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

MEETING NO. 2
JANUARY 22, 2002

NAYES: 0
ABSENT: 0

Item No. 19 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:

Julie Babulski
Nick Wierzbicki

Upon roll call

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

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

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

PARKS DIVISION – Laborer - \$6.50 per hour

Aaron Astyk Cheektowaga, NY 14227 Immediately

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

EFFECTIVE

EMPLOYEE RELATIONS

Rochelle Fennie 12/31/01

PARKS DIVISION

Erin Esford Immediately

Item No. 20 cont'd.

Upon roll call

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

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

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

Volleyball – 7140.1627

Recreation Leader (II) - \$6.40

Kimberlee C. Hawthorn 14227

Basketball – 7140.1654

Recreation Attendant (I) - \$5.15

Ryan John Jablonski 14227

Upon roll call

MEETING NO. 2
JANUARY 22, 2002

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

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, effective as indicated:

From Part-Time to:

Seasonal – January 28th-March 24th
Part-Time – March 25th – April 14th
Seasonal – April 15th – May 19th
Part-Time – May 20th – September 29th
Seasonal – September 30th – November 24th
Part-Time – November 25th – December 1st
Seasonal – December 2nd – December 22
Part-Time – December 23rd – December 31st

Laila Desjardins
Michelle Fillippi
Nancy Haak
Elizabeth Pazderski
Mary Beth Seivert
Ann Sheldon

Upon roll call

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

Item No. 23a Motioned by Councilmember Mazur, Seconded by Councilmember Johnson

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

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

Item No. 23a cont'd.

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

Eric C. Lane	Cheektowaga, NY 14227
Gregory Maniccia	Cheektowaga, NY 14227
Michael R. Hoock	Cheektowaga, NY 14225
Timothy A. Burr	NY 14043

and, BE IT FURTHER

RESOLVED, that said appointments shall become effective January 24, 2002, and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

—◆—
MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION AS FOLLOWS:

—◆—
Amendment No. 1

**MEETING NO. 2
JANUARY 22, 2002**

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

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

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

<u>Michael J. Striejewski</u>	<u>Cheektowaga, NY 14225</u>
Gregory Maniccia	Cheektowaga, NY 14227
Michael R. Hoock	Cheektowaga, NY 14225
Timothy A. Burr	NY 14043

and, BE IT FURTHER

RESOLVED, that said appointments shall become effective January 24, 2002, and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

Upon roll call

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



MOTION BY COUNCILMEMBER MAZUR, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION AS FOLLOWS:



Amendment No. 2

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

Item No. 23a cont'd.

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

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

Gregory Maniccia	Cheektowaga, NY 14227
Michael R. Hoock	Cheektowaga, NY 14225
Timothy A. Burr	NY 14043
<u>Michael J. Striejewski</u>	<u>Cheektowaga, NY 14225</u>

and, BE IT FURTHER

RESOLVED, that said appointments shall become effective January 24, 2002, and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

Upon roll call

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

**MEETING NO. 2
JANUARY 22, 2002**

Item No. 23b Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, a vacancy exists in the title of Recreation Attendant in the Senior Services Department, AND

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

WHEREAS, Dawn M. Hunger has applied for said vacancy and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Dawn M. Hunger of Cheektowaga, New York 14225, be and hereby is appointed to the position of Recreation Attendant in the Senior Services Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call

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

Item No. 23c Appointment to Fill Vacancy in Position of Senior Engineer Assistant in Engineering Department
This item was withdrawn.

Item No. 24a Motioned by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, the New York State Emergency Management Association Winter Conference is to be held in Binghamton, New York on February 5-7, 2002, AND

WHEREAS, Earl Loder, Coordinator of Emergency Services in the Town of Cheektowaga, has submitted a request for travel authorization along with the proper paperwork in a timely manner, AND

WHEREAS, the cost of said seminar has been budgeted for the fiscal year, AND

Item No. 24a cont'd.

WHEREAS, the total cost for the Coordinator of Emergency Services to attend the seminar is \$200, NOW, THEREFORE BE IT

RESOLVED, that Earl Loder, coordinator of Emergency Services, be and hereby is authorized to attend the New York State Emergency Management Association Winter Conference to be held from February 5-7, 2002 in Binghamton, New York.

Upon roll call

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

Item No. 24b Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, the Niagara Frontier Building Officials Annual Conference is to be held at the Radisson Hotel on Genesee Street in Cheektowaga, New York on February 4-6, 2002, AND

WHEREAS, New York State mandates twenty-four (24) hours of in-service training for each building/housing/fire code inspector, AND

**MEETING NO. 2
JANUARY 22, 2002**

WHEREAS, this conference will provide eighteen (18) hours credit, AND

WHEREAS, topics to be discussed will address the new set of codes being adopted in June/July 2002, AND

WHEREAS, the Building and Plumbing Department has submitted a request for travel authorization along with the proper paperwork in a timely manner, AND

WHEREAS, the following employees are included on the request:

Thomas Adamczak, Supervising Building & Plumbing Inspector
Gary Parks, Building Inspector
Mark Radecki, Assistant Building Inspector
Gail Milburth, Assistant Building Inspector
Lawrence Kensity, Housing Inspector
Donald Wartinger, Housing Inspector
Matthew Kawczynski, Fire Inspector
Edward Saturnus, Fire Inspector
Ronald Stepnick, Housing Inspector
Donald O'Neill, Plumbing Inspector
Richard Willis, Housing Inspector

,AND

WHEREAS, the cost of said seminar has been budgeted for this fiscal year, NAD

WHEREAS, the total cost for said employees to attend the seminar is \$2,250, NOW, THEREFORE BE IT

RESOLVED, that said employees, be and hereby are authorized to attend the Niagara Frontier Building Officials Annual Conference to be held from February 4-6, 2002 at the Radisson Hotel on Genesee Street, Cheektowaga, New York.

Upon roll call

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 25a Minutes of Cheektowaga Conservation Advisory Council – December 6, 2001
Received and Filed.

Item No. 25b Minutes of Cheektowaga Planning Board – December 13, 2001
Received and Filed.

Item No. 25c Minutes of Cheektowaga Traffic Safety Commission – December 18, 2001
Received and Filed.

Item No. 26 Final Reports of 2001 Town and County Tax Collection and 2001-02 School Tax
Collection
Received and Filed.

Item No. 27 Office of Emergency Services Quarterly Report – October to December, 2001
Received and Filed.

IV. GENERAL COMMUNICATIONS

**MEETING NO. 2
JANUARY 22, 2002**

- Item No. 28a Notice of Claim: Dalisha J. Williams 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. 28b Notice of Claim: Dorothy Kaczowski 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 Sobczak 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. 28d Notice of Claim: Mark T. Mankowski 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. 28e Notice of Claim: Jeffrey Makowski 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. 28f Notice of Claim: Kevin Vullo vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 28g Notice of Claim: Debra A. Volk 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. 28h Notice of Claim: Daniel T. McPhee III. 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. 28i Notice of Claim: Scott Schultz vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Police Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 28j Notice of Claim: Zandra D. Hill 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. 28k Notice of Claim: Donald W. Hahn 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. 28l Notice of Claim: Edward Kurdziel vs. the Town of Cheektowaga

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JANUARY 22, 2002**

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

Item No. 28m Notice of Claim: Raymond Marzec 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. 29 Request to Speak: Cheektowaga Citizens Coalition
Received and Filed.

Item No. 30 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting.
This meeting was adjourned at 9:30 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 3
FEBRUARY 4, 2002**

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 February, 2002 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 Administration and Finance; Susan A. Pella, Coordinator of Employee Relations; William Pugh, Town Engineer; Kenneth Kopacz, Director of Parks, Recreation and Youth Services; Thomas Rowan, Captain; Thomas Adamczyk, Supervising Building and Plumbing Inspector; Patricia Wojcik, Director Senior Services and Gerald Gabryszak, Director of Community Development.

I. RESOLUTIONS

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

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

2001

GENERAL FUND

FROM:	100-1110-2205	Equipment	\$ 84.00
TO:	100-1110-4591	Juror Fees	\$ 84.00

HIGHWAY FUND

FROM:	300-9501-9131	Bond Principal	\$55,000.00
TO:	300-5142-4180	Contracted Snow Removal	\$55,000.00

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 Mazur

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

2002

RISH RETENTION FUND

FROM:	101-1930-4703	Workers Comp-Judgment & Claims	\$ 4,393.00
TO:	101-1722-4519	Workers Comp Excess Insurance	\$ 4,393.00

SPECIAL DISTRICT FUND

FROM:	150-8173-2651	Sale of Refuse-Recycling	\$ 7,000.00
TO:	150-8173-4194	Medial Advertising	\$ 7,000.00

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

**MEETING NO. 3
FEBRUARY 4, 2002**

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

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to February 1, 2002 are hereby approved and made a part thereof;

GENERAL FUND	\$ 618,338.33
HIGHWAY FUND	121,647.00
TRUST & AGENCY	5,251,490.34
HUD CDBG FUND	205,971.47
PART TOWN FUND	9,488.05
RISK RETENTION FUND	82,642.53
SPECIAL DISTRICTS FUND	165,214.47
CAPITAL FUND	<u>76,712.33</u>
	\$6,531,504.52

Upon roll call

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

Item No. 4 Motioned by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, as a result of advertisement, bids were received on January 23, 2002 for the furnishing of equipment and operators for drainage systems maintenance and erosion control projects during the calendar years of 2002 and 2003 in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Allan Blachowski, Principal Engineer Assistant, to the Town Board dated January 30, 2002, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for drainage systems maintenance and erosion control projects in the Town of Cheektowaga for the years 2002 and 2003 be awarded to Nichols, Long & Moore Construction Corporation, 149 Gunville Road, Lancaster, New York 14086 for submission of the lowest bid meeting the specifications as per the unit prices of:

		<u>2002</u> Per 8 hr day	<u>2003</u> Per 8 hr day
Item I	Tandum	\$360.00	\$360.00
Item II	Rubber Tire Backhoe	525.00	540.00
Item III	Laborer	595.00	610.00
Item IV	Walk Behind Saw	1.00	1.00
Item V	Vermeer Road Saw	1.00	1.00
Item VI	Equipment Truck "A"	10.00	10.00
Item VII	Equipment Truck "B"	20.00	20.00
Item VIII	Shield – 8'x10'	1.00	1.00
Item IX	Shield – 6'x16'	1.00	1.00
Item X	Transport Shield	1.00	1.00
Item XI	Roller	1.00	1.00
Item XII	13' Hydraulic Crawler Backhoe	545.00	560.00
Item XIII	19' Hydraulic Crawler Backhoe	700.00	720.00
Item XIV	21' Hydraulic Crawler Backhoe	800.00	815.00
Item XV	24' Hydraulic Crawler Backhoe	940.00	955.00
Item XVI	Dozer D-3	500.00	515.00
Item XVII	Dozer D-4	650.00	670.00
Item XVIII	Dozer D-6	900.00	915.00
Item XIX	Front End Loader	600.00	610.00
Item XX	Landscape Tractor	235.00	250.00

AND, BE IT FURTHER

MEETING NO. 3
FEBRUARY 4, 2002

Item No. 4 cont'd.

RESOLVED, that payment for said equipment and operators for drainage systems maintenance and erosion control projects is to be chargeable on an as-needed basis by any Town departments who which to avail themselves of this service within their appropriated budget items.

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. 3
FEBRUARY 4, 2002

Item No. 5 Change Order No. 1 and Final Acceptance (Re-Roofing of Police/Court Building)
This item was withdrawn.

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

WHEREAS, it is in order that bids be advertised to cover the purchase of Police Unmarked Vehicles for the Police Department, NOW, THEREFORE , BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of Unmarked Police Vehicles (previously owned, minimum model year 2001), said notice to be published in the Cheektowaga Times, AND, BE IT FURTHER

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

Upon roll call

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



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on Friday, February 22nd 2002 at 11:00 AM Eastern Standard Time at Town Hall, corner of Broadway and Union Roads, for the purchase of police vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at this office in said Town. One bid is to be submitted for all five (5) vehicles listed in the bid specifications.

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: February 4, 2002



MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER SWIATEK TO AMEND BID SPECIFICATIONS TO REMOVE VEHICLE #7 FOR THE ABOVE RESOLUTION, ITEM 6A AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



AFFIDAVIT NEXT PAGE

MEETING NO. 3
FEBRUARY 4, 2002

Item No. 6b Motioned by Councilmember Jankowiak, Seconded by Councilmember Mazur

WHEREAS, it is in order that bids be advertised to cover the purchase of one new 2002 Chevrolet Tahoe, 4x4 for use by the Police Department, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the purchase of one new 2002 Chevrolet Tahoe, 4x4, said Notice to be published in the Cheektowaga Times, and BE IT FURTHER

RESOLVED, that sealed bids will be received on the 22nd day of February, 2002 at 11:00 A.M. Eastern Standard Time at a public bid opening in the Cheektowaga Council Chambers at the Cheektowaga Town Hall.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Jaworowicz



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on Friday, February 22nd 2002 at 11:00 AM Eastern Standard Time at Town Hall, corner of Broadway and Union Roads, for the purchase of police vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at this office in said Town. One bid is to be submitted for the vehicle listed in the bid specifications.

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

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

Richard M. Moleski
Town Clerk

DATED: February 4, 2002



AFFIDAVIT NEXT PAGE

**MEETING NO. 3
FEBRUARY 4, 2002**

Item No. 7 Motioned by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga, herein called the "Applicant", after thorough consideration of the various aspects of the problems and study of available data, has hereby determined that the project generally described as Consolidated Sewer District Improvements and identified as CWSRF Project number C- (to be assigned), herein called the "Project", is desirable and in the public interest, and to that end it is necessary that action preliminary to the construction of said Project be taken immediately, AND

WHEREAS, the United States, pursuant to the Federal Water Quality Act of 1987 (as such may be amended from time to time, the "Water Quality Act") requires each State to establish a water pollution control revolving fund to be administered by an instrumentality of the state before the state may receive capitalization grants under the Water Quality Act, AND

WHEREAS, the State of New York has, pursuant to the State Water Pollution Control Revolving Fund Act, Chapter 565 of the Laws of New York 1989, as amended (the "CWSRF Act") established in the custody of the New York State Environmental Facilities Corporation (the "Corporation") a water pollution control revolving fund (the "Fund") to be used for purposes of the Water Quality Act, AND

WHEREAS, the Corporation has been created, reconstituted and continued pursuant to the New York State Environmental Facilities Corporation Act, as amended, being Chapter 744 of the Laws of 1970, as amended, and constituting Title 12 of Article 5 of the Public Authorities Law and Chapter 43-A of the Consolidated Laws of the State of New York, and constitutes a public benefit corporation under the laws of the State of New York, being a body corporate and politic with full and lawful power and authority to provide financial assistance from the Fund, AND

WHEREAS, the Corporation has the responsibility to administer the Fund and to provide financial assistance from the Fund to municipalities for eligible projects, as provided in the CWSRF Act, AND

WHEREAS, the CWSRF Act authorizes the establishment of a program for financial assistance for planning, design and construction of eligible projects, NOW, THEREFORE, BE IT

RESOLVED, by the Town of Cheektowaga Town Board as follows:

1. The filing of an application for CWSRF assistance in the form required by the Corporation in conformity with the CWSRF Act is hereby authorized, including all understandings and assurances contained in said application.
2. The following person is directed and authorized as the official representative of the Applicant to execute and deliver an application for CWSRF assistance, to execute and deliver the Project financing agreement and any other documents necessary to receive financial assistance from the Fund for the Project, to act in connection with the Project and to provide such additional information as may be required and to make such agreements on behalf of the Applicant as may be required:

Dennis H. Gabryszak, Supervisor

3. The official designated above is authorized to make application for financial assistance under the CWSRF Program for either short-term or long-term financing or both.
4. One (1) certified copy of this resolution shall be prepared and sent to the New York State Environmental Facilities Corporation, 625 Broadway, Albany, New York 12207-2997.
5. This resolution shall take effect immediately.

Upon roll call

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

**MEETING NO. 3
FEBRUARY 4, 2002**

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

BE IT RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to install one (1), 100 watt HPS luminaire and bracket arm on Anderson Place, Pole 6A-1, Line 2035, at an annual increase to the General Lighting District in the amount of \$158.44 in accordance with the attached NYSEG proposal dated January 28, 2002, AND, BE IT FURTHER

RESOLVED, that the Town Clerk furnish a certified copy of this resolution to:

Mr. James Latello
New York State Electric & Gas
150 Erie Street
Lancaster, New York 14086

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. 3
FEBRUARY 4, 2002**

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

WHEREAS, the Town, in its 2002 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 those 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 2001 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	\$11,000.00

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 2002 Town budget, subject to audit and approval of a properly signed Town voucher.

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. 3
FEBRUARY 4, 2002**

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

WHEREAS, the Town of Cheektowaga is eligible to receive \$1,111,000 in Community Development Block Grant Funds for the 2002 Program Year, and, as a member of the Amherst-Cheektowaga-Tonawanda HOME Consortium, the Town is entitled to receive \$352,667 of the HOME Consortium entitlement grant, AND

WHEREAS, Public Hearings regarding the use of said funds were held on November 4, 2001 and January 22, 2002, AND

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

RESOLVED, that the Town Board hereby approves the submission of the Town of Cheektowaga Annual Plan to the Department of Housing and Urban Development for the 2002 Program Year in conjunction with the Amherst-Cheektowaga-Tonawanda Consortium, including the projects contained on the attached CDBG and HOME Project Summaries, and BE IT FURTHER

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

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. 3
FEBRUARY 4, 2002

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

WHEREAS, this Town Board, on November 5, 2001, approved a bond resolution for the Increase and Improvement of Facilities of the Consolidated Sewer District for the Alpine Pump Station Project, AND

WHEREAS, financing is available through the New York State Environmental Facilities Corporation as part of its upcoming New York State Revolving Loan Fund, AND

WHEREAS, the Town of Cheektowaga wishes to avail itself of financing under this program, AND

WHEREAS, the Town of Cheektowaga requires assistance with filing the application forms for such financing, with financial reporting and with other aspects of this loan process, AND

WHEREAS, Munistat Services, Inc. and Hawkins, Delafield & Wood, the Town's bond consultants, have expertise in this area of financing and have submitted letters of retention with respect to this project, NOW, THEREFORE, BE IT

RESOLVED, that Munistat Services, Inc. and Hawkins, Delafield & Woods be and hereby are retained as per the attached letters of retention with respect to this project, AND, BE IT FURTHER

RESOLVED, that fees for services provided by Munistat Services, Inc. and Hawkins, Delafield & Woods shall be appropriated from the proceeds of bonds/financing for this project.

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. 3
FEBRUARY 4, 2002

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

WHEREAS, as part of the operation and maintenance responsibilities associated with the Main Pump Station and various other sanitary sewer pump station facilities, the Town has relied on engineering consultant technical assistance to resolve problems as they occur which involve highly specialized components, and by conducting quarterly preventative maintenance inspections to insure efficient facilities operation, AND

WHEREAS, there is need to continue obtaining specialized technical assistance in order to assure continuous uninterrupted operation of the sanitary sewer system facilities, AND

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

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

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

RESOLVED, that the agreement for general technical services for calendar years 2002 through 2004 as submitted by the consulting firm of Nussbaumer & Clarke, Inc. and as recommended by the Town Engineer and reviewed by the Office of the Town Attorney is approved and accepted, AND, BE IT FURTHER

RESOLVED, that the professional fees shall be based on the hourly rates established in the agreement and shall be chargeable to the appropriate Sanitary Sewer District or Town-Wide Drainage District Technical Services Accounts as budgeted and when authorized by the Town Engineer, AND, BE IT FURTHER

RESOLVED, that the Supervisor is directed and authorized to sign said agreement for professional services with Nussbaumer & Clarke, Inc., 3556 Lake Shore Road, Buffalo, New York 14219-1494.

Upon roll call

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

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

BE IT RESOLVED, the Town Board hereby creates the position of Municipal Records Manager pursuant to Civil Service Laws and Rules effective immediately.

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 Councilmember Rogowski

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

POLICE DEPARTMENT – Clerk - \$6.00 per hour
Jill Szczepanik, Cheektowaga, NY 14227

EFFECTIVE
immediately

MEETING NO. 3
FEBRUARY 4, 2002

Item No. 13 cont'd.

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

COUNCIL OFFICE
Karen Waldron

EFFECTIVE
immediately

Upon roll call

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

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

WHEREAS, a vacancy exists in the title of Municipal Records Manager 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, said title falls under the competitive class of Erie County Civil Service;
AND

WHEREAS, a current Erie County Civil Service list is not in existence for said title;
AND

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

WHEREAS, Lisa-Marie Bolognese of, Depew, New York 14043, be and hereby is appointed provisionally to the position of Municipal Records Manager in the Town Clerk's Office, pending the results of the civil service examination, and in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association at the annual salary of \$45,000 effective immediately.

Upon roll call

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

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

WHEREAS, William B. Giambra resigned from his position as member of the Board of Assessment Review, AND

WHEREAS, the Town Assessor has recommended that Casimir Kozminski be appointed to fill the vacancy in the position of member of Board of Assessment Review, NOW, THEREFORE, BE IT

RESOLVED, that Casimir Kozminski, Depew, New York 14043 be appointed as member of the Board of Assessment Review, effective immediately and terminating on September 30, 2004.

Upon roll call

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

MEETING NO. 3
FEBRUARY 4, 2002

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

BE IT RESOLVED, that the following PART-TIME employees in the Justice Court be and hereby are to be paid the listed hourly rates effective January 1, 2002:

Clerk - \$7.25 per hour
Mary Ann Sczepanowski
Andrea Zawadzki

Clerk - \$7.75 per hour
Martha Digiacomo
Debbie Schwegert

Clerk - \$8.25 per hour
Theresa Majchrzak
Geraldine Sobocinski

Upon roll call

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

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

BE IT RESOLVED, that the hourly salaries for the following PART-TIME titles in the Department of Senior Services be and hereby are established effective January 1, 2002:

Laborer (Maintenance)	\$7.25
Recreation Attendant	
- Nutrition	\$7.00
- Ceramics Instructor	\$7.25
Van Driver	\$7.25

Upon roll call

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

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

WHEREAS, the Association of Towns of the State of New York Year 2002 Training School and Annual Meeting will be held at the Hilton New York and Towers in New York City, February 17th – 20th, 2002; AND

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

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

RESOLVED, that the following individuals be and hereby are authorized to attend the 2002 Training School and Annual Meeting of the Association of Towns:

Supervisor Dennis H. Gabryszak
Town Clerk Richard Moleski
Town Engineer William Pugh
Town Attorney Michael J. Stachowski
Councilmember William P. Rogowski
Councilmember Patricia A. Jaworowicz
Director of Administration & Finance Brian M. Krause
Town Justice Ronald E. Kmiotek

**MEETING NO. 3
FEBRUARY 4, 2002**

Town Justice Thomas S. Kolbert

Item No. 16a cont'd.

AND BE IT FURTHER

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

RESOLVED, that the town shall reimburse the above named individuals for the reasonable and necessary expenses incurred in attending such meeting out of budget line numbers 100-1220-4088, 100-1910-4082, 100-1010-4080, 100-1315-4088, and 100-1110-4082.

Upon roll call

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, the National Institute of Justice and the National Guard have partnered to offer a free Crime Mapping and Analysis Program located in Fort Indiantown Gap, Pennsylvania which will be held from Monday, February 25, 2002 through Friday, March 1, 2002; AND

WHEREAS, Captain Thomas Rowan has requested permission to attend said program; AND

WHEREAS, Captain Rowan will glean valuable skills that he will be able to share with departmental staff; AND

WHEREAS, the Police Department has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the cost incurred by Captain Rowan to attend said seminar shall not exceed \$50 for transportation expenses; NOW, THEREFORE, BE IT

RESOLVED, that Captain Thomas Rowan of the Police Department, be and hereby is authorized to attend the Crime Mapping and Analysis Program to be held in Fort Indiantown Gap, Pennsylvania from Monday, February 25, 2002 through Friday, March 1, 2002.

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 17 Receiver of Taxes and Assessments Appoint Deputy
Received and Filed.

Item No. 18 Building Permits – January 2002
Received and Filed.

Item No. 19a Cheektowaga Conservation Advisory Council Minutes – January 3, 2002
Received and Filed.

Item No. 19b Cheektowaga Conservation Advisory Council Minutes – January 19, 2002
Received and Filed.

**MEETING NO. 3
FEBRUARY 4, 2002**

III. GENERAL COMMUNICATIONS

- Item No. 20a Notice of Claim: Michele Bernhard vs. 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. 20b Notice of Claim: Arlisea Brown vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20c Notice of Claim: Rebecca Buziak vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20d Notice of Claim: Marilyn and George Cordia vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20e Notice of Claim: Albert D'Orazio vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway; Sanitation and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20f Notice of Claim: Charles DiGioia vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20g Notice of Claim: Edwin J. Eckert vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20h Notice of Claim: Patricia Huber vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20i Notice of Claim: Marcianna Isbrandt vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20j Notice of Claim: Harry C. Jagodzinski vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20k Notice of Claim: Kenneth Jaskowski vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20l Notice of Claim: Don Jelonek, Jr. vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20m Notice of Claim: Arthur W. Kornacki vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.

**MEETING NO. 3
FEBRUARY 4, 2002**

- Item No. 20n Notice of Claim: Randolph Kowal vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20o Notice of Claim: Daniel & Rebecca Nowak vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20p Notice of Claim: Warren Pfau vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20q Notice of Claim: Marie A. Reidy vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20r Notice of Claim: Darlene D. Senft vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20s Notice of Claim: Gary Snow vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20t Notice of Claim: Patricia Szegda vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 20u Notice of Claim: Rick Wolentarski vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 21a Request to Speak: Charles A. Scaccia
Received and Filed.
- Item No. 21b Request to Speak: Cheektowaga Citizens Coalition
Received and Filed.
- Item No. 21c Request to Speak: Tony Lunetta
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 Rogowski, Johnson, Swiatek, Jankowiak, and Mazur
NAYES: 0
ABSENT: Councilmember Jaworowicz



MEETING NO. 3
FEBRUARY 4, 2002

IV. SUSPENSION OF RULES

Item No. 22 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 Brett Morgan, representing Cricket Communications for the construction of a building mounted cellular communications tower at 203 Eggert Road, AND

WHEREAS, the Environmental Advisory Committee at its meeting held on January 16, 2002 recommended a determination of non significance as shown on the attached memorandum dated January 17, 2002, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting on January 10, 2002 recommended approval of the special use permit and site plan as shown on the attached recommendation dated January 11, 2002, AND

WHEREAS, Cricket Communications has modified its tower design to allow for the relocation of the existing Sprint Communications antennas, a future co-locater and room for the Town's emergency communications equipment on top of the tower, if deemed necessary by the Town, AND

WHEREAS, Cricket Communications has committed to allowing the Town to locate its police/emergency communications facilities on top of the subject cellular tower, AND

WHEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee and Planning Board, 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 purposes of SEQRA and finds the 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 ATTACHMENT

**MEETING NO. 3
FEBRUARY 4, 2002**

Item No. 23 Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, Cricket Communications applied for a Special Permit and site plan approval for the erection of a telecommunications facility on property owned by Calypso Development of WNY, Inc. and located at 203 Eggert Road, Cheektowaga, New York pursuant to Sections 260-47 and 260-48 of the Code of the Town of Cheektowaga ("Zoning Law"), AND

WHEREAS, a public hearing was held before the Cheektowaga Town Board on the 4th day of February, 2002 at 6:30 P.M. of said day for the purpose of considering said application for a Special Permit, after publication and service of the notices required by the provisions of the 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 recommended approval of this Special Permit, AND

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA for this project, NOW, THEREFORE, BE IT

RESOLVED, that the aforesaid Special Permit be and hereby is granted.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

AFFIDAVIT NEXT PAGE

**MEETING NO. 3
FEBRUARY 4, 2002**

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

BE IT RESOLVED, that the following individual be hired as a part-time employee in the Department of Parks, Recreation & Youth Services, effective immediately:

7140.1614
Recreation Attendant (I) \$5.15
Greg Sansone
Cheektowaga, New York 14026

Upon roll call

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

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

WHEREAS, in 1993 as part of the environmental assessment process associated with the proposed development of a 178± acre parcel of Town owned property for a municipal golf course, a Wetlands Delineation Report was prepared by Wilson Environmental Technologies, inc. on behalf of the Town in order to define and evaluate wetlands subject to federal jurisdiction under Section 404 of the Clean Water Act, AND

WHEREAS, on January 9, 2001, the U.S. Supreme Court issued a ruling that affected the Corps of Engineers authority to regulate isolated non-navigable, intrastate waters under the Clean Water Act, which ruling and criteria require that additional evaluation of the original golf course site delineation be performed enabling a final jurisdictional determination by the U.S. Army Corps of Engineers, NOW, THEREFORE, BE IT

RESOLVED, that the firm of Wilson Environmental Technologies, Inc., 1331 North Forest Road, Suite C250, Williamsville, New York 14221 be and hereby is retained to provide consulting services relative to Section 404 permitting and jurisdictional determination in accordance with the proposal submitted to the Town Engineer dated February 2, 2002 at a fee not to exceed \$3,500.00, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute said agreement with Wilson Environmental Technologies, Inc., AND, BE IT FURTHER

RESOLVED, that funds for said professional services shall be chargeable to Account No. 500-7140-1100-5817.

Upon roll call

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

Item No. 26 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting at 8:10 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
SPECIAL MEETING NO. 4
FEBRUARY 11, 2002**

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 11th of February, 2002 at 6:00 o'clock P.M. there were:

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

ABSENT: Councilmember Thomas M. Johnson, Jr.

Also present were: Richard M. Moleski, Town Clerk; Michael Stachowski, Town Attorney; Brian Krause, Director of Administration and Finance; Susan A. Pella, Coordinator of Employee Relations; and Bruce Chamberlin, Chief of Police.

I. RESOLUTIONS

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

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to February 8, 2002 are hereby approved and made a part thereof;

CAPITAL FUND	<u>\$ 152,994.00</u>
	\$ 152,994.00

Upon roll call

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

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

WHEREAS, a Recreation Attendant vacancy in the Senior Services Department was filled at the January 22, 2002 Town Board meeting; AND

WHEREAS, Dawn Hunger was appointed to this vacancy: AND

WHEREAS, Ms. Hunger has been employed as a part-time Recreation Supervisor in the Parks, Recreation & Youth Services Department prior to her full-time appointment as a Recreation Attendant; AND

WHEREAS, an individual cannot occupy two (2) job titles simultaneously under Civil Service Law; NOW, THEREFORE, BE IT

RESOLVED, that Dawn M. Hunger be terminated as part-time Recreation Supervisor in the Parks, Recreation & Youth Services Department effective February 10, 2002; AND, BE IT FURTHER

RESOLVED, that Dawn M. Hunger of Cheektowaga, New York 14225 be and hereby is appointed to the position of Recreation Attendant in the Senior Services Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective February 11, 2002.

Upon roll call

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

**SPECIAL MEETING NO. 4
FEBRUARY 11, 2002**

Item No. 3b Motioned by Unanimous, Seconded by Unanimous

WHEREAS, Bruce D. Chamberlin, Chief of Police of the Town of Cheektowaga has notified this Town Board that he will be retiring from his position as Chief of Police, effective March 29, 2002, and

WHEREAS, said retirement will create a vacancy in the position of Chief of Police, and

WHEREAS, the civil service list for Chief of Police has been canvassed and eligible candidates for Chief of Police have been interviewed by this Town Board, and

WHEREAS, Lieutenant Christine Ziemba meets all of the qualifications for Chief of Police, possesses the knowledge, experience and training to enable her to perform the duties of Chief of Police, and appears on the civil service list for such position, NOW, THEREFORE, BE IT

RESOLVED, that Christine Ziemba be and hereby is promoted to the position of Chief of Police for the Town of Cheektowaga, effective March 30, 2002, at an annual salary of \$84,295.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Johnson

Item No. 4 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting
at 6:15 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 5
FEBRUARY 25, 2002**

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 25th of February, 2002 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; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Bruce Chamberlin, Chief of Police; Kenneth J. Kopacz, Director of Parks, Recreation and Youth Services; Kevin Schenk, Deputy Town Attorney; Christopher J. Kowal, Highway Superintendent and Susan Pella, Director of Employee Relations.

I. RESOLUTIONS

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

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

GENERAL FUND

From:	100-1910-2701	Refund of Prior Year Expense	\$13,000.00
To:	100-9010-8975	Retirement Buyouts	\$13,000.00

HIGHWAY FUND

From:	300-9501-9131	Bond Principal	\$10,000.00
To:	300-5110-4178	Blacktop, General Repairs	\$10,000.00

SPECIAL DISTRICTS FUND

From:	150-8173-2651	Sale of Refuse-Recycling	\$ 6,000.00
To:	150-8173-4194	Media Advertising	\$ 6,000.00

Upon roll call

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

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

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to February 22, 2002 are hereby approved and made a part hereof:

GENERAL FUND	\$2,776,985.28
HIGHWAY FUND	1,165,731.26
DEBT SERVICE FUND	239,000.00

Item No. 3 cont'd.

MEETING NO. 5
February 25, 2002

TRUST & AGENCY	\$ 45,691.03
HUD CDBG FUND	18,005.78
PART TOWN FUND	74,968.88
RISK RETENTION FUND	109,910.82
SPECIAL DISTRICTS FUND	863,281.48
CAPITAL FUND	<u>54,148.39</u>
	\$5,347,722.92

Upon roll call

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

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of Two (2) New and Unused, Medium Duty Trucks (Cab and Chassis).

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

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at 11:00 A.M. on March 13, 2002.



TOWN OF CHEEKTOWAGA SANITATION DEPARTMENT
LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Sanitation Department will receive bids for the purchase of Two (2) New and Unused, Medium Duty Trucks (Cab and Chassis) for use by the Sanitation Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on March 13, 2002 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk, at his office located at Town Hall, Cheektowaga, New York. Bids must be enclosed in an opaque envelope plainly marked "Bid for Two (2), New and Unused Medium Duty Trucks (Cab and Chassis).

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

Richard M. Moleski
Town Clerk

Date: February 25, 2002
Published: February 28, 2002



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

**MEETING NO. 5
February 25, 2002**

WHEREAS, it is in order that bids be advertised for the purchase of baseball and softball equipment for the Town of Cheektowaga Department of Par

ks, Recreation and Youth Services, and, BE IT

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

RESOLVED, that sealed bids will be received on March 8, 2002 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Town Clerk's Office located in Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, publicly opened and read by the Town Clerk of the Town of Cheektowaga, Erie County, New York on March 8, 2002 at 11:00 A.M., Eastern Standard Time at Town Hall, corner of Broadway and Union Road for the purchase of baseball and softball equipment.

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

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



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 5 Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak
Councilmember Johnson

MEETING NO. 5
February 25, 2002

WHEREAS, the contract for the Re-roofing of the Police/Court Building was awarded by Town Board resolution dated August 6, 2001 to Jameson Roofing Co., Inc., 3761 East Lake Road, Dunkirk, New York 14048, for a total approved bid price of \$88,400.00, AND

WHEREAS, the Town Engineer has advised that work under the aforesaid contract has been completed in accordance with contract requirements, AND

WHEREAS, the Town Engineer has further recommended the approval of Change Order No. 1 (Final) which provides for the final adjustment to contract item quantities as outlined in the change order document, NOW, THEREFORE BE IT

RESOLVED, that Change Order No. 1 (Final) for the aforementioned project in the amount of \$0 as an addition to the contract of Jameson Roofing Co., Inc. be and hereby is approved and, BE IT FURTHER

RESOLVED, that this Town Board hereby accepts the completed project as recommended by the Town Engineer and hereby authorizes the Town Supervisor to execute Change Order No. 1 (Final) and the final contract acceptance documents.

Upon roll call

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

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

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 Kevin M. Prise, V.P. of Maple Leaf Foods for the construction of 2,300 square foot cooler/freezer addition at 2200 Harlem Road, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of January 10, 2002 recommended its approval of the site plan as shown on the attached recommendation dated February 12, 2002, AND

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

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

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

WHEREAS, the Buffalo area has had a free-standing children's hospital for 110± years, AND

MEETING NO. 5
February 25, 2002

WHEREAS, Children's Hospital on Bryant Street in the City of Buffalo has been an institution in Western New York for many years, serving thousands of sick children every year, AND

WHEREAS, Kaleida Health, the parent organization of Children's Hospital, has proposed moving the facility into an adult hospital at either Millard Fillmore Hospital (Gates Circle) or Buffalo General Hospital in order to save money, AND

WHEREAS, moving Children's Hospital into an adult care hospital would result in sick children receiving less attention and less in quality services, AND

WHEREAS, doctors at Children's Hospital feel that Children's Hospital should stay where it is and, if it is moved, they feel that pediatric services would become watered down in the scramble for limited resources, AND

WHEREAS, if Children's Hospital is merged into an adult hospital, it is feared that many quality pediatric specialists will leave and choose to practice medicine in other cities, AND

WHEREAS, the reputation and track record of Children's Hospital attract endowments and research funding and, if Children's Hospital is moved, less funding will be made available, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby goes on record in opposition to the proposal by Kaleida Health to move Children's Hospital into an adult facility and, BE IT FURTHER

RESOLVED, that this Board supports keeping Children's Hospital on Bryant Street as a separate pediatric facility and upgrading the facility to better serve our children and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Kaleida Health.

Upon roll call

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

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

WHEREAS, the majority in the Erie County Legislature has proposed a plan to reduce the number of Erie County Legislative districts from 17 to 15, AND

WHEREAS, under this plan, two out of three Cheektowaga residents would have a change in their legislative representative, AND

WHEREAS, this plan would dilute the Town's voice in the Erie County Legislature by having five (5) separate legislators each representing only a portion of the Town of Cheektowaga, AND

WHEREAS, currently, there are two (2) legislators whose districts largely represent the majority of Town residents, AND

WHEREAS, one of the Town's legislators who represents a large portion of Cheektowaga and part of the east side of Buffalo would be eliminated, AND

WHEREAS, this Board feels that such plan does not adequately reflect the Town's population, unique character and concerns, and would result in the Town's unequal representation in the Erie County Legislature, AND

Item No. 8 cont'd.

WHEREAS, the citizens of the Town of Cheektowaga, the second most populous town in Erie County, would suffer as a result of this reapportionment plan, AND

WHEREAS, the majority plan is an obvious attempt to dilute the influence and representation in the second most populous town in the county under the guise of minimal cost savings, NOW, THEREFORE BE IT

MEETING NO. 5
February 25, 2002

RESOLVED, that this Town Board hereby voices its objection to the majority-backed reapportionment plan for the County of Erie and, BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes the Democrats and Republicans in the Erie County Legislature and County Executive to vote against this reapportionment plan and, BE IT FURTHER

RESOLVED, that this Town Board directs the Town Attorney's Office to take all necessary steps in furtherance of this resolution and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and directed to forward certified copies of this resolution to all of the members of the Erie County Legislature, County Executive Joel Giambra and to the Clerk of the Legislature.

Upon roll call

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

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

WHEREAS, the NYS Office of Children and Family Services has approved the 2002 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 Erie County Youth Bureau will utilize 13% for administration, leaving \$43,500 (\$10,875 each) for the municipal youth bureaus, 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 the County to advance said funds.

Upon roll call

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

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

WHEREAS, the Town, in its 2002 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

Item No. 9b cont'd.

WHEREAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2002 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

MEETING NO. 5
February 25, 2002

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 Art Guild	\$1,100.00
Friends of the Woods, Ltd.	\$ 800.00
Arts Society of Cheektowaga	\$1,000.00

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 2002 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. 9c Motioned by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, for prompt and efficient fire protection and emergency purposes, there is a need to construct an emergency access road from the existing terminus of Airport Drive across a CSX railroad line to connect to Sonwil Drive, AND

WHEREAS, the construction of this emergency access road will decrease Hy-View Fire District's response time by 50%, resulting in a saving of lives and property, AND

WHEREAS, CSX Transportation owns and operates the railroad line at the terminus of Airport Drive, AND

MEETING NO. 5
February 25, 2002

WHEREAS, by resolution dated November 19, 2001, this Town Board authorized the Town to file an application with CSX Transportation for Private Road Crossing Agreement for approval to cross the CSX railroad tracks with an emergency access road, AND

WHEREAS, CSX has approved the Town's application and has submitted a Private Road Crossing Agreement to the Town of Cheektowaga for approval, AND

WHEREAS, this Town Board wishes to proceed with execution of this agreement, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned Private Road Crossing with CSX Transportation, Inc., and, BE IT FURTHER

RESOLVED, that funding required as per the Private Road Crossing Agreement, (\$11,750.00 for 2002, and \$1,250/year thereafter) shall be appropriated from the following respective budget lines:

300-5110-4178	\$10,000.00 (Construction Deposit Fee)
101-1710-4101	\$ 1,500.00 (Construction Risk Fee)
100-1910-4706	\$ 250.00 (Annual License Fee)

Upon roll call

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

Item No. 9d Motioned by Supervisor Gabryszak, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga seeks grant monies from Legislator Ray Dusza via the Erie County Public Benefit Fund to purchase furniture for the Senior Citizens Center Computer Lab, NOW, THEREFORE BE IT

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

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents 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. 10a Motioned by Councilmember Mazur, Seconded by Councilmember Jaworowicz
Councilmember Rogowski

WHEREAS, a 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, Nancy M. Scarafia, currently employed as a Senior Clerk in the Assessor's Office, bid on said vacancy and meets the necessary qualifications, NOW, THEREFORE BE IT

MEETING NO. 5
February 25, 2002

RESOLVED, that Nancy Scarafia of Depew, New York 14043, be and hereby is appointed to the position of Senior Clerk Typist in the Town Clerk's Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective February 26, 2002.

Upon roll call

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

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

WHEREAS, the Board of Plumbing and Drainage Examiners of the Town of Cheektowaga consists of five (5) members, including the Supervising Building and Plumbing Inspector, the Town Engineer, and three (3) persons who have actively engaged in the plumbing business for at least ten (10) years next preceding their membership, AND

WHEREAS, the last three (3) members shall be appointed by the Supervisor, by and with the consent of the other members of the Town Board and must be residents of the Town of Cheektowaga, NOW, THEREFORE BE IT

RESOLVED, that the following persons be and hereby are appointed to the Board of Plumbing and Drainage Examiners of the Town of Cheektowaga for a term of two (2) years, as a compensation not to exceed two hundred fifty dollars (\$250.00) per year.

Joseph V. Schmigel, Cheektowaga, New York
Louis Costrino, Depew, New York
Todd Schmigel, Cheektowaga, New York

Upon roll call

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

Item No. 10c Motioned by Councilmember Mazur, Seconded by Councilmember Johnson

WHEREAS, in order to provide for the provisions of emergency medical services on a uniform basis, this Town Board, on May 7, 1984, adopted an Ambulance Services Ordinance, AND

WHEREAS, said Ordinance provides for the establishment of an Emergency Medical Services Board ("EMS Board") which will act as agent of the Town in the implementation of the Ordinance, AND

WHEREAS, the composition of the EMS Board is set forth in Section 52-7 of the Code of the Town of Cheektowaga , AND

WHEREAS, the terms of the present individuals who were appointed to the EMS Board expired, NOW, THEREFORE, BE IT

Item No. 10c cont'd.

RESOLVED, that the following individuals shall be designated to serve as members of the EMS Board for 2002 for a term of one year:

<u>REPRESENTING</u>	<u>DESIGNATE</u>	<u>ALTERNATE</u>
Bellevue	Dell Reitz	Jack McFarland
Cleveland Hill	Ronald Passmore	Robert Trautman
Doyle	Richard Ralecki	
Forks	Vince Piasecki	Neil Cummings
Hy-View	Robert Schmitt	Roman Gawronski
Pine Hill	Brian Kirst	Mark Dean
Sloan	Sean McGee	Scott Prell
South Line	Ralph Collins	Mark Kopp
U-Crest	Ronald Wanat	James Williams

**MEETING NO. 5
February 25, 2002**

Walden
St. Joe's Hospital
Police Department
Dispatch
Town Board

Peter Lis
Dr. Steven Lakomy
Captain Howlett
Kenneth Paa
Thomas Mazur

Edward Schaefer

EX-OFFICIO MEMBERS (non-voting)

Rural/Metro
County EMS

Greg Gill
John Adolpf

Timothy Bull

and, BE IT FURTHER

RESOLVED, that Robert Schmitt be appointed to serve as Chairman of the EMS Board.

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, the Madison County Virginia Sheriff's Department is hosting their annual K-9 Training Seminar. The seminar will be held in Madison, Virginia, March 18-22, 2002

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Officer Daniel Smith and "Breston" to this training seminar. Officer Smith and "Breston" have been requested to instruct a portion of this seminar. Officer Smith will be using the K-9 vehicle for transportation to and from this seminar. The Police Department will be responsible for the expense of gasoline and tolls, AND

BE IT RESOLVED, that Chief Chamberlin is authorized to send Officer Smith and "Breston" to this seminar and that the time he spends at this training be authorized as normal duty time. The expense will be charged to line 0100-3120-4085.

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 Johnson

WHEREAS, the Jamestown Board of Public Utilities is presenting a seminar on the Adoption of the International Plumbing Code by New York State which will be held at the Forum Theatre at Jamestown Community College in Jamestown, New York on Tuesday, February 26, 2002, AND

Item No. 11b cont'd.

WHEREAS, Donald O'Neill has requested permission to attend said seminar, AND

WHEREAS, the seminar will include an introduction to the Plumbing Code and will be directed toward Code Enforcement Officials, AND

WHEREAS, the Building and Plumbing Department has submitted a request for travel authorization along with the proper paperwork in a timely manner, AND

WHEREAS, there is no charge to attend said seminar, NOW, THEREFORE BE IT

RESOLVED, that Donald O'Neill of the Building and Plumbing Department be and hereby is authorized to attend the Adoption of the International Plumbing Code by New York State seminar which will be held at the Forum Theatre at Jamestown Community College in Jamestown, New York on Tuesday, February 26, 2002.

MEETING NO. 5
February 25, 2002

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 12 Supervisor's Statement of Funds – December 2001
Received and Filed.

Item No. 13a Minutes of Cheektowaga Planning Board – January 10, 2002
Received and Filed.

Item No. 13b Minutes of Cheektowaga Traffic Safety Commission – January 15, 2002
Received and Filed.

Item No. 13c Minutes of Cheektowaga Library Board – January 23, 2002
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 14a Summons and Complaint: Oni Cole vs. the Town of Amherst, Town of Amherst Police Department, the Town of Cheektowaga and the Town of Cheektowaga Police Department
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. 14b Summons and Complaint: Liberty Mutual Fire Insurance Company a/s/o Timothy D. Hunter vs. the Town of Cheektowaga Recycling Division
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Recycling Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 15a Notice of Claim: Justin Bohall/Prudential Property and Casualty Insurance Company 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. 15b Notice of Claim: Royal and SunAlliance a/s/o Ruth Luss vs. the Town of Cheektowaga Sewer Department
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. 15c Notice of Claim: Mario Cappaccio 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. 15d Notice of Claim: Deborah Gasiewicz 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. 5
February 25, 2002

- Item No. 15e Notice of Claim: Richard K. Hadley 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. 15f Notice of Claim: John Borsuk 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. 15g Notice of Claim: Raymond Marzec 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. 15h Notice of Claim: Edward and Patricia Zlotek/New York Central Mutual 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. 15i Notice of Claim: John and Elizabeth Wasiak 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. 15j Notice of Claim: Gary J. Snow vs. the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway Department, Sanitation Department and Allied Claims Insurance Carrier.
Received and Filed.
- Item No. 15k Notice of Claim: Audrey G. Owens 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. 15l Notice of Claim: Karen Glanowski 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. 15m Notice of Claim: Tabitha Bush 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. 16 Request to Speak: Cheektowaga Citizens Coalition
Received and Filed.



MEETING NO. 5
February 25, 2002

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

Upon roll call

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



IV. SUSPENSION OF RULES

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

WHEREAS, by resolution dated January 22, 2002, the Town Board approved consultant expenses for additional work items to address applicable codes and operation enhancement not included in the original approved professional services proposal for Bergmann Associates, AND

WHEREAS, a review of the resolution drafted detailed all work to be allocated to an increase in Account #5019-71800-0010, AND

WHEREAS, this increase should have been allocated to three different accounts, NOW, THEREFORE BE IT

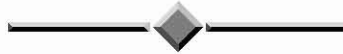
RESOLVED, that the additional work be allocated as follows: to Account #5019-71800 - \$29,461. Account #500-7140-1201-5905 - \$4,349, and Account #500-7140-9376-5309 - \$5,490.



MOTION BY COUNCILMEMBER JANKOWIAK, SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE ABOVE RESOLUTION, ITEM 17, 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. 17 cont'd.

AMENDED

WHEREAS, by resolution dated January 22, 2002, the Town Board approved consultant expenses for additional work items to address applicable codes and operation enhancement not included in the original approved professional services proposal for Bergmann Associates for the Town Park Pool Improvements Project, AND

WHEREAS, a review of the resolution drafted detailed all work to be allocated to an increase in Account #5019-71800-0010, AND

WHEREAS, this increase should have been allocated to three different accounts, NOW, THEREFORE BE IT

RESOLVED, that the additional work be allocated as follows: to Account #5019-71800 - \$29,461. Account #500-7140-1201-5905 - \$4,349, and Account #500-7140-9376-5309 - \$5,490.

Item No. 18 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting. This meeting was adjourned at 8:10 P.M.

MEETING NO. 5
February 25, 2002

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
MARCH 4, 2002**

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 March, 2002 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; Brian Krause, Director of Administration and Finance; Susan A. Pella, Coordinator of Employee Relations; William Pugh, Town Engineer; Kenneth Kopacz, Director of Parks, Recreation and Youth Services and Thomas Adamczyk, Supervising Building and Plumbing Inspector.

I. RESOLUTIONS

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

BE IT RESOLVED, that the following Vouchers and Warrants Submitted to the Town of Cheektowaga prior to March 1, 2002 are hereby approved and made a part hereof:

GENERAL FUND	\$ 136,217.95
HIGHWAY FUND	26,516.68
TRUST & AGENCY	3,594.81
PART TOWN FUND	395.31
RISK RETENTION FUND	25,753.21
SPECIAL DISTRICTS FUND	260,914.51
CAPITAL FUND	<u>39,938.00</u>
	\$ 493,330.47

Upon roll call

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

NAYES: 0

ABSENT: 0

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of five (5) unmarked police vehicles for the Police Department, which bids were duly received and opened at a publish bid opening called for that purpose, AND,

WHEREAS, said bid was referred to the Police Department for analysis and tabulation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of five (5) 2001 Ford Taurus vehicles be awarded to West Herr Ford, 5025 Camp Road, Hamburg, New York 14075; said vender being lowest bidder meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds are available in account 100-3120-2303, 100-3120-2205, and 600-0881.

MEETING NO. 6
MARCH 4, 2002

Item No. 3a cont'd.

Upon roll call

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

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) sport utility vehicle for the 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 Police Department for analysis and tabulation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of one (1) 2002 Chevrolet Tahoe sport utility vehicle be awarded to Basil Chevrolet, 5111 Transit Road, Depew, New York 14043; said vendor being lowest bidder meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds are available in Account 100-3120-2205.

Upon roll call

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

Item No. 4 Motion by Councilmember Johnson, Seconded by Councilmember Mazur

BE IT RESOLVED, that a public hearing on proposed amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga (Vehicle & Traffic) be held on March 18, 2002 at 7:00 P.M. at the Town Hall, 3301 Broadway Street, Cheektowaga, New York for the purpose of considering the advisability of adopting said amendments, and the Town Clerk is hereby directed to publish the following Notice of Hearing in the CHEEKTOWAGA TIMES on the 7th day of March, 2002, 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 Town Hall, 3301 Broadway in said Town of Cheektowaga on March 18, 2002 at 7:00 P.M. to consider the advisability of adopting amendments to Chapter 235 (formerly Chapter 76) of the Code of the 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:

DELLWOOD PLACE – east side: from north curblineline of Genesee Street to a point 110 feet north.

WANDA AVENUE – east side: from the north curblineline of Walden Avenue to a point 60 feet north.

REO AVENUE – East side: from the north curblineline of Walden Avenue to a point 90 feet north.

§234-49. SCHEDULE X: PARKING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by adding thereto the following:

WANDA AVENUE – East side: from the north curb line of Walden Avenue to a point 25 feet north.

MEETING NO. 6
MARCH 4, 2002

Item No. 4 cont'd.

REO AVENUE - East side: from the north curb line of Walden Avenue to a point 25 feet north.

KEMP AVENUE – South side: from the east curb line of Harlem Road to a point 55± feet east.

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

Dated: March 4, 2002

RICHARD M. MOLESKI
Town Clerk



Upon roll call

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

AFFIDAVIT NEXT PAGE

MEETING NO. 6
MARCH 4, 2002

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the replacement of sidewalks in various locations in the Town of Cheektowaga.

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

RESOLVED, THAT THE Town Clerk is hereby designated at the Officer to open bids on the aforesaid items at 11:00 A.M. on March 20, 2002.



NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on March 20, 2002 at a public bid opening at 11:00 A.M. at the Town Hall located on Broadway and Union Roads, Cheektowaga, New York, for the replacement of sidewalks in various locations in the Town of Cheektowaga.

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

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

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

RICHARD M. MOLESKI
TOWN CLERK

DATED: March 5, 2002



Upon roll call

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

AFFIDAVIT NEXT PAGE

**MEETING NO. 6
MARCH 4, 2002**

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

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 2002 to the Erie County Board of Elections, AND

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly Voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, AND

WHEREAS, there are 111 Election Districts in the Town of Cheektowaga located in 37 polling places, all of which provide proper accessibility, NOW, THEREFORE, BE IT

RESOLVED, that the attached list of Town of Cheektowaga polling places for 2002 be approved for submittal to the Erie County Board of Elections.

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 6
MARCH 4, 2002

Item No. 7 Consent to lease space at 3409 Genesee St.
This item was withdrawn.

Item No. 8 Motion by Councilmember Johnson, Seconded by Councilmember Mazur

WHEREAS, the Town of Cheektowaga needs to extend a sanitary sewer across property located at 203 Eggert Road in the Town, and

WHEREAS, Calypso Development of WNY, Inc. has consented to granting the necessary easement to the Town, and has executed such easement, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned easement be and hereby is accepted by the Town, 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, Rogowski, Johnson, Swiatek,
Jankowiak and Mazur
NAYES: 0
ABSENT: 0

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

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

MEETING NO. 6
MARCH 4, 2002

Item No. 10a Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, the Town, in its 2002 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 organizations(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2001 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approved 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 respective amount(s):

<u>Cultural/Not for Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Historical Association	\$1,350.00
Cheektowaga Garden Club	\$ 500.00

AND, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2002 Town budget, subject to audit and approval of a properly signed Town voucher.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 6
MARCH 4, 2002

Item No. 10b Motion by Councilmember Swiatek Seconded by Councilmember Jaworowicz

WHEREAS, W.C.S. of N.Y. Inc. has provided Self-Insured Workers' Compensation Claims Handling and Loss Control Services for the Town of Cheektowaga for a number of years, and

WHEREAS, W.C.S. of N.Y. Inc has submitted a proposal to continue provided these services to the Town for 2002, 2003, and 2004 at the same annual rate as in 2001, and

WHEREAS, the Town of Cheektowaga has been satisfied with the services provided in the past by W.C.S. of N.Y. Inc, and

WHEREAS, Holfoth Risk Management, the Town's insurance consultant, has recommended that the Town continue with W.C.S. of N.Y., Ins. for another three (3) years, NOW, THEREFORE, BE IT

RESOLVED, that W.C.S. of N.Y., Inc. be and hereby is designated to provide Self-Insured Workers' Compensation Claims Handling and Loss Control Services to the Town for 2002, 2003 and 2004 as per the attached agreement at annual service fees of \$35,430 (Claims Management/Administrative Services and \$21,710 (Loss Control/Prevention Services), AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement with W.C.S. of N.Y., Inc.

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 6
MARCH 4, 2002

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

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

Susan Kopp	Cheektowaga 14225
Daniel Jegierski	Cheektowaga 14225
Victor Carlucci	Depew 14043

Upon roll call

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

Item No. 12 Motion by Councilmember Mazur Seconded by Councilmember Rogowski
Councilmember Johnson

WHEREAS, a vacancy exists in the title of Assistant Plumbing Inspector in the Building and Plumbing Department; AND

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

WHEREAS, said title falls under the competitive class of Erie County Civil Service;
AND

WHEREAS, a current Erie County Civil Service list is not in existence for said title;
AND

WHEREAS, Donald A. O'Neill has applied for said position and meets all the necessary qualifications for provisional appointment NOW, THEREFORE, BE IT

RESOLVED, that Donald A. O'Neill of Depew, New York 14043 be and hereby is appointed provisionally to the position of Assistant Plumbing Inspector in the Building and Plumbing Department, pending the results of the civil service examination, and in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective March 5, 2002.

Upon roll call

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

Item No. 13 Motion by Councilmember Mazur Seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following individual be and hereby is hired as a part-time employee in the department listed, not to exceed 19 hours on a weekly basis.

BUILDING AND PLUMBING DEPARTMENT – Plumbing Inspector - \$15.00 per hour EFFECTIVE

Dale M. Parks Cheektowaga, New York 14225 Immediately

Upon roll call

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

Item No. 14 Motion by Councilmember Jankowiak Seconded by Supervisor Gabryszak

**MEETING NO. 6
MARCH 4, 2002**

WHEREAS, the New York State Government Finance Officer's Association (NYS-GFOA) is holding its Annual Conference on March 19th, 20th, and 21st, 2002 in Albany, New York; and

Item No. 14 cont'd

WHEREAS, the conference shall cover such topics as the new Government Accounting Standards Board Financial Reporting Model, GASB Statements Nos. 34, 35, 36, 37, and 38, GFOA Legislative & Regulatory Overview, the State Budget – How the Focus Has Changed and the Impact on Municipalities, Maintaining & Improving Your Bond Rating, Changes to 457 Plans, Essentials of Public Finance, and other topics Town must be familiar and comply with; and

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

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

RESOLVED, that Supervisor Dennis H. Gabryszak, Mr. Krause, and Ms. Travers are hereby authorized to attend this conference, and all costs not to exceed \$2,000.00, are to be reimbursed from the following budget account numbers: 100-1315-4088 and 100-1220-4088

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 15 Building Permits – February 2002
Received and Filed

III. GENERAL COMMUNICATIONS

Item No. 16 Summons and Complaint: Regina and William Johnson vs. Town of Cheektowaga/
Manfred Boettcher and Janice L. Boettcher
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 17a Notice of Claim: Norbert Czerniak vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 17b Notice of Claim: Pat Goralczyk vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 17c Notice of Claim: Michelle Nicosia vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Sanitation and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 17d Notice of Claim: Donald J. Oliver vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.

MEETING NO. 6
MARCH 4, 2002

Item No. 17e Notice of Claim: Richard E. Veiders vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 17f Notice of Claim: Thomas P. Zak vs. Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; Michael Stachowski, Town Attorney; Council; Highway and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 18 Request to Speak: Cheektowaga Citizens Coalition
Received and Filed.



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

Upon roll call

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

NAYES: 0

ABSENT: 0



IV. SUSPENSION OF RULES

Item No. 19 Motion by Councilmember Jaworowicz Seconded by Unanimous

WHEREAS, on September 11, 2001 the United State of America was attacked by terrorists; and

WHEREAS, these attacks were unprovoked in nature and aimed directly at our country's citizens; and

WHEREAS, thousands of Americans' lives were lost on this dark day; and

WHEREAS, the President of the United States has called upon our country to find the perpetrators of these horrific crimes and bring them to justice; and

WHEREAS, this call for justice has necessitated the United State Military to call reservists to active duty, and

WHEREAS, the Town of Cheektowaga wholeheartedly supports the President of the United States in his call for justice to all involved in this unprecedented act of terror on our citizens; and

WHEREAS, pursuant to Section 242 and 243 of Civil Service Military Law, reservists may annually take up to twenty-two (22) paid working days from their civil service positions when they are absent thirty (30) calendar days in order to fulfill their military requirements; and

WHEREAS, this Town Board fully supports all United States reservists and their defense of our great nation and as such, in this time of crisis, for the call-up resulting from this event, the Cheektowaga Town Board seeks to waive its requirements under the various union contracts and the Civil Service Military Law for military call up to pursue the counter-attack on a one-time basis, and

MEETING NO. 6
MARCH 4, 2002

Item No. 19 cont'd.

WHEREAS, as a show of this Town Board's complete support of its employees being called to active duty, no reservist employed by the Town of Cheektowaga shall be penalized monetarily while serving their country; NOW, THEREFORE, BE IT

RESOLVED, that any full-time Town of Cheektowaga employee called to active military duty hereby be paid the difference from the standard forty-hour work week earned through their current title and that of their military salary, AND, BE IT FURTHER

RESOLVED, that such policy shall be in effect from January 1, 2002 through June 30, 2002 and subject to further review at the time of expiration.

Item No. 19 (continued)

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 20 Motion by Supervisor Gabryszak, Seconded by Unanimous

BE IT RESOLVED, that the Town Board Meeting be and hereby is adjourned in memory of Daniel R. Smolarek, lifelong resident of Sloan and Funeral Director in Buffalo/Sloan and Cheektowaga, New York for 40 years. Time of adjournment at 7:30 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 7
MARCH 18, 2002**

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 March, 2002 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; William Pugh, Town Engineer; Thomas Adamczak, Supervising Building and Plumbing Inspector; Bruce Chamberlin, Chief of Police; Kenneth J. Kopacz, Director of Parks, Recreation and Youth Services; Michael Stachowski, Town Attorney; Susan Pella, Director of Employee Relations; Brian Krause, Director of Administration and Finance; Patricia Wojcik, Director of Senior Services and Salvatore LaGreca, Chairman of Planning Board.

I. PUBLIC HEARING

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:



ARTICLES V
Schedules

§235-49. SCHEDULE X; PARKING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by deleting therefrom the following:

DELLWOOD PLACE – East side: from north curbline of Genesee Street to a point 110 feet north.

WANDA AVENUE – East side: from the north curbline of Walden Avenue to a point 60 feet north.

REO AVENUE – East side: from the north curbline of Walden Avenue to a point 90 feet north.

§234-49. SCHEDULE X: PARKING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by adding thereto the following:

WANDA AVENUE – East side: from the north curb line of Walden Avenue to a point 25 feet north.

REO AVENUE – East side: from the north curb line of Walden Avenue to a point 25 feet north.

KEMP AVENUE – South side: from the east curb line of Harlem Road to a point 55± feet east.



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

II. RESOLUTIONS

MEETING NO. 7
March 18, 2002

Item No. 3 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

PART TOWN FUND

From:	800-3620-1901	Regular wages	\$1,000.00
	800-1910-4711	Contingency	2,025.00
	800-9501-9335	Deficit Reduction Expense	2.00
To:	800-3620-1902	Overtime Wages	\$1,000.00
	800-8020-4709	Management Studies	2,025.00
	800-9501-9211	Bond Interest	2.00

Upon roll call

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

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

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 15, 2002 are hereby approved and made a part hereof:

GENERAL FUND	\$2,777,332.44
HIGHWAY FUND	770,093.56
DEBT SERVICE FUND	163,387.50
TRUST & AGENCY	44,166.12
HUD CDBG FUND	2,000.00
HUD HOUSING REHABILITATION FUND	9,802.00
PART TOWN FUND	65,929.54
RISK RETENTION FUND	28,336.75
SPECIAL DISTRICTS FUND	1,399,571.67
CAPITAL FUND	152,398.10
	<u>\$5,413,017.68</u>

Upon roll call

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

Item No. 5 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 Tommaso Briatico, Architect, representing David Rezel for the rezoning of 5100 Transit Road from NS-Neighborhood Services to C-Retail Business for the construction of a 5,440 square foot retail building, AND

Item No. 5 cont'd.

**MEETING NO. 7
March 18, 2002**

WHEREAS, the Environmental Advisory Committee, at its meeting held on February 13, 2002 recommended a determination of non significance, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting on January 10, 2002 recommended approval of the rezoning and site plan as shown on the attached recommendation dated January 14, 2002, AND

WHEREAS, URS Corporation, Planning Consultant for the Town of Cheektowaga has reviewed the applicants rezoning application and supporting documents for consistency with the Town's Draft Land Use Plan for the Transit Road – French Road Corridor and finds that the proposed land use is consistent with the draft plan as shown on the attached memorandum dated February 25, 2002, AND

WHEREAS, the property owner has provided written commitments to limit all future development of the subject parcel to what is represented on the site plan, dated December 12, 2001 and has committed to providing a vehicular access easement along his northerly and southerly property lines in an effort to meet the Town's future traffic access management objectives along Transit Road, AND

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

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

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

WHEREAS, this Town Board held a public hearing on March 18, 2002 to consider the advisability of adopting proposed amendments to Chapter 235 (formerly Chapter 76) of the Code of the

MEETING NO. 7
March 18, 2002

Town of Cheektowaga (Vehicle and Traffic), said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE BE IT RESOLVED, as follows:

Section 1.

That this Town Board determines it is in the public interest to adopt the following amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga, County of Erie and State of New York, and said amendments are herewith adopted and enacted:

ARTICLE V
Schedules

§235-49. SCHEDULE X; PARKING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by deleting therefrom the following:

DELLWOOD PLACE – East side: from north curblineline of Genesee Street to a point 110 feet north.

WANDA AVENUE – East side: from the north curblineline of Walden Avenue to a point 60 feet north.

REO AVENUE – East side: from the north curblineline of Walden Avenue to a point 90 feet north.

§234-49. SCHEDULE X: PARKING PROHIBITED IN DESIGNATED LOCATIONS, shall be amended by adding thereto the following:

WANDA AVENUE – East side: from the north curb line of Walden Avenue to a point 25 feet north.

REO AVENUE – East side: from the north curb line of Walden Avenue to a point 25 feet north.

KEMP AVENUE – South side: from the east curb line of Harlem Road to a point 55± feet east.

Section 2. Time to Take Effect

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

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

Section 3. Territorial Application

That these amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga shall be entered into the minutes of the Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town, and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, David Reszel petitioned for a rezoning from NS-Neighborhood Services District to C-Retail Business District for property owned by Josephine Reszel and located at 5100 Transit Road, Cheektowaga, New York, which property is described in the attached legal description, AND

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WHEREAS, a public hearing on such petition was held before this Town Board on the 4th day of February, 2002 at 6:30 P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law; and all interested parties were given an opportunity to be heard at such hearing, AND

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

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

RESOLVED, that the application of David Reszel for the rezoning from NS-Neighborhood Services to C-Retail Business District of the property described in the attached legal description be and the same is hereby approved, subject to the following condition:

1. Applicant comply with Section 260-84 of the Town Code (Zoning Law) which requires that any additions/changes to the development/site plan be resubmitted to the Town Board for approval

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

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

WHEREAS, Theodore B. Kulbacki has made application and requested the Rezoning from R-Residence District/NS-Neighborhood Services District to RSC-Senior Citizen Housing District for property located at 5074 Transit Road, NOW, THEREFORE BE IT

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RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on April 1, 2002 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 Rogowski, Johnson, Swiatek, Jankowiak and Mazur

NAYES: 0

ABSENT: Councilmember Jaworowicz

AFFIDAVIT - NEXT PAGE

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

WHEREAS, bids were duly received by this Town Board at a public bid opening held on March 13, 2002 for Two (2) New and Unused Medium Duty Trucks (Cab & Chassis) for use by the Sanitation Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and reports, AND

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March 18, 2002

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

RESOLVED, that the bid for Two (2), New and Unused Medium Duty Trucks (Cab & Chassis) be awarded to Buffalo Truck Center, Inc., 271 Dingens Street, Buffalo, New York 14206, at a total bid price of \$72,000.00. Said bidder being the lowest responsible bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways. A copy of which is attached hereto and made a part hereof and, BE IT FURTHER

AND, BE IT FURTHER RESOLVED, that monies be charged to line item 1500-8160-2501.

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

* SEE NEXT PAGE(S) FOR ATTACHMENT

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

BE IT RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for Topsoil by the Cheektowaga Highway Department and various departments in the Town.

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

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RESOLVED, that the Town Clerk is hereby designated as the officer to open bids on the aforesaid items at 11:00 A.M. on April 3, 2002.



NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

Sealed proposals will be received and considered by the Cheektowaga Town Board on April 3, 2002 at a public bid opening at 11:00 A.M., at the Town Hall located on Broadway and Union Roads, Cheektowaga, New York for the purpose of furnishing Topsoil for use by various departments in the Town of Cheektowaga.

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

Non-Collusion forms must be signed and submitted with each bid.

Richard M. Moleski
Town Clerk
Town of Cheektowaga

Dated: March 28, 2002



Upon roll call

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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, properties located on Honorine Drive in the Town of Cheektowaga presently utilize private wells to obtain water for domestic use, AND

AND WHEREAS, Honorine Drive is the last area in Town to rely on private wells for water,

WHEREAS, for the past several years, the Town has attempted to provide public water on Honorine Drive, but the cost to the benefited property owners was excessive, AND

MEETING NO. 7
March 18, 2002

WHEREAS, the estimated cost to provide public water to residents on Honorine Drive is presently \$75,000 and, residents would have to pay an annual amount to fund the cost of improvements beyond the value acceptable to NYS Audit & Control, which agency will not approve an annual cost to the homeowners above \$501, AND

WHEREAS, Assemblyman Paul A. Tokasz recently notified the Town of Cheektowaga that he has been successful in obtaining State funding in the amount of \$40,000.00 through his allotment of Community Service Provider Assistance Program funding to offset the cost of installing public water lines on Honorine Drive, AND

WHEREAS, funding from New York State will now make this project reasonably affordable to residents on Honorine Drive, AND

WHEREAS, the New York State Department of State has submitted a contract for this funding to the Town, NOW, THEREFORE BE IT

RESOLVED, that this Town Board hereby agrees to accept the aforementioned State funding and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to sign any and all documents relating to the procurement of the above referenced State funding and, BE IT FURTHER

RESOLVED, that additional funding needed to install the water line on Honorine Drive shall be borne by the property owners on Honorine Drive based on a petition to be signed by the residents pursuant to the provisions of the Town Law of the State of New York.

Upon roll call

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

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

WHEREAS, the NYS Department of Transportation ("DOT") will be reconstructing Union Road, from Como Park Boulevard to George Urban Boulevard, and Walden Avenue, from Union Road to the NYS Thruway beginning in 2003 (PIN 5131.23.101), AND

WHEREAS, the Town of Cheektowaga's main campus and major service facilities are located on the west side of Union Road, south of the Broadway overpass, AND

WHEREAS, the Town previously requested that the DOT incorporated into such project facilities for the erection of a traffic signal on Union Road at the driveway on the Town Complex to be located north of the existing Highway Department driveway, for the purpose of improving safety and advancing "managed access" design principals, AND

WHEREAS, with this new driveway, the Town of Cheektowaga would be consolidating the three existing driveways servicing the Town Complex into one main driveway, thereby centralizing all of our services to this new Union Road location, AND

Item No. 11 cont'd.

WHEREAS, by Cross-Property Agreement and Letters of Commitment to the Town, Benderson Development Company and Iskal Development Company will consolidate their two driveways, serving a mix of trucks and other vehicles, into one driveway opposite that of the Town, AND

WHEREAS, to support its request for a signal on Union Road at this new Town Complex driveway location, this Town Board, by resolution dated June 21, 1999 and December 20, 1999, retained EMS Consulting to prepare a Traffic Impact Study, Signal Warrant Analysis and Supplemental Traffic Study Impact Study and Signal Warrant Analysis, AND

WHEREAS, FRA Engineering also prepared a Vehicle Gap Analysis and Delay Study Report, which report concludes that unacceptable conditions exist for outbound vehicles from the Town

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Complex onto Union Road, as well as for vehicles entering the Town campus, and states that installation of a traffic signal would be needed to mitigate these unacceptable conditions, AND

WHEREAS, Town vehicles exiting onto Union Road or entering the Town complex at this location include both Highway trucks and Sanitation trucks, which require additional time (especially in poor weather conditions); and Police and emergency vehicles would also be benefited by a traffic signal at this location, NOW, THEREFORE BE IT

RESOLVED, that, based on the above public safety needs demonstrated by the Town and its consultants, this Town Board hereby memorializes the DOT to incorporate a traffic signal for the Town Complex in their plans for the reconstruction of Union Road and, BE IT FURTHER

RESOLVED, that this Town Board also memorializes the DOT to issue the necessary traffic signal permit to the Town for the aforementioned signal and, BE IT FURTHER

RESOLVED, that a copy of this resolution be forwarded to Mr. Brian Rowback, Regional Director of the New York State Department of Transportation, and to New York State Senator William T. Stachowski and Assemblyman Paul Tokasz.



MOTION BY COUNCILMEMBER JOHNSON, SECONDED BY COUNCILMEMBER ROGOWSKI TO AMEND THE ABOVE RESOLUTION, ITEM 11, AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



Amended

WHEREAS, the NYS Department of Transportation ("DOT") will be reconstructing Union Road, from Como Park Boulevard to George Urban Boulevard, and Walden Avenue, from Union Road to the NYS Thruway beginning in 2003 (PIN 5131.23.101), AND

WHEREAS, the Town of Cheektowaga's main campus and major service facilities are located on the east of Union Road, south of the Broadway overpass, AND

WHEREAS, the Town previously requested that the DOT incorporated into such project facilities for the erection of a traffic signal on Union Road at the driveway on the Town Complex to be located north of the existing Highway Department driveway, for the purpose of improving safety and advancing "managed access" design principals, AND

WHEREAS, with this new driveway, the Town of Cheektowaga would be consolidating the three existing driveways servicing the Town Complex into one main driveway, thereby centralizing all of our services to this new Union Road location, AND

Item No. 11 cont'd.

WHEREAS, by Cross-Property Agreement and Letters of Commitment to the Town, Benderson Development Company and Iskalo Development Company will consolidate their two driveways, serving a mix of trucks and other vehicles, into one driveway opposite that of the Town, AND

WHEREAS, to support its request for a signal on Union Road at this new Town Complex driveway location, this Town Board, by resolution dated June 21, 1999 and December 20, 1999, retained EMS Consulting to prepare a Traffic Impact Study, Signal Warrant Analysis and Supplemental Traffic Study Impact Study and Signal Warrant Analysis, AND

WHEREAS, FRA Engineering also prepared a Vehicle Gap Analysis and Delay Study Report, which report concludes that unacceptable conditions exist for outbound vehicles from the Town

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Complex onto Union Road, as well as for vehicles entering the Town campus, and states that installation of a traffic signal would be needed to mitigate these unacceptable conditions, AND

WHEREAS, Town vehicles exiting onto Union Road or entering the Town complex at this location include both Highway trucks and Sanitation trucks, which require additional time (especially in poor weather conditions); and Police and emergency vehicles would also be benefited by a traffic signal at this location, NOW, THEREFORE BE IT

RESOLVED, that, based on the above public safety needs demonstrated by the Town and its consultants, this Town Board hereby memorializes the DOT to incorporate a traffic signal for the Town Complex in their plans for the reconstruction of Union Road and, BE IT FURTHER

RESOLVED, that this Town Board also memorializes the DOT to issue the necessary traffic signal permit to the Town for the aforementioned signal and, BE IT FURTHER

RESOLVED, that a copy of this resolution be forwarded to Mr. Brian Rowback, Regional Director of the New York State Department of Transportation, and to New York State Senator William T. Stachowski and Assemblyman Paul Tokasz.

Upon roll call

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

Item No. 12 Motioned by Unanimous, Motioned by Unanimous

WHEREAS, Dr. Jameson S. Lewbuga, Mukasa, M.D., is applying for a grant from the National Institute of Environmental Health Sciences, said application to be co-sponsored by the Cheektowaga Citizens Coalition, AND

WHEREAS, the results of the grant will promote public understanding and disseminate information to the public, NOW, THEREFORE BE IT

RESOLVED, that this Town Board supports the Cheektowaga Citizens Coalition in its efforts to obtain a grant to disseminate available information, educate area residents and thereby promote public understanding.

Upon roll call

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



MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER ROGOWSKI AT 7:45 P.M. TO MOVE INTO EXECUTIVE SESSION TO DISCUSS ITEMS 13A THROUGH 13D AND THE VOTING WAS AS FOLLOWS:

Upon roll call

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



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MOTION BY SUPERVISOR GABRYSZAK, SECONDED BY COUNCILMEMBER ROGOWSKI TO RECONVENE THIS MEETING AT 8:20 P.M.

Upon roll call

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



THE BOARD ACTED UPON ITEMS 14A THROUGH 20 BEFORE ACTING UPON ITEMS 13A THROUGH 13D.

ITEMS 14A THROUGH 20

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

BE IT RESOLVED, that the following individuals be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effectively immediately: (Part-Time)

Greg Sansone
Amy Cole
Sara Bush

Upon roll call

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

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

BE IT RESOLVED, that the following individuals be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effective immediately:

Amanda Pensi

Upon roll call

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

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

BE IT RESOLVED, that the following Part-Time employee be and hereby is terminated as listed:

EFFECTIVE

BUILDING AND PLUMBING DEPARTMENT – Plumbing Inspector

Dale M. Parks Cheektowaga, NY 14225 3/05/02

BE IT RESOLVED, that the following individuals be and hereby are hired as Part-Time employees in the 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

BUILDING AND PLUMBING DEPARTMENT – Assistant Building Inspector - \$15.00 per hour

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Dale M. Parks Cheektowaga, NY 14225 3/5/02

SENIOR SERVICES – Van Driver - \$7.00 per hour

Shawn P. Liegl Cheektowaga NY 14225 Immediately

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

EFFECTIVE

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

Jeffrey Helmbrecht Sloan, NY 14212 3/19/02

RECYCLING DEPARTMENT – Laborer - \$7.00 per hour

Patrick Santoro	Cheektowaga, NY 14225	Immediately
Brian Kazmierczak	Cheektowaga, NY 14225	"
Darren Kazmierczak	Cheektowaga, NY 14206	"
Kenneth Piatek	Sloan, NY 14212	"

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

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

BE IT RESOLVED, that the following individual be and hereby is hired as a Part-Time employee in the Department of Parks, Recreation & Youth Services, effective immediately:

Cheektowaga Conservation Corp. – 7310-1811

Recreation Instructor - \$10.50

John Kulesz 14043

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

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

BE IT RESOLVED, that the following individual be and hereby is hired as a Part-Time employee in the Department of Parks, Recreation & Youth Services, effective immediately:

Gymnastics – 7140.1630

Recreation Attendant (I) - \$5.15

Lindsey M. Battaglia 14227

Upon roll call

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

NAYES: 0

ABSENT: Councilmember Jaworowicz

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

MEETING NO. 7
March 18, 2002

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

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

WHEREAS, said title falls under the competitive class of Erie County Civil Service, AND

WHEREAS, the current Civil Service list has been canvassed, AND

WHEREAS, Ronald B. Stepnick, currently employed as a Part-Time Assistant Housing Inspector in the Building and Plumbing Department, appears on said Civil Service list and meets all the necessary qualifications, NOW, THEREFORE BE IT

RESOLVED, that Ronald B. Stepnick of Depew, New York 14043 be and hereby is appointed to the position of Assistant Building Inspector in the Building and Plumbing Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective March 19, 2002.

Upon roll call

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

Item No. 18 Motioned by Unanimous, Seconded by Unanimous

WHEREAS, pursuant to General Municipal Law section 107-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, for the year 2002, which includes a stipend for variable hours of work, be set at \$86,322 and, BE IT FURTHER

RESOLVED, that longevity pay for the year 2002 shall be set at \$4,125.

Upon roll call

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

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

WHEREAS, the Middle Atlantic Great Lakes Organized Crime Law Enforcement Network (MAGLOCLN) is holding its Annual Business Meeting and Information Sharing Conference on "The New Face of Terrorism" in Cleveland, Ohio from April 22, 2002 through April 26, 2002, AND

WHEREAS, Detective Lieutenant M. James Starr, Commander of the Vice, Gambling and Narcotics Unit, of the Police Department has requested permission to attend said program, AND

WHEREAS, Lieutenant Starr's attendance is mandatory pursuant to the Town of Cheektowaga Police Department's contract with MAGLOCLN, AND

WHEREAS, Lieutenant Starr will be able to share current innovative methods to combat terrorism especially as it relates to narcotics and vice crimes with departmental staff, AND

WHEREAS, the Police Department has submitted a request for travel authorization along with the proper paperwork in a timely manner, AND

WHEREAS, the registration fees and subsistence costs incurred by Lieutenant Starr to attend said meeting and conference shall not exceed \$325.00, NOW, THEREFORE BE IT

MEETING NO. 7
March 18, 2002

RESOLVED, that Detective Lieutenant M. James Starr, Commander of the Vice, Gambling and Narcotics Unit, of the Police Department, be and hereby is authorized to attend the Middle Atlantic Great Lakes Organized Crime Law Enforcement Network Annual Meeting and Information Sharing Conference "The New Face of Terrorism" to be held in Cleveland, Ohio from April 22, 2002 through April 26, 2002.

Upon roll call

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

Item No. 20 Motioned by Councilmember Jankowiak, Seconded by Councilmember Rogowski

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

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

WHEREAS, John R. Tuck, Appraiser-Auctioneer, will sell such motor vehicles and equipment at a public auction in accordance with his letter dated March 5, 2002, a copy of which is attached hereto, NOW, THEREFORE BE IT

RESOLVED, that the Town hereby retains John R. Tuck, 950 Bowen Road, Elma, New York, as per the attached proposal, to conduct a sale of the surplus Town vehicles and equipment identified on the attached list at a public sale to the highest responsible bidder at an auction to be held on April 20, 2002 and, BE IT FURTHER

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

Upon roll call

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

* SEE NEXT PAGE(S) FOR ATTACHMENT

ITEMS 13A THROUGH 13D

Item No. 13a Motioned by Councilmember Mazur, Seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 445 Lamarck Drive, Cheektowaga, New York, AND

WHEREAS, the owner of said property has applied for a mortgage loan from Charter One Bank, F.S.B., which has conditioned its mortgage approval on the subordination of the Town's mortgage to its mortgage, 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 Charter One Bank, F.S.B., 1215 Superior Avenue, Cleveland, Ohio, 44114, pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 445 Lamarck Drive, Cheektowaga, New York.

Upon roll call

MEETING NO. 7
March 18, 2002

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

Item No. 13b Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, the Department of Parks, Recreation & Youth Services' Dartwood Travel Club program is desirous of renting camping facilities known as Camp Turner, located in Allegany State Park for a the period of April 19th through April 21, 2002, AND

WHEREAS, Camp Turner is willing to rent such facilities to the Town provided that the Town executes a Campsite Use Agreement for the rental of said property totaling \$300.00 (Line No. 7140.4491), AND

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

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

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

Upon roll call

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

Item No. 13c Motioned by Supervisor Gabryszak, Seconded by Unanimous

WHEREAS, the Town of Cheektowaga, in 1990, acquired lands for the construction of an 18 hole golf course, AND

WHEREAS, since said time, the Town has been working to construct such golf course on its own, or through a private developer, AND

WHEREAS, the Town, in 2001, was approached by Garrett, LLC, who expressed an interest in developing a golf course on the aforementioned Town-owned property, AND

Item No. 13c cont'd.

WHEREAS, by resolution dated May 7, 2001, this Town Board appointed Garrett, LLC, as the Designated Developer of a golf course on Town-owned land located south of Genesee Street, east of Sonwil Drive and north and west of Rehm Road, AND

WHEREAS, the State Legislature and Governor have now approved legislation authorizing the Town to enter into a lease with Garrett, LLC (Chapter 455 of the Laws of 2001), AND

WHEREAS, various Town representatives, including the Town Supervisor, members of the Town Board, Town Attorney, and Director of Administration and Finance, have been meeting with representatives of Garrett, LLC to negotiate the terms of a golf course, AND

WHEREAS, a Lease acceptable to the Town and Garrett, LLC has now been negotiated, which lease is in the best interests of the Town and its taxpayers, NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the above referenced Lease with Garrett, LLC on behalf of the Town and this Town Board, subject to approval by the Town Attorney's office.

Upon roll call

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

MEETING NO. 7
March 18, 2002

NAYES: 0
ABSENT: Councilmember Jaworowicz

Item No. 13d Motioned by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

BE IT RESOLVED, that the Supervisor be and hereby is authorized to execute the 2002 Family Support Contract in the amount of \$26,076.00 on behalf of the Department of Parks, Recreation & Youth Services and the New York State Office of Mental Retardation and Developmental Disabilities.

Upon roll call

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 21 Minutes of Cheektowaga Traffic Safety Commission – February 19, 2002
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 22 Summons and Complaint: Michael Berger vs. Kevin Schmitt, Jeff Heisler, Joseph Crean and 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. 23a Notice of Claim: Christina Arnone 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. 23b Notice of Claim: Rose Marie/James Russell 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. 23c Notice of Claim: Clarence Mayer 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: Norbert Elminowski 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: Michael A. Fechter 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. 23f Notice of Claim: Dana Jeffrey vs. the Town of Cheektowaga

MEETING NO. 7
March 18, 2002

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. 24 Request to Speak: Cheektowaga Citizens Coalition
Received and Filed.

Item No. 25 Motioned by Supervisor Gabryszak, Seconded by Unanimous to adjourn this meeting.
This meeting adjourned at 8:45 P.M.

Richard M. Moleski
Town Clerk