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Town of Cheektowaga Mary F. Holtz
 3301 Broadway Telephone: (716) 686-3434
 Cheektowaga, NY 14227



Town Board Meeting of January 3, 2006 Cheektowaga, NY

6:45 PM Meeting called to order on January 3, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Jankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

Public Portion

Public Hearing

Public Hearing #1

LOCAL LAW INTRO NO. 2006-1 ENTITLED "SEX OFFENDER RESIDENCY PROHIBITION"

Public Hearing was closed. Decision was reserved

✓ Vote Record - Public Hearing #1						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adjourned <input checked="" type="checkbox"/> Closed	Dennis Gabryszak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alice Magierski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolutions

2006-1 **Warrant List**

SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to January 3, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 496,874.12
RISK RETENTION FUND	9,697.40
SPECIAL DISTRICTS FUND	227,436.96
HIGHWAY FUND	73,487.04
TRUST & AGENCY	7,975.90

HUD CDBG FUND
PART TOWN FUND
CAPITAL FUND

58.00
10,862.39
17,604.86
\$ 843,996.67

✓ Vote Record - Resolution 2006-1						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-2 Award of Bid: Furnishing of Imaging and Microfilming Services for Maps and Plans

SPONSORED BY: Councilmember Jankowiak, Councilmember Magierski

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Furnishing of Microfilming and Imaging Services. Bids were duly received and opened at a public bid opening held on November 9, 2005, as a result of advertisement, AND

WHEREAS, said bids were referred to the Records Manager for analysis, tabulation and report, which is hereto attached and contained in a letter dated December 27, 2005, NOW, THEREFORE, BE IT

RESOLVED, that the contract for Furnishing of Imaging and Microfilming Services for the Town of Cheektowaga Maps and Plans be and hereby is awarded to Lason, 3543 Winton Place, PO Box 23858-14692, Rochester 14623 at a bid cost of \$.059 per image for microfilming and microfilm scanning and \$.12 per file for indexing records, and BE IT FURTHER,

RESOLVED, that any purchase resulting from the award of this contract will be funded through the State Archives Local Government Records Management Improvement Fund Grant.

✓ Vote Record - Resolution 2006-2						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-3 Establishment of Town Board Work Session Dates

SPONSORED BY: Councilmember Johnson Jr., Councilmember Jankowiak

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga shall hold work sessions for the calendar year 2006 at 6:00 P.M. on the following dates:

- January 10th & 31st
- February 22nd & 28th
- March 14th & 28th
- April 11th & 25th
- May 9th & 30th
- June 13th
- July 11th
- August 8th
- September 12th & 26th
- October 10th & 31st
- November 14th & 28th
- December 12th & 26th

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.

✓ Vote Record - Resolution 2006-3							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-4 **Establishment of Town Board Meeting Dates**
SPONSORED BY: Councilmember Swiatek, Councilmember Magierski

BE IT RESOLVED, that regular meetings of the Town Board of the Town of Cheektowaga for the calendar year 2006 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:

- January 3rd & 17th
- February 6th & 27th
- March 6th & 20th
- April 3rd & 17th
- May 1st & 15th
- June 5th & 19th
- July 17th
- August 14th
- September 11th & 18th
- October 2nd & 16th
- November 6th & 20th
- December 4th & 18th

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, and BE IT FURTHER

RESOLVED, that a year end meeting shall be held on December 27th, 2006 at 6:00 P.M. in the Council Chambers of the Town Hall, 3301 Broadway, Cheektowaga, New York.

✓ Vote Record - Resolution 2006-4							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-5

Name Official Depositories**SPONSORED BY:**

Councilmember Jaworowicz, Councilmember Johnson Jr.

BE IT RESOLVED, that the following banking institutions be named official Town Depositories for the Year 2006:

HSBC Bank (Cheektowaga Office)
 Manufacturers and Traders Trust Company (Airport Plaza)
 Key Bank (Appletree Business Park and Union Road)
 Bank of America (Walden Avenue Office))
 JP Morgan Chase Bank, N.A. (Depew Office)
 Citibank (Cheektowaga Office)
 Citizens Bank (Cheektowaga Office)
 Evans National Bank

✓ Vote Record - Resolution 2006-5							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-6

Supervisor's Facsimile Signature**SPONSORED BY:**

Councilmember Swiatek, Councilmember Rogowski

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

✓ Vote Record - Resolution 2006-6						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-7 **Designate Official Newspaper**

SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

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.

✓ Vote Record - Resolution 2006-7							
				Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-8 **Designation of Town Holidays**

SPONSORED BY: Supervisor Gabryszak, Councilmember Jaworowicz

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 2006:

Martin Luther King, Jr. Day	January 16, 2006	Monday
President's Day	February 20, 2006	Monday
Good Friday	April 14, 2006	Friday
Memorial Day	May 29, 2006	Monday
Independence Day	July 4, 2006	Tuesday
Labor Day	September 4, 2006	Monday
Columbus Day	October 9, 2006	Monday
Election Day	November 7, 2006	Tuesday
Veterans Day	November 10, 2006	Friday
Thanksgiving Day	November 23, 2006	Thursday
Day After Thanksgiving	November 24, 2006	Friday
Christmas Eve	December 24, 2006	Sunday
Christmas Day	December 25, 2006	Monday

✓ Vote Record - Resolution 2006-8						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-9 **Adopt Investment Policy**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, by resolution dated May 3, 1993, the Cheektowaga Town Board adopted an Investment Policy as the comprehensive investment policy of the Town of Cheektowaga, and

WHEREAS, by subsequent resolutions, the Cheektowaga Town Board adopted amendments to such Investment Policy, and

WHEREAS, periodically, this Town Board must readopt and reaffirm such Investment Policy as the Investment Policy of the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby adopts the attached Investment Policy as the comprehensive investment policy of the Town of Cheektowaga, effective immediately.

✓ Vote Record - Resolution 2006-9							
				Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-10 Authorize Supervisor to Execute Agreement with Village of Depew
SPONSORED BY: Supervisor Gabryszak, Councilmember Johnson Jr.

WHEREAS, Section 150 of the Town Law grants discretionary authority to a town for entry into an agreement with a village located partially within its boundaries having a police department of four (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 fiscal year beginning January 1, 2006 provides for a credit of \$325,000.00 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.

✓ Vote Record - Resolution 2006-10						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-11 Authorize Supervisor to Execute Agreement with County of Erie for Youth Tobacco Enforcement and Prevention Program
SPONSORED BY: Councilmember Jaworowicz, Councilmember Magierski

WHEREAS, the New York State Department of Health has appropriated funds to establish a Youth Tobacco Enforcement and Prevention Program with the County of Erie to undertake compliance checks using underage operatives as decoys of merchants who sell tobacco products, and

WHEREAS, the County of Erie has made some of this funding available to the Town of Cheektowaga Police Department to assist them with this program, and

WHEREAS, the Town of Cheektowaga Police Department has been participating in this program with the County of Erie for the past 4± years, and wishes to continue participating in such program, and

WHEREAS, the County of Erie has prepared and submitted to the Town an Intermunicipal Agreement for this program for the period October 1, 2005 through September 30, 2006, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforesaid Intermunicipal Agreement with the County of Erie for the Youth Tobacco Enforcement and Prevention program.

✓ Vote Record - Resolution 2006-11							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-12 Authorize Supervisor to Execute Agreement with Walden Project Associates Regarding Annual Authority Fee (Hydrant Fees for West Side of Anderson Road)

SPONSORED BY: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, Walden Project Associates, LLC (hereinafter "Walden"), is the owner of premises located at 1775 Walden Avenue; and

WHEREAS, Walden has commenced construction of a facility at 1775 Walden Avenue which will create retail space to be leased by Walden for the purposes of its business and is expected to result in additional job creation at said location in the coming years; and

WHEREAS, the Project requires the construction of an additional fire hydrant to serve the premises; and

WHEREAS, in order to induce Walden to proceed with the work, the Town has directed the Erie County Water Authority to install a fire hydrant on the west side of Anderson Road across from number 1775 Walden Avenue in the public right-of-way; and

WHEREAS, the Town requires that as a condition of its agreement to direct the construction of the hydrant as aforesaid, Walden or its successors and assigns must agree to pay any annual public fire protection fee ("Annual Authority Fee") imposed upon the Town by the Erie County Water Authority, and agree to pay the reasonable cost of removal of the hydrant if the hydrant is no longer required under applicable law, and Walden is willing to do so, all upon the terms set forth in the attached proposed Agreement between Walden Project Associates, LLC and the Town; and

WHEREAS, this Town Board approves of the foregoing and is willing to enter into an agreement with Walden; *NOW THEREFORE, BE IT*

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement on behalf of the Town of Cheektowaga, subject to approval by the Town Attorney's Office.

✓ Vote Record - Resolution 2006-12							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-13 Retain Firm of Drescher & Malecki, LLP for Annual Audit, Etc.

SPONSORED BY: Supervisor Gabryszak, Councilmember Magierski

WHEREAS, the Town Board desires the services of a Certified Public Accounting firm that is knowledgeable of New York State, Federal and Town rules and regulations; knowledgeable of the New York State Uniform System of Accounting for towns; experienced in implementing Governmental Accounting Standards Board Statements; established as Government Finance Officer Association Certificate Program

reviewers; and familiar with the Town's policies, accounting procedures and operations in order to effectively and efficiently perform services in the areas of:

- A. Annual Audit - A complete financial audit of the Town's basic financial statements.
- B. Compilation of the Annual Update Document to the Office of the State Comptroller of New York.
- C. Compilation of financial statements from the Town's records for the year ended December 31, 2005.
- D. Preparation of management letter relating to the audit of the basic financial statements.
- E. Single Audit - Conduct an audit of Town's federal financial assistance for compliance with applicable federal laws and regulations in accordance with OMB Circular A-133.
- F. Other Services - Including routine consultation 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, retirement, sales tax and other areas as requested.
- G. 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 2007 benefit basis and ad valorem budgets. Will assist/advise the preparation of the tax rates for submission to Erie County.
- H. Audit of Departments. Will compile financial statements on the cash basis of accounting for various Town departments (5) - in addition to the previously audited Town departments (3) of the Tax Receiver, Town Clerk, and Town Justices, financial statements will also be compiled for the Recreation and Senior Services departments (2).
- I. Comprehensive Annual Financial Report - Will aid the Town in compilation of the Comprehensive Annual Financial Report to be submitted to the Government Finance Officer's Association for review in the Certificate of Excellence in Financial Reporting Program.
- J. Compilation of Detailed Budget Presentation Document - Will compile the Town's 2007 Budget Document including departmental descriptions of pertinent responsibilities to the taxpayers, historical trends including year over year expenditure comparisons over the last three years, a table of contents and an index, and various colored charts and graphs.

and,

WHEREAS, Messrs. Wayne W. Drescher, C.P.A. and Thomas P. Malecki, C.P.A. possess the aforementioned attributes and are available to perform the services listed above.

WHEREAS, this Town Board desires to retain the services of Messrs. Wayne W. Drescher, C.P.A. and Thomas P. Malecki, C.P.A. to perform the services listed above, NOW, THEREFORE, BE IT

RESOLVED, that Messrs. Wayne W. Drescher, C.P.A. and Thomas P. Malecki, C.P.A. be retained to perform the aforementioned services for the Town of Cheektowaga for the year 2006 (which would entail the audits for the year ended December 31, 2005) for a fee not to exceed \$96,000.

✓ Vote Record - Resolution 2006-13							
<input checked="" type="checkbox"/>	Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted as Amended	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Alice Magierski	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-14 Retain Firm of Grantmakers Advantage, Inc. for Grant Consulting
SPONSORED BY: Councilmember Johnson Jr., Councilmember Swiatek

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

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

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

WHEREAS, this Town Board wishes to continue to retain the services of a grants consultant firm for the 2006 calendar year, NOW, THEREFORE, BE IT

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

RESOLVED, that the fee stipulated in such agreement, \$34,000.00, shall be appropriated from budget line item number 0100-1220-4957.

✓ Vote Record - Resolution 2006-14						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-15 Authorize Erie County Water Authority to Install Fire Hydrant on Anderson Road
SPONSORED BY: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, the owner of 1775 Walden Avenue, has requested the installation of an additional fire hydrant on Walden Avenue for the proposed construction of a retail facility; and

WHEREAS, Walden Fire District No. 2 has consented to the installation of such additional fire hydrant subject to the terms and conditions contained in copies of letters dated November 23, 2005 and October 26, 2005 with the site plan annexed; and

WHEREAS, the Town Engineer has reviewed this request and has no objection to same, NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Water Authority be and hereby is directed to install an additional fire hydrant on the west side of Anderson Road opposite the proposed driveway to the site at 1775 Walden Avenue; and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga shall be responsible to the Erie County Water Authority for annual hydrant rental fees for this hydrant, and BE IT FURTHER

RESOLVED, that such fees shall be reimbursed to the Town pursuant to a separate agreement with the owner.

✓ Vote Record - Resolution 2006-15						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-16 **Establish Hourly Rate for Part-Time Employees**

SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS the New York State Legislature has previously increased the minimum wage and has scheduled the second increase effective January 1, 2006,

BE IT RESOLVED that the following individuals be elevated as follows so as to comply with the new minimum wage law and its affects on the existing workforce pay structure:

Part time clerk

MEYERS, JOAN C	\$10.25
DAUGHERTY, BARBARA N	10.25
WILES, PATRICIA A	10.25
FALKIEWICZ, FLORENCE	10.25
MAJCHRZAK, THERESA M	8.75
HOLTZ, JAMIE	8.75
DIGIACOMO, MARTHA	8.25
PAGANO, JOVINA	8.25
INDELICATO, JOSEPHINE	8.25
PAJAK, SUSAN M	8.25
RAIMONDO, CAROLYN	8.25
GEMBKA, DELPHINE F	8.00
KANTOWSKI, ELEANOR A	8.00
MILLER, JULIE MARIE	8.00
MILLER, PATRICIA M	8.00
PANER, NANCY A	8.00
O'NEILL, SUZANNE T	8.00
RUDNICKI, ELAINE	8.00
SISTI, MARGARET M	8.00
SZCZEPANOWSKI, MARY ANN	7.75
KURKOWSKI, RITA	7.75
OWENS, AUDREY G	7.75
PIJACKI, MARLEEN A	7.50
SZYMKOWIAK, BEATRICE	7.50
TRAPPER, CYNTHIA L	7.50
WEISHAAPT, DEBORAH A	7.50
PARKS, JANET T	7.50
RATCLIFF, TAMMY M	7.50
KILIJANSKI, CAROL ANN	7.25
MORATH, MARCIA B	7.25
LEWANDOWSKI, JEFFREY T.	7.25
CASTANIK, CHERYL L	7.25
DZIEDZIC, ALICIA M	7.25

HANNEL, MEGHAN B	7.25
PFALZER, KAREN A	7.25
FIAL, JEFFREY T	7.25
GREEN, CINDY A.	7.25
RUCINSKI, FRANCES	7.25
VAIL, LAURIE M	7.25
ZIELONKA, DENISE	7.25
KRAJNA, CHERYL A	7.00
WACIENGA, BARBARA R	7.00
ZACK, MEAGAN L	7.00
AUGUSTINE, KERRIE R	6.75
BOJARSKI, JULIE A	6.75
FIAL, CRYSTAL M	6.75
JANKOWSKI, MICHAEL A	6.75
LEASE, SHANNON M	6.75
PRZEPIORA, JAMIE L	6.75

Part time laborer

SOMOGYE, THOMAS F	\$ 9.25
STRONG, FRANCIS G	8.25
KOZAK, JOHN R	8.00
ALMORABI, MOHAMED K.	7.75
ARNE, RAYMOND F	7.75
ELLER, JAMES M	7.75
GIES, CHARLES G	7.75
KANTOR, PATRICIA	7.75
LASKOWSKI, LUKASZ L	7.75
MAZIARZ, MICHAEL S.	7.75
OLEJNICZAK, DANIEL E	7.75
POCOBELLO, RONALD E	7.75
STEVENSON SR., TIMOTHY D	7.75
STUCKE SR, MARK P	7.75
SZYMCZUK, KAROL J	7.75
GALLAGHER, DIANE M	7.75
KIEDEL, JANINE M	7.75
BLACHOWICZ, MARK M	7.50
CLIFFORD, BRIAN M	7.50
MACIOK, THOMAS E.	7.50
GOLAS, JUSTIN E	7.25
GALLETTA, JOSEPH A	7.25
GRIFFIN, RICHARD E	7.25
KRAWCZYK, THOMAS L	7.25
LATCHFORD, FRANK A	7.25
GRACZYK, ROBERT R	7.25
GAWRON, EDWARD F	7.00

Assistant Dog Control Officer - part time

KANDEFER, AARON D	\$ 7.50
MENTH, AMY L	7.50
STYBORSKI, LINDSEY M	7.50

Recreation attendant

WOJCINSKI, PATRICIA F	\$ 9.75
BIALY, GENEVIEVE K	7.75
FOURNIER, MILDRED	7.75
KOLB, LINDA	7.75
STEPNICK, NANCY A	7.75
TATKO, SHARON M	7.75
ZULAWSKI, SHIRLEY A	7.75
STEIN, PATRICIA A	7.50

Recreation Instructor

FLORCZAK, JULIE M \$ 8.00

Student Assistant

SMITH, JESSICA L \$ 6.75
STROUD, SAMANTHA L 6.75

Housing Inspector - part time

GILL, GERALD J \$12.25
ROKITKA, LAWRENCE E 10.25

Van Driver

BENZINGER, ROBERT T \$ 8.00
COLLINS, FRANKLIN M 8.00
CUMMINGS, ROBERT E 8.00
CZERNIAK, NORBERT J 8.00
GABRYSZAK, ALEX J 8.00
GRANAT, JOSEPH E 8.00
HERLAN, ROBERT A 8.00
KARASZEWSKI, ROBERT 8.00
KIATKOWSKI, CYNTHIA T 8.00
LEWANDOWSKI, RONALD J 8.00
LIEGL, SHAWN P 8.00
PAPROCKI, RAYMOND H 8.00
PRELL, MARY ELLEN 8.00
SKRZYDLEWSKI, RANDOLPH J 8.00
ZBYTEK, JOSEPH E 8.00

✓ Vote Record - Resolution 2006-16						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-17

Hiring of Part-Time Employees In Various Departments

SPONSORED BY:

Councilmember Jankowiak, Councilmember Magierski

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

EFFECTIVE

RECORDS CENTER - Clerk - \$6.75 per hour

Amanda Burgett

Cheektowaga, NY

01/04/06

✓ Vote Record - Resolution 2006-17

<input checked="" type="checkbox"/>	Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted as Amended	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-18 Reappointment of Bingo Inspectors and Chairman

SPONSORED BY: Councilmember Jankowiak, Councilmember Rogowski

BE IT RESOLVED, that the following individuals be and hereby are reappointed as Bingo Inspectors, effective January, 2006 to December 31, 2006:

- Katherine Ferdinand, 666 Cayuga Creek Road, Cheektowaga, New York 14227
- Ruth A. Cassacci, 8 Stanislaus Avenue, Cheektowaga, New York 14225
- John Abraham, 23 Airview Terrace, Depew, New York 14043
- Dennis Smith, 63 Betty Lou Lane, Cheektowaga, New York 14225
- Thaddeus I. Marciniak, 20 Constance Lane, Cheektowaga, New York 14227

and BE IT FURTHER

RESOLVED, that the following individual be and hereby is reappointed Bingo Inspector Chairman, effective January 1, 2006 for a term of one year:

Kenneth J. Jeffords, 198 Hyland Road, Depew, New York 14043.

✓ Vote Record - Resolution 2006-18							
<input checked="" type="checkbox"/>	Adopted			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted as Amended	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-19 Reappointment to Library Board

SPONSORED BY: Councilmember Jaworowicz, Councilmember Rogowski

WHEREAS, the term of Deborah E. Cope as Vice Chairman of the Cheektowaga Public Library Board expired on December 31, 2005, and

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

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

RESOLVED, that Deborah E. Cope be and hereby is reappointed to the position of Vice Chairman of the Cheektowaga Public Library Board, effective January 1, 2006 and terminating on December 31, 2010.

✓ Vote Record - Resolution 2006-19						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-20 Appointment of Planning Board Member
SPONSORED BY: Councilmember Jankowiak, Councilmember Magierski

WHEREAS, the term of Joseph Lipowski as Member of the Planning Board expired as of December 31, 2005, and

WHEREAS, Joseph Lipowski has decided to not seek reappointment to such position, and

WHEREAS, Zigmund Kucewicz has applied for such position and merits appointment, NOW, THEREFORE, BE IT

RESOLVED, that Zigmund Kucewicz be and hereby is appointed to the position of Member of the Planning Board, effective January 1, 2006 and terminating on December 31, 2012.

✓ Vote Record - Resolution 2006-20						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-21 Reappointment of Town Attorney
SPONSORED BY: Supervisor Gabryszak, Councilmember Swiatek

BE IT RESOLVED, that Michael J. Stachowski, Depew, New York be and hereby is reappointed as Town Attorney, effective January 1, 2006 to December 31, 2007.

✓ Vote Record - Resolution 2006-21						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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2006-22 Reappointment of Town Engineer

SPONSORED BY: Councilmember Jaworowicz, Councilmember Jankowiak

BE IT RESOLVED, that William R. Pugh, Cheektowaga, New York be and hereby is reappointed as Town Engineer, effective January 1, 2006 to December 31, 2007.

✓ Vote Record - Resolution 2006-22						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-23 Reappointments to Traffic Safety Commission

SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, the terms of Cheektowaga Traffic Safety Commission Executive Secretary Anthony W. Osswald, Sgt. At Arms Daniel Sealander and members Dominick Selvaggio and Michael McGuire expired on December 31, 2005, and

WHEREAS, Anthony Osswald, Daniel Sealander, Dominick Selvaggio and Michael McGuire 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 the following individuals be and hereby are re-appointed as to the Traffic Safety Commission, effective immediately and terminating on December 31, 2008:

- Anthony W. Osswald, Executive Secretary
- Daniel Sealander, Sgt. At Arms
- Dominick Selvaggio, Member
- Michael McGuire , Member

✓ Vote Record - Resolution 2006-23						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-24 Reappointment of Veterans Affairs Committee Members
SPONSORED BY: Councilmember Jaworowicz, Councilmember Johnson Jr.

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 their terms expired on December 31, 2005, 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, 2006 and expiring on December 31, 2006:

- Alexander Burke, 92 Claude Dr., Cheektowaga, NY 14206
- Victor Carlucci, 5304 Transit Road, Depew, NY 14043
- Robert DelRoy, 87 Lou Dr., Depew, NY 14043
- Wesley Fuqua, 98 Satinwood Dr., Cheektowaga, NY 14225
- J. Donald Griffin, 106 Nokomis Pkwy., Cheektowaga, NY 14225
- Clair E. Johnson, 540 Cayuga Creek Rd., Cheektowaga, NY 14227
- Donald LeBarron, 47 Elaine Ct., Cheektowaga, NY 14225
- Joseph Lipowski, 43 Mona Ct., Depew, NY 14043
- Sylvia Lipowski, 43 Mona Ct., Depew, NY 14043
- Joseph Porempski, 77 Danielle Dr., Cheektowaga, NY 14227
- Karen Porempski, 77 Danielle Drive, Cheektowaga, NY 14227
- Earle Rosenthal, 19 Leni lane, Cheektowaga, NY 14225
- Elaine Rosenthal, 19 Leni Lane, Cheektowaga, NY 14425
- George Ross, 159 Lackawanna St., Sloan, NY 14212
- Raymond Wolniewicz, 122 McParlin Avenue, Cheektowaga, NY 14225
- John D. Stiegler, 92 Sandra Drive, Cheektowaga, NY 14225

✓ Vote Record - Resolution 2006-24						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-25 Reappointments to Youth Board
SPONSORED BY: Councilmember Jankowiak, Councilmember Magierski

WHEREAS the Constitution and By-Laws of the Cheektowaga Youth Board allow for up to three (3) one-year re-appointments for members; and

WHEREAS Camille Brandon, Diane Panasiewicz and Ryan Jones have expressed an interest in continuing to serve on the voluntary board; NOW, THEREFORE, BE IT

RESOLVED that Camille Brandon and Diane Panasiewicz be and, hereby, are re-appointed to the Cheektowaga Youth Board, for an additional one-year term with an expiration date of January 17, 2007 and Ryan Jones is re-appointed for an additional one-year term with an expiration date of January 20, 2007.

✓ Vote Record - Resolution 2006-25						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-26 Reappointment of Zoning Board Chairman
SPONSORED BY: Councilmember Jaworowicz, Councilmember Magierski

WHEREAS, the term of Andrew A. Kulyk as Chairman of the Zoning Board of Appeals expired on December 31, 2005, and

WHEREAS, Andrew A. Kulyk has submitted a letter to this Town Board requesting reappointment to this position, and

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

RESOLVED, that Andrew A. Kulyk of Cheektowaga, New York be and hereby is reappointed to the position of Chairman of the Zoning Board of Appeals, effective January 1, 2006 and terminating on December 31, 2010.

✓ Vote Record - Resolution 2006-26						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-27 Return Temporary Employees to Former Permanent Positions
SPONSORED BY: Councilmember Jankowiak, Councilmember Magierski

WHEREAS, Timothy Jaworowicz has been on leave without pay from his position of Motor Equipment Operator - B in the Sanitation Department since July 20, 2005; AND

WHEREAS, Mr. Jaworowicz will be returning to his position in the Sanitation Department effective January 2, 2006; AND

WHEREAS, Thomas Marten has been filling the temporary vacancy in the Sanitation Department left by Mr. Jaworowicz; AND

WHEREAS, as a result of Mr. Jaworowicz's return, Mr. Marten will now revert to his former position of Dog Control Officer in the Animal Control Division of the Police Department; AND

WHEREAS, Robert Malicki has been filling the temporary vacancy in the Animal Control Division of the Police Department left by Mr. Marten; AND

WHEREAS, as a result of Mr. Marten's return, Mr. Malicki will now revert to his former position of Laborer in the Sanitation Department; NOW, THEREFORE, BE IT

RESOLVED, that Timothy Jaworowicz, Thomas Marten and Robert Malicki will revert to their former positions effective January 2, 2006.

✓ Vote Record - Resolution 2006-27							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-28 Authorize Town Engineer to Attend Stormwater Management Practice Design Seminar
SPONSORED BY: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, there will be a Stormwater Management Practice Design seminar that will instruct on how to become better acquainted and educated in the area of storm water pollution design practices and regulatory compliance requirements on January 18, 2006 through January 19, 2006 in Cheektowaga, New York; AND

WHEREAS, William R. Pugh, P.E. of the Engineering Department expressed an interest in attending this seminar; AND

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

WHEREAS, cost of said seminar including transportation shall not exceed \$350; AND

WHEREAS, money has been budgeted to the Engineering Department to cover these expenses; NOW, THEREFORE, BE IT

RESOLVED, that William R. Pugh, P.E. of the Engineering Department be and hereby is authorized to attend the Stormwater Management Practice Design seminar to be held January 18, 2006 through January 19, 2006 in Cheektowaga, New York.

✓ Vote Record - Resolution 2006-28							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Communications

Departmental Communications

Subject	Details
Receiver of Taxes & Assessments: Report of 2005 Town & County Tax Collection	
Building Permits - December 2005	

General Communications

Subject	Details
Notice of Petition: Daniel & Colleen Murphy Vs. Town of Cheektowaga & Assessor	

Closing

✓ Vote Record - Motion to Adjourn						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Patricia Jaworowicz	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magjerski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

This meeting was adjourned in memory of former Town Engineer Chester Bryan.

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Town of Cheektowaga

Mary F. Holtz

3301 Broadway

Telephone: (716) 686-3434

Cheektowaga, NY 1227



Town Board Meeting of January 17, 2006 Cheektowaga, NY

6:45 PM Meeting called to order on January 17, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
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Town of Cheektowaga Mary F. Holtz
 3301 Broadway Telephone: (716) 686-3434
 Cheektowaga, NY



Town Board Meeting of January 31, 2006 Cheektowaga, NY

6:00 PM Meeting called to order on January 31, 2006 at Council Office, Conference Room, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	6:00 PM
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	6:00 PM
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	6:00 PM
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	6:00 PM
James Jankowiak	Town of Cheektowaga	Councilmember	Present	6:00 PM
Alice Magierski	Town of Cheektowaga	Councilmember	Present	6:00 PM
James Rogowski	Town of Cheektowaga	Councilmember	Present	6:00 PM
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present	

Motions

✓ Vote Record - Motion to <Go Into Executive Session						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolutions

2006-60 **Assessment Settlement 272 East Treehaven**
SPONSORED BY: Supervisor Gabryszak, Councilmember Swiatek

WHEREAS, Daniel C. Murphy and Colleen B. Murphy commenced Article 7 proceedings against the Town for Tax Year 2005-06, seeking a reduction in the assessment of property owned by them at 272 East Treehaven Road; and

WHEREAS, the Town Attorney and Town Assessor have reviewed the petition and, after due consideration of all materials facts, and after negotiations with the petitioners, believe it is in the best interest of the Town to resolve this matter without further litigation and strongly recommend the proposed compromise;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves the above compromise and settlement, and the Town Attorney be and hereby is authorized to execute and procure all papers necessary to effectuate the settlement of said Article 7 proceeding.

✓ Vote Record - Resolution 2006-60						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-61 **Assessment Settlement of Various Randall Bendeson 1993-1 Trust; Ronald Benderson 1995 Trust & Benderson Development Co Properties**
SPONSORED BY: Supervisor Gabryszak, Councilmember Swiatek

WHEREAS, Randall Benderson 1993-1 Trust, Ronald Benderson 1995 Trust; Benderson Development Co., Inc.; Genesee Lodging Associates, LLC; Dora Benderson commenced Article 7 proceedings against the Town for Tax Year 2005-06, seeking a reduction in the assessment of property owned by them at _____ in the Town of Cheektowaga; and

WHEREAS, the Town Attorney and Town Assessor have reviewed the petitions and, after due consideration of all materials facts, and after negotiations with the petitioners' attorney, believe it is in the best interest of the Town to resolve these matters without further litigation and strongly recommend the proposed compromise;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves the above compromise and settlements, and the Town Attorney be and hereby is authorized to execute and procure all papers necessary to effectuate the settlement of said Article 7 proceeding.

✓ Vote Record - Resolution 2006-61						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-62 **Assessment Settlement - 3733-3735 Union Road**
SPONSORED BY: Supervisor Gabryszak, Councilmember Swiatek

WHEREAS, Wal-Mart Stores, Inc. commenced Article 7 proceedings against the Town for Tax Year 2005-06, seeking a reduction in the assessment of property leased by it at 3733-3735 Union Road in the Town of Cheektowaga; AND

WHEREAS, the Town Attorney and Town Assessor have reviewed the petition and, after due consideration of all materials facts, and after negotiations with the petitioner’s attorney, believe it is in the best interest of the Town to resolve this matter without further litigation and strongly recommend the proposed compromise;

NOW THEREFORE, BE IT

RESOLVED, that the Town Board approves the above compromise and settlement, and the Town Attorney be and hereby is authorized to execute and procure all papers necessary to effectuate the settlement of said Article 7 proceeding

✓ Vote Record - Resolution 2006-62						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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3301 Broadway

Cheektowaga, NY 14227

Regular Meeting

~ M



Mary F. Holtz

Tuesday, January 31, 2006 8:00 PM Council Office

I. Call to Order

8:00 PM Meeting called to order on January 31, 2006 at Council Office, Conference Room, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	8:00 PM
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	8:00 PM
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	8:00 PM
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	8:00 PM
James Jankowiak	Town of Cheektowaga	Councilmember	Present	8:00 PM
Alice Magierski	Town of Cheektowaga	Councilmember	Present	8:00 PM
James Rogowski	Town of Cheektowaga	Councilmember	Present	8:00 PM

II. Resolution



RESOLUTION 2006-63

DOC ID: 1136

~~Retain Firm - Engineering Firm~~

Sponsored By: Councilmember Magierski, Supervisor Gabryszak

BE IT RESOLVED, that the Town hereby retains the services of Clough, Harbour & Associates, LLP, to provide engineering assistance for consolidation of the Town Sewer Department (collections division) and Plant 5 (pumping station division) for a fee not to exceed \$10,500.00.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Swiatek, Jankowiak, Magierski
NAYS:	Thomas Johnson Jr.
ABSTAIN:	James Rogowski

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Town of Cheektowaga Mary F. Holtz
 3301 Broadway Telephone: (716) 686-3434
 Cheektowaga



Town Board Meeting of February 6, 2006 Cheektowaga, NY

6:45 PM Meeting called to order on February 6, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Jankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present	
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present	
William Pugh	Town of Cheektowaga	Town Engineer	Present	
Thomas Adamczak	Town of Cheektowaga	Supervising Building Inspector	Present	
Kenneth Kopacz	Town of Cheektowaga	Director of Parks, Recreation and Youth Services	Present	
Anthony Romano	Town of Cheektowaga	Coordinator of Employee Relations	Present	
Christine Ziemba	Town of Cheektowaga	Chief of Police	Present	
Jerome Gabryszak	Town of Cheektowaga	Director of Community Development	Present	
John Jaroszewski	Town of Cheektowaga	General Crew Chief	Present	

Public Comment Period

Public Hearings

Public Hearing #1
 Public Hearing Regarding Proposed Amendment to Ch. 235 of the Code of the Town of Cheektowaga
 Decision was reserved.

✓ Vote Record - Public Hearing #1						
<input type="checkbox"/>	Adjourned		Yes/Aye	No/Nay	Abstain	Absent

<input checked="" type="checkbox"/>	Closed	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing #2
Call for Public Hearing Regarding Relocation to Buffalo's Empire Zone-Robinson Home Products
 Decision was reserved.

		✓ Vote Record - Public Hearing #2					
				Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adjourned	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing #3
Public Hearing Regarding Relocation to Buffalo's Empire Zone - Construction Group Inc
 Decision was reserved.

		✓ Vote Record - Public Hearing #3					
				Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adjourned	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolutions

2006-64 **Warrant List**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants Submitted to the Town of Cheektowaga prior to February 3, 2006 are hereby approved and made part hereof;

GENERAL FUND	\$ 952,228.08
RISK RETENTION FUND	43,856.20
DEBT SERVICE FUND	33,670.26
HUD HOUSING REHABILITATION FUND	20,732.50
SPECIAL DISTRICTS FUND	3,479,189.09

HIGHWAY FUND	170,210.74
CAPITAL FUND	8,931.22
TRUST & AGENCY FUND	5,906,876.21
HUD CDBG FUND	354,008.13
PART TOWN FUND	32,919.39
HUD NYS AFFORDABLE HOUSING FUND	<u>26,485.00</u>
	\$ 11,029,106.82

✓ Vote Record - Resolution 2006-64						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-65 **Transfer of Funds - 2005**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jaworowicz

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

2005

GENERAL FUND
 FROM: 100-1685-1971 PT Regular Payroll \$ 1,018.17
 TO: 100-1685-4051 Records Management \$ 1,018.17

✓ Vote Record - Resolution 2006-65						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-66 **Transfer of Funds - 2006**

SPONSORED BY: Supervisor Gabryszak, Councilmember Jaworowicz

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

GENERAL FUND

<p>FROM: 100-1415-3500 100-1910-4709</p>	<p>State Aid Archive Grant Management Studies</p>	<p>\$ 128,337.35 589.00</p>
<p>TO: 100-1415-1971-1001 100-1415-4001-1001 100-1415-4088-1001 100-1415-8000-1001 100-1415-1971-1002 100-1415-4001-1002 100-1415-4088-1002 100-1415-8000-1002 100-1415-4002-1002 100-1910-4706</p>	<p>State Archives Grant Payroll Contractual Service Travel Expenses Employee Benefits State Archives Grant II Payroll Contractual Services Travel Expenses Employee Benefits Quality Control Real Property Taxes</p>	<p>\$ 2,599.70 59,002.00 10.60 220.76 13,833.41 50,673.00 27.47 1,142.41 828.00 589.00</p>

✓ Vote Record - Resolution 2006-66						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-67 **Negative Declaration for 2378 Union Road**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

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 David E. Ogiony for the rezoning of 2378 Union Road from NS- Neighborhood Services and R- Residence to NS- Neighborhood Services , AND

WHEREAS, the applicant has completed a cultural resources investigation to determine the presence of archaeological resources, and which has been submitted to the NYS Office of Parks, Recreation and Historic Preservation (OPHRP) for their concurrence, AND

WHEREAS, the applicant has also performed a wetland delineation to determine the presence of Federal Jurisdictional Wetlands as shown on the attached document dated October 31, 2005, AND

WHEREAS, the applicant has agreed to provide a conservation/drainage easement to the Town of Cheektowaga to forever protect the natural resources within the Cayuga Creek 100 year flood plain and watershed, from a point beginning (50) feet from the top of creek bank, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on January 20, 2006 recommended a determination of non-significance as shown on the attached memorandum dated January 23, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the of the site plan at their meeting of November 11, 2005, AND

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

FURTHER RESOLVED, the proposed site plan is not approved at this time until the following items have been sufficiently addressed :

1. Final civil plans are submitted to the Town Engineer and the Office of Building Inspections.
2. The Town Engineer approves the site grading and drainage.
3. The Town Traffic Safety Commission offers a recommendation on the final civil plans for the location of proposed driveway.
4. The applicant provides evidence from the NYS OPRHP, that no additional cultural resource investigation work is necessary.
5. The applicant provide a proposed conservation easement and exhibit map to the Deputy Town Attorney for his review/approval.

✓ Vote Record - Resolution 2006-67						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-68 **Approval of Site Plan for 2920 William Street**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

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 Bern Stan Zyg. Dev. Corp. for the construction of a (1000) one thousand square foot building addition to an existing retail plaza at 2920 William Street, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of January 12, 2006 is recommending the approval of the site plan, 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.

✓ Vote Record - Resolution 2006-68							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-69 **Decision to Amend Traffic Ordinance, Art. V Schedules, Section 235-52, Schedule XII: Gruner Road**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, this Town Board held a public hearing on February 6, 2006 to consider the advisability of adopting proposed amendments to Chapter 235 of the Code of the Town of Cheektowaga (Vehicle and Traffic), said hearing being held in accordance with Notice thereof which was duly published as required by law, at which hearing an opportunity to be heard was afforded all persons interested in the subject thereof,

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1.

That this Town Board determines it is in the public interest to adopt the following amendments to Chapter 235 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, Section 235-51, Schedule XII: Stopping Prohibited in Designated Locations, shall be amended by adding thereto the following:

In accordance with the provisions of Section 235-36, no person shall stop a vehicle at any time upon any of the following described streets or parts of streets:

GRUNER ROAD - North side: at 100 Gruner Road, 100 feet east of the easterly edge of the driveway apron and 100 feet west of the westerly driveway apron.

Section 2. Time to Take Effect

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

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

Section 3. Territorial Application

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

Section 4. Publication

That these amendments to Chapter 235 (formerly Chapter 76) of the Code of the Town of Cheektowaga shall be entered into the minutes of the Town Board and shall be published in the CHEEKTOWAGA TIMES, a newspaper published in this Town, and affidavits of such publication shall be filed with the Town Clerk and the Town Clerk shall likewise enter in the Ordinance Book a copy of said amendments specifying the date of adoption thereof.

✓ Vote Record - Resolution 2006-69							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-70 **Decision on Rezoning: 2378 Union Road From NS-Neighborhood Services and R-Residence District to NS-Neighborhood Services District**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, David E. Ogiony petitioned for a rezoning from NS-Neighborhood Services District and R-Residence District to NS-Neighborhood Services District for property owned by the Estate of Bernice Bagley and being a portion of 2378 Union Road, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of December, 2005 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 E. Ogiony for the rezoning from NS-Neighborhood Services District and R - Residence District to NS-Neighborhood Services District of the property described in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

✓ Vote Record - Resolution 2006-70						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-71 Call for Public Hearing to Amend Local Law No. 1 of the Year 2006 Entitled "Sex Offender Residency Prohibition"

SPONSORED BY: Councilmember Jaworowicz, Councilmember Rogowski

WHEREAS, by resolution dated January 17, 2006, this Town Board enacted Local Law No. 1 of the Year 2006, entitled "Sex Offender Residency Prohibition", and

WHEREAS, said law prohibits convicted sex offenders from residing within 1,500 feet of the real property of any school, park, playground or day care center in the Town of Cheektowaga , and

WHEREAS, it is prudent to extend such law to prohibit sex offenders from living within 1,500 feet of any community center, teen facility, dance hall and skating rink since children traditionally congregate near these places, and

WHEREAS, Local Law Intro No.2006- 2 of the Year 2006, entitled "A Local Law to Amend the Sex Offender Residency Prohibition Law" has been drafted to make the aforesaid changes to Local Law No. 1 of the Year 2006, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 27th day of February, 2006 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-2 of the Year 2006, entitled "A Local Law to Amend the Sex Offender Residency Prohibition Law", and BE IT FURTHER

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

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 27th day of February, 2006 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the following proposed Local Law:

Local Law Intro No.2006- 2 of the Year 2006
 A Local Law to Amend the
 Sex Offender Residency Prohibition Law
 Of the Town of Cheektowaga

This local law would amend Local Law No. 1 of the Year 2006 (Sex Offender Residency Prohibition) to also prohibit convicted sex offenders from residing within 1,500 feet of any community center, teen facility, dance hall and skating rink within the Town of Cheektowaga.

A complete copy of such local law is on file in the Town Clerk's Office where the same may be examined during regular business hours.

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

Dated: Cheektowaga, New York
February 6, 2006

MARY F. HOLTZ
Town Clerk

✓ Vote Record - Resolution 2006-71						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-72 Call for Public Hearing: Rezoning of 3529 Broadway From M1-Light Manufacturing to M2-General Manufacturing District
SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, Michael Serafini has made application and requested the rezoning of 5.97 acres of land located at 3529 Broadway from M1- Light Manufacturing to M2- General Manufacturing for the construction of 5,632 square foot building addition to an existing contractor's storage building/office , NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on February 27, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 27th day of February , 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:
MICHAEL SERAFINI

to Rezone from to M1-LIGHT MANUFACTURING DISTRICT to
M2-GENERAL MANUFACTURING DISTRICT

for property known as 5.97 ACRES OF LAND LOCATED AT 3529 BROADWAY

and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 260-83 of the Zoning Law of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

✓ Vote Record - Resolution 2006-72						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-73 **Call for Public Hearing: Rezoning of 1289 Walden Avenue From M1- Light Manufacturing to M2-General Manufacturing District**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, Jones Development Company, LLC has made application and requested the rezoning of 4.5 acres of land located west of 1289 Walden Avenue from M1- Light Manufacturing to M2- General Manufacturing for the construction of building additions totaling 25,400 square feet in area to an existing truck terminal/mail facility, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on February 27, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 27th day of February, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

JONES DEVELOPMENT COMPANY

to Rezone from to M1-LIGHT MANUFACTURING DISTRICT

to

M2-GENERAL MANUFACTURING DISTRICT
 for property known as 4.5 ACRES OF LAND LOCATED WEST OF 1289 WALDEN AVENUE

and amend the Zoning Map and Ordinance accordingly, pursuant to Article X and Section 260-83 of the Zoning Law of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
 Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

✓ Vote Record - Resolution 2006-73						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-74 **Award of Bid: Equipment & Operators - Storm Drainage**
SPONSORED BY: Councilmember Jaworowicz, Councilmember Johnson Jr.

WHEREAS, as a result of advertisement, bids were received on February 1, 2006 for the furnishing of equipment and operators for drainage systems maintenance and erosion control projects during the calendar years of 2006 and 2007 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, Junior Civil Engineer, to the Town Board dated February 2, 2006, 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 2006 and 2007 be awarded to Nichols, Long & Moore Construction Corporation, 149 Gunnville Road, Lancaster, New York 14086 for submission of the lowest bid meeting the specifications as per the unit prices of:

		2006		2007	
		Per 8 hr day	Per 8 hr day	Per 8 hr day	Per 8 hr day
Item I	Tandum		\$535.00		\$560.00
Item II	Rubber Tire Backhoe		605.00		615.00
Item III	Laborer		685.00		698.00
Item IV	Walk Behind Saw		1.00		1.00
Item V	Vermeer Road Saw		2.00		2.00
Item VI	Equipment Truck "A"			1.00	1.00
Item VI I	Equipment Truck "B"	1.00	1.00		
Item VIII	Shield - 8' X 10'	1.00		1.00	
Item IX	Shield - 6' X 16'		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	1.00		1.00	
Item XIII	19' Hydraulic Crawler Backhoe	850.00		880.00	
Item XIV	21' Hydraulic Crawler Backhoe	850.00		880.00	
Item XV	24' Hydraulic Crawler Backhoe	1200.00		1240.00	
Item XVI	Dozer D-3		100.00		110.00
Item XVII	Dozer D-4		660.00		685.00
Item XVIII	Dozer D-6		340.00		340.00
Item XIX	Front End Loader		720.00		760.00
Item XX	Landscape Tractor		1.00		1.00

AND, BE IT FURTHER

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

February 2, 2006

TO SUPERVISOR GABRYSZAK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing of Equipment and Operators for
Drainage systems Maintenance and Erosion
Control Projects for the Years 2006 & 2007

Dear Board Members:

Bids were received and opened on February 1, 2006 for the furnishing of equipment and operators for Drainage Systems Maintenance and Erosion Control Projects. Three (3) bidders were notified with two (2) bidders picking up specifications. One (1) bid was received from Nichols, Long & Moore Construction Corporation covering 2006 and 2007. A cost comparison was completed covering 2004 to 2007 and the bid amount submitted covering 2006/2007 is within estimated construction costs.

Bid	2006	\$6,556.00
Bid	2007	\$6,779.00

It is, therefore, recommended that the bid be awarded to Nichols, Long & Moore Construction Corporation, 149 Gunville Road, Lancaster, New York 14086 for their submission of the lowest bid meeting the requirements of the specifications for 2006 and 2007.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Assistant

ABB:dms

✓ Vote Record - Resolution 2006-74						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-75 **Award of Bid - Equipment & Operators - Sanitary Sewers**
SPONSORED BY: Councilmember Jaworowicz, Councilmember Johnson Jr.

WHEREAS, as a result of advertisement, bids were received on February 1, 2006 for the furnishing of equipment and operators for the installation and repair of sanitary sewers during the calendar years of 2006 and 2007 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, Junior Civil Engineer, to the Town Board dated February 2, 2006, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the furnishing of equipment and operators for the installation and repair of sanitary sewers in the Town of Cheektowaga for the years 2006 and 2007 be awarded to Nichols, Long & Moore Construction Corporation, 149 Gunnville Road, Lancaster, New York 14086 for submission of the lowest bid meeting the specifications as per the unit prices of:

		2006	2007
		Per 8 hr day	Per 8 hr day
Item I	Single Axle Dump	\$100.00	\$100.00
Item II	Tandem Dump	535.00	560.00
Item III	Rubber Tire Backhoe		600.00 625.00
Item IV	Laborers		685.00 698.00
Item V	Crawler Hydraulic Backhoe	400.00	420.00
Item VI	Front End Loader	100.00	125.00
Item VI I	Walk Behind Saw	1.00	1.00
Item VIII	Vermeer Road Saw	1.00	1.00
Item IX	Equipment Truck "A"		1.00 1.00
Item X	Equipment Truck "B"	1.00	1.00
Item XI	Shield 6' X 8'		1.00 1.00
Item XII	Shield 8' X 16'	1.00	1.00
Item XIII	Transport Shield		1.00 1.00
Item XIV	Roller (small)	1.00	1.00
Item XV	Dozer D-3	40.00	40.00
Item XVI	Dozer D-4		50.00 50.00
Item XVII	Dozer D-5		50.00 50.00
Item XVIII	Dozer D-6		60.00 60.00

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.

February 2, 2006

TO SUPERVISOR GABRYSZAK
AND TOWN BOARD MEMBERS
TOWN OF CHEEKTOWAGA

RE: Furnishing of Equipment and Operators
for the Installation and Repair of
Sanitary Sewers for the Years 2006 & 2007

Dear Board Members:

Bids were received and opened on February 1, 2006 for the furnishing of equipment and operators for the installation and repair of sanitary sewers. Three (3) bidders were notified with two (2) bidders picking up specifications. One (1) bid was received from Nichols, Long & Moore Construction Corporation covering 2006 and 2007. A cost comparison was completed covering 2004 to 2007 and the bid amounts submitted covering 2006/2007 are within estimated construction costs.

Bid	2006	\$2,628.00
Bid	2007	\$2,738.00

It is, therefore, recommended that the bid be awarded to Nichols, Long & Moore Construction Corporation, 149 Gunville Road, Lancaster, New York 14086 for their submission of the lowest bid meeting the requirements of the specifications for 2006 and 2007.

Very truly yours,

TOWN OF CHEEKTOWAGA

Allan B. Blachowski
Principal Engineer Assistant

ABB

✓ Vote Record - Resolution 2006-75						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-76 **Award Bid for Rodent Control**
SPONSORED BY: Councilmember Magierski, Councilmember Johnson Jr.

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of rat control services, which bids were duly received and opened at a public bid opening called for that purpose, and

WHEREAS, said bids were referred to the Town Supervising Code Enforcement Officer for analysis, tabulation and report, and

WHEREAS, the Supervising Code Enforcement Officer has submitted his analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contracts for the furnishing of rat control services be awarded to Good Riddance, Inc.; Suburban Pest Control, Inc. and Buffalo Exterminating Co., Inc. as per their bid proposals, and BE IT FURTHER

RESOLVED, that funds are available for this purpose.

✓ Vote Record - Resolution 2006-76						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-77 Award of Bid: Clean Up of Various Properties for 2006 - 2008

SPONSORED BY: Councilmember Magierski, Councilmember Jankowiak

WHEREAS, by resolution dated January 17, 2006, this Town Board issued a Notice to Bidders for the Clean-Up of Various Properties for 2006-2008 for the Office of Building Inspections, Housing & Neighborhood Preservation Division, and

WHEREAS, only one bid was received and opened by the Town Clerk at a public bid opening held on January 31, 2006 for this item, and the same was referred to the Supervising Code Enforcement Officer for review, and

WHEREAS, the bid received from the sole bidder, Benson's Site Services, Inc. , meets all of the requirements of the bid specifications, and the Supervising Code Enforcement Officer recommends that the bid be awarded to Benson's Site Services, Inc., NOW, THEREFORE, BE IT

RESOLVED, that the bid for Furnishing Equipment and Operators for the Clean-Up of Various Properties for 2006-2008 be and hereby is awarded to Benson's Site Services, Inc. based on its total maximum price not to exceed \$224,403.25, and BE IT FURTHER

RESOLVED, that moneys fort such bid award be charged to line item number 01-0004400000, to be reimbursed by the property owner ether directly or by adding it onto the tax bill for the property.

✓ Vote Record - Resolution 2006-77						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-78 Award of Bid - Work Uniforms

SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, quotes were received for the furnishing of work uniforms to Town of Cheektowaga employees. Said quotes were referred to the Town Engineer for analysis, tabulation and report, 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:

Dival Safety Equipment, Inc.
1721 Niagara Street
Buffalo, New York 14207

BID ITEM I

ITEM 1A	Work Pants (sizes to 44)	\$12.59
ITEM 1B	Work Pants (sizes 46-50)	14.47
ITEM 1C	Work Pants (sizes 52-60)	16.95
ITEM 2A	Shirts (long sleeve, sizes up to 17-1/2)	11.14
ITEM 2B	Shirts (long sleeve, sizes 18 and up)	12.95
ITEM 3A	Chambray Shirts (long sleeve, sizes up to 17-1/2)	10.25
ITEM 3B	Chambray Shirts (long sleeve, sizes 18 and up)	11.25
ITEM 4A	Shirts (short sleeve, sizes up to 17-1/2)	10.40
ITEM 4B	Shirts (short sleeve, sizes 18 and up)	12.30
ITEM 5A	Chambray Shirts (short sleeve, sizes up to 17-1/2)	9.20
ITEM 5B	Chambray Shirts (short sleeve, sizes 18 and up)	10.05
ITEM 6A	Coveralls (long sleeve, sizes 36-46, short - X long)	20.39
ITEM 6B	Coveralls (long sleeve, sizes 48-50, short - X long)	22.99
ITEM 6C	Coveralls (long sleeve, sizes 52-60, regular - tall)	24.15
ITEM 7A	Denim Jeans (sizes to 42)	10.40
ITEM 7B	Denim Jeans (sizes 44-50)	12.50
ITEM 7C	Denim Jeans (sizes 52-56)	16.52
ITEM 8A	Bib Overalls (sizes to 44)	16.30
ITEM 8B	Bib Overalls (sizes 46-50)	17.84
ITEM 8C	Bib Overalls (sizes 52-60)	20.39
ITEM 9A	Women's Work Pants (sizes 4-20)	12.11
ITEM 9B	Women's Work Pants (sizes 22-28)	14.24

BID ITEM II

ITEM 1A	Carhartt Jacket (M - 2XL) Reg	54.50
ITEM 1B	Carhartt Jacket (3XL - 4XL) Reg	59.50
ITEM 1C	Carhartt Jacket (M - 2XL) Tall	59.50
ITEM 1D	Carhartt Jacket (3XL - 4XL) Tall	59.50
ITEM 2A	Carhartt Bib Overall (34 - 48)	64.00
ITEM 2B	Carhartt Bid Overall (50)	64.00
	Text (Town of Cheektowaga)	3.35
	Text (Employee Name)	3.35

* * * * *

Cintas
 5740 Genesee Street
 Lancaster, New York 14086

BID ITEM III

ITEM 1 - HOODED PULLOVER SWEATSHIRT

ITEM 1A	1 Dozen	Size S - XL	\$13.40
	2-4 Dozen	Size S - XL	13.20
	5-12 Dozen	Size S - XL	13.10
ITEM 1B	1 Dozen	Size XXL	14.95
	2-4 Dozen	Size XXL	14.75
	5-12 Dozen	Size XXL	14.50
ITEM 1C	1 Dozen	Size XXXL	15.00
	2-4 Dozen	Size XXXL	14.85
	5-12 Dozen	Size XXXL	14.75
ITEM 1D	1 Dozen	Size XXXXL	17.00
	2-4 Dozen	Size XXXXL	16.85
	5-12 Dozen	Size XXXXL	16.70
ITEM 1E	1 Dozen	Size XXXXXL	17.10
	2-4 Dozen	Size XXXXXL	16.95
	5-12 Dozen	Size XXXXXL	16.80

ITEM 2 - HOODED ZIPPER SWEATSHIRT

ITEM 2A	1 Dozen	Size M - XL	\$17.00
	2-4 Dozen	Size M - XL	16.50

	5-12 Dozen	Size M - XL	16.25
ITEM 2B	1 Dozen	Size XXL	18.50
	2-4 Dozen	Size XXL	18.00
	5-12 Dozen	Size XXL	17.75
ITEM 2C	1 Dozen	Size XXXL	19.50
	2-4 Dozen	Size XXXL	19.00
	5-12 Dozen	Size XXXL	18.75
ITEM 2D	1 Dozen	Size XXXXL	21.00
	2-4 Dozen	Size XXXXL	20.50
	5-12 Dozen	Size XXXXL	20.25
ITEM 2E	1 Dozen	Size XXXXXL	21.50
	2-4 Dozen	Size XXXXXL	21.00
	5-12 Dozen	Size XXXXXL	20.75

✓ Vote Record - Resolution 2006-78							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-79 **Notice to Bidders - Pool Vehicle for Central Garage**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, the Central Garage is in need of a pool vehicle, NOW, THEREFORE, BE IT

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

RESOLVED, that sealed bids will be received by the Town of Cheektowaga on February 22, 2006 at 11:00 am, Eastern Standard Time, at the Town Hall, at which time they will be publicly opened and read.

 Notice to Bidders

Sealed proposals will be received by the Town of Cheektowaga on February 22, 2006 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new 2006, 4X4 SUV Truck - XLT.

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

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

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

✓ Vote Record - Resolution 2006-79						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-80 **Authorize Supervisor to Execute Agreement with Erie County Health Department**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga is the owner of the Senior Citizens Center at 3349 Broadway, Cheektowaga, New York, and

WHEREAS, the Erie County Health Department, as part of its program to provide mass prophylaxis/immunization to residents in the event of a large-scale public health emergency, has requested that it be allowed to use the Town's Senior Citizens Center as a Point of Dispensing site, and

WHEREAS, the Town's Disaster Coordinator has recommended that the Town of Cheektowaga permit such use of its building by the County Health Department, and

WHEREAS, the County of Erie has prepared and submitted a Memorandum of Agreement for such purpose, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforesaid Memorandum of Agreement with the Erie County Health Department to permit the Town's Senior Citizens Center to serve as a Point of Dispensing site in the event that mass prophylaxis/immunization is necessary to address a large-scale public health emergency.

✓ Vote Record - Resolution 2006-80						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-81 Authorize Partial Payment of Taxes
SPONSORED BY: Supervisor Gabryszak, Councilmember Magierski

WHEREAS, the Erie County Legislature unanimously approved a request for Home Rule Legislative from New York State that allows municipalities to accept partial payment in any amount for the payment of property taxes, AND

WHEREAS, the New York State Legislature is reviewing the request and formulating the necessary bills to be returned to the County of Erie for Home Rule approval; AND

WHEREAS, this legislation is vital to all residents and taxpayers of Erie County and the Town of Cheektowaga, particularly the Senior Citizens and Impoverished; AND

WHEREAS, the Town Board of the Town of Cheektowaga deems it imperative that this legislation is acted upon as soon as possible to maximize the benefits to the affected parties, NOW THEREFORE, BE IT

RESOLVED, The Town Board of the Town of Cheektowaga hereby authorized acceptance of partial payments in any amount pursuant to the aforementioned legislation.

✓ Vote Record - Resolution 2006-81						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-82 2006 Community Development Annual Plan Authorization
SPONSORED BY: Supervisor Gabryszak, Councilmember Johnson Jr.

WHEREAS, the Town of Cheektowaga is eligible to receive \$1,006,739 in Community Development Block Grant Funds, \$362,884 in HOME Investment Partnership funds and \$6,977 in American Dream Downpayment Initiative assistance funds for the 2006 program year, and

WHEREAS, Public Hearings regarding the use of said funds were held on November 7, 2005 and January 17, 2006, 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, as amended, and its governing rules and regulations, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby approves the submission of the Town of Cheektowaga Community Development Block Grant Program Annual Action Plan for the 2006 program year to the United States Department of Housing and Urban Development which includes the projects contained in the attached CDBG, HOME and ADDI 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, HOME and ADDI Program related documents as necessary.

✓ Vote Record - Resolution 2006-82						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-83 Approve Agreement with Erie County Re: Rails ToTrails
SPONSORED BY: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga previously received Federal grants to construct a Rails to Historic Trails multi-use pathway/trail in the Town, and

WHEREAS, a portion of this path will be constructed along Como Park Boulevard, and

WHEREAS, this portion of the trail (from Indian Road to Union Road) will be constructed as a second phase/project in conjunction with road reconstruction work being done by the County of Erie with a projected start date in 2007, and

WHEREAS, pursuant to Federal guidelines, the County of Erie, as owner of Como Park Boulevard, needs to be the project sponsor for this second phase/project, and

WHEREAS, in order to convince the County of Erie to act as project sponsor, the Town needs to commit to funding \$224,000 to be used towards a portion of the project for the trail, and

WHEREAS, the Town of Cheektowaga also needs to commit to executing a Memorandum of Understanding with the County of Erie relating to this project and the Town's commitment to maintain the trail portion of Como Park Boulevard, and to indemnify the County of Erie from liability associated with our trail system on its roadway, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby commits to the use of \$224,000 from the Federal grant moneys allocated to the Town for our Rails to Historic Trails System to the County of Erie for trail-related work along Como Park Boulevard from Indian Road to Union Road, and BE IT FURTHER

RESOLVED, that this Town Board hereby authorizes and directs the Town Supervisor to execute a Memorandum of Understanding with the County of Erie and other documents necessary to address maintenance, liability, signage, road markings, etc. to enable the Town's trail to be located on Como Park Boulevard; said agreement to be subject to approval as to form by the Town Attorney's Office, AND, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to John C. Loffredo, PC, Commissioner, ECDPW at 45 Oak Street, Buffalo, NY 14203 and to NYSDOT Director Alan E. Taylor at 125 Main St., Buffalo, NY 14203.

✓ Vote Record - Resolution 2006-83						

			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted					
<input type="checkbox"/>	Adopted as Amended	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-84 Harlem Road Project Work Agreement HC-140
SPONSORED BY: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, the New York State Department of Transportation (NYSDOT) proposes the August 2006 letting for the reconstruction of Harlem Road from Genesee Street in the Town of Cheektowaga to Yorktown Road in the Town of Amherst, identified as PIN 5268.32.123, AND

WHEREAS, as part of said highway reconstruction project, the NYSDOT proposes the adjustment to Town owned sanitary sewer manhole frames and covers in conflict with construction pursuant to project contract documents, AND

WHEREAS, Subdivision 24 of Section 10 of the State Highway Law enables the Commissioner of Transportation to provide, at the expense of the State, for adjustment to a municipally owned utility when such work is necessary as a result of State highway work, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is directed, on behalf of this Town Board, to sign the Public Utility Work Agreement HC-140, Ref #7A, submitted by the New York State Department of Transportation for the adjustment of Town sewer district manhole facilities as required by the referenced highway reconstruction project.

✓ Vote Record - Resolution 2006-84						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-85 Authorize Supervisor to Execute Grant Application for Rodent Control
SPONSORED BY: Councilmember Magierski, Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga seeks to improve quality of life and health conditions throughout the Town ; and

WHEREAS, control and eradication of the rodent population is key to achieving these goals; and

WHEREAS, the Town seeks grant monies in the amount of \$25,000.00 to offset the cost of retaining a professional firm to assist with rodent control efforts, and

WHEREAS, grant monies may be available through Assembly Majority Leader Paul A. Tokasz to assist with the control and eradication of the rodent population, 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 New York State 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 to the acquisition of said funding.

✓ Vote Record - Resolution 2006-85						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-86 Authorize Supervisor to Execute Grant Application for Rodent Control
SPONSORED BY: Councilmember Magierski, Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga seeks to improve quality of life and health conditions throughout the Town ; and

WHEREAS, control and eradication of the rodent population is key to achieving these goals; and

WHEREAS, the Town seeks grant monies in the amount of \$20,000.00 to offset the cost of retaining a professional firm to assist with rodent control efforts, and

WHEREAS: Grant monies may be available through New York State Senator William Stachowski to assist with the control and eradication of the rodent population, 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 New York State 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 to the acquisition of said funding.

✓ Vote Record - Resolution 2006-86						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-87 Secure Unsafe/Vacant Structure At 20-32 Allison Drive
(32 Allison)
SPONSORED BY: Councilmember Magierski, Councilmember Jaworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 20-32 Allison Drive (32 Allison), Cheektowaga, New York SBL# 91.14-12-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Timothy Schmitt, 1120 North Highland Drive, Broken Arrow, OK 74012-1930, as the owner AND

WHEREAS, an inspection of such premises was conducted on 20-32 Allison Drive (32 Allison), by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

✓ Vote Record - Resolution 2006-87						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-88 Change Location of April 3, 2006 Town Board Meeting
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, by resolution dated January 3, 2006, this Town Board established times and dates for Town Board meetings to be held in 2006 at the Town Hall, and

WHEREAS, this Town Board is interested in holding the April 3, 2006 meeting at the Pine Hill Primary School/Center building on East Delavan Avenue, and

WHEREAS, Cheektowaga Central School District, the owner of the Pine Hill Primary Center building, has consented to the Town using such building for our Town Board meeting on April 3, 2006 provided the Town completes the necessary forms and further provided that the Town agrees to insure and indemnify the school district from any liability associated with our use of the building, and

WHEREAS, this Town Board is agreeable to such conditions, NOW, THEREFORE, BE IT

RESOLVED, this Town Board hereby determines that the April 3, 2006 Town Board meeting will be held at the Pine Hill Primary Center/School building, 1635 East Delavan Avenue, Cheektowaga, New York

14215 at 7:00 P.M. (public comment period to begin at 6:45 P.M.), and BE IT FURTHER

RESOLVED, that the Town Clerk shall give the news media public notice of this change in the location of the April 3, 2006 Town Board meeting, and post same on her sign board at least 72 hours prior to such meeting, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Application for Use of District Facilities for Cheektowaga Central School District, and any other documents necessary to enable the Town to use such building for its Town Board meeting, and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga shall agree to utilize its self insurance program to defend and indemnify the school district from any liability associated with our use of the school district's building.

✓ Vote Record - Resolution 2006-88						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-89 **Designation of Broker of Record**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, the Town Board hereby designates the Town of Cheektowaga Broker of Record as Manning and Napier Information Services (MNIS) of Amherst, New York effective January 1, 2006.

✓ Vote Record - Resolution 2006-89						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-90 **Create New Civil Service Titles**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, the Town Board hereby create the following positions pursuant to Civil Service Laws and Rules effective February 6, 2006:

- (1) Court Clerk
- (1) Housing Inspector
- (1) Senior Microcomputer Technical Support Specialist
- (2) Clerk (Part Time)
- (20) Recreation Attendant (Regular Part Time)
- (2) Recreation Specialist (Regular Part Time).

✓ Vote Record - Resolution 2006-90						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-91 **Hiring/Termination of Part-Time/Seasonal Employees**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

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

EFFECTIVE

MAIN PUMP STATION - Laborer - \$7.50 per hour
 Ronald Strong Cheektowaga, NY 2/06/06

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 Civil Service Laws and Rules as well as 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 - \$7.25 per hour
 Robert O'Sullivan Cheektowaga, NY 2/07/06

BE IT RESOLVED, that part-time clerk Amanda Burgett be and hereby is transferred to the title of Student Assistant in the Records Center effective 1/03/06; AND, BE IT

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

EFFECTIVE

POLICE DEPARTMENT
 Donna M. Knox 1/12/06
 Brian Clifford 1/14/06

✓ Vote Record - Resolution 2006-91						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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2006-92 **Department of PRYS Employee Termination**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effective immediately:

- Patrick Dalton
- Matthew Hanley
- Daniel Polino

✓ Vote Record - Resolution 2006-92						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-93 **Employee Leave of Absence Authorization - (Clerk Typist) Police Department**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, Cheryl J. Witt is employed by the Town of Cheektowaga as a Clerk Typist in the Police Department; AND

WHEREAS, Ms. Witt has requested a leave of absence from her position for a period of six (6) months; AND

WHEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Employee's Association states that a union employee may be granted a leave of absence for no more than one (1) year for reasonable purpose; NOW, THEREFORE, BE IT

RESOLVED, that Cheryl J. Witt be and hereby is granted a leave of absence for a period of six (6) months, commencing February 20, 2006 through August 20, 2006 from her position of Clerk Typist in the Police Department.

✓ Vote Record - Resolution 2006-93						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-94 **Appoint Planning Board Chairman**
SPONSORED BY: Gabryszak, Jankowiak, Magierski, Rogowski

WHEREAS, a vacancy exists in the position of Chairman of the Cheektowaga Planning Board, and

WHEREAS, Anthony Sisti, a Member of the Planning Board for the past ten years, has applied for the position of Chairman, and

WHEREAS, Anthony Sisti is qualified to serve as Chairman of the Planning Board, NOW, THEREFORE, BE IT

RESOLVED, that Anthony Sisti be and hereby is appointed to the position of Chairman of the Planning Board, effective immediately and terminating on December 31, 2011.

✓ Vote Record - Resolution 2006-94							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-95 **Appoint Member to Planning Board**
SPONSORED BY: Gabryszak, Jankowiak, Magierski

WHEREAS, there is a vacancy in the position of Member of the Cheektowaga Planning Board as a result of the appointment of Anthony Sisti to serve as Chairman of the Planning Board, and

WHEREAS, Claire Ferrucci has applied for such position and meets the requirements for appointment to said position, NOW, THEREFORE, BE IT

RESOLVED, that Claire Ferrucci of Sloan, New York be and hereby is appointed to the position of Member of the Cheektowaga Planning Board, effective immediately and terminating on December 31, 2009.

✓ Vote Record - Resolution 2006-95							
			Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/>	Adopted	Dennis Gabryszak		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Withdrawn	James Jankowiak		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-96 **Appointment of Planning Board Member**
SPONSORED BY: Jaworowicz, Johnson Jr., Rogowski

WHEREAS, there is a vacancy in the position of member of the Cheektowaga Planning Board as a result of the appointment of Anthony Sisti to serve as Chairman of the Planning Board, and

WHEREAS, Stanley Kaznowski has applied for such position and meets the requirements for such position, NOW, THEREFORE, BE IT

RESOLVED, that Stanley Kaznowski of Cheektowaga, New York be and hereby is appointed to the position of Member of the Cheektowaga Planning Board, effective immediately and terminating on December

31, 2009.

✓ Vote Record - Resolution 2006-96						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted	Dennis Gabryszak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Withdrawn	James Jankowiak	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magjerski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-97 **Appointment to Cheektowaga Conservation Advisory Council**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, by resolution dated July 2, 1990, the Cheektowaga Town Board adopted Local Law No. 2 of the Year 1990, entitled "A Local Law to create the Cheektowaga Conservation Advisory Council", and

WHEREAS, pursuant to such law, the Cheektowaga Town Board appointed voting members to such Cheektowaga Conservation Advisory Council ("CCAC"), and

WHEREAS, Mary Ann Feldt resigned from her position as member of the CCAC by letter dated January 26, 2006, and

WHEREAS, Lorraine A. Aloisio has been attending the CCAC meetings and has expressed an interest in serving as a member of the CCAC, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the resignation of Mary Ann Feldt from her position as member of the CCAC, effective immediately, and BE IT FURTHER

RESOLVED, that Lorraine A. Aloisio, 71 Gregory Court, Depew, New York 14043 be and hereby is appointed to the CCAC, effective immediately and terminating on October 15, 2006.

Motion by Councilmember Jankowiak, seconded by Supervisor Gabryszak to table this item.

✓ Vote Record - Resolution 2006-97						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magjerski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Seconded	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-98 **Appointment of Principal Personnel Clerk**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, this Town Board appointed Michelle A. Kaminski to the provisional title of Principal Personnel Clerk in the Personnel Department; AND

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

WHEREAS, Erie County has established a valid civil service list for said title; AND

WHEREAS, Michelle A. Kaminski has qualified for permanent appointment to the title of Principal Personnel Clerk; NOW, THEREFORE BE IT

RESOLVED, that Michelle A. Kaminski of Cheektowaga, New York, be and hereby is appointed to the permanent position of Principal Personnel Clerk in the Personnel Department at the annual salary of \$40,092 effective February 7, 2006.

✓ Vote Record - Resolution 2006-98						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-99 **Appointment of Dog Control Officer (Temporary)**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, a temporary vacancy exists in the title of Dog Control Officer in the Police Department; AND

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

WHEREAS, Scott Thrun, currently employed as a General Mechanic in the Highway Department, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Scott Thrun of Sloan, New York, be and hereby is appointed to the temporary position of Dog Control Officer in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective January 25, 2006.

✓ Vote Record - Resolution 2006-99						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-100 **Travel Authorization Building & Plumbing Dept.**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, the Niagara Frontier Building Officials Association Annual Conference is being held in Amherst, New York from January 30 through February 1, 2006; AND

WHEREAS, Supervising Code Enforcement Officer Thomas Adamczak has requested authorization for the following employees listed to attend said conference

- Thomas Adamczak, Supervising Code Enforcement Officer
- Lawrence Kensy, Senior Housing Inspector
- Gary Parks, Code Enforcement Officer
- Matthew Kawczynski, Fire Inspector
- Edward Saturnus, Fire Inspector
- Mark Radecki, Assistant Code Enforcement Officer
- Donald Wartinger, Housing Inspector
- Gail Milburth, Assistant Code Enforcement Officer
- Ronald Stepnick, Assistant Code Enforcement Officer
- Donald O'Neill, Assistant Plumbing Inspector
- Richard Coburn, Housing Inspector
- Gerald Gill, Housing Inspector (Part Time)
- Larry Rokitka, Housing Inspector (Part Time)
- Gregory Magnuszewski, Assistant Plumbing Inspector
- Daniel Ulatowski, Zoning Inspector
- Gerald Sprada, Housing Inspector
- Dale Parks, Housing Inspector (Community Development)
- Richard Willis, Housing Inspector (Community Development); AND

WHEREAS, Mr. Adamczak has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$4,000; AND

WHEREAS, these expenses have been budgeted by the Building and Plumbing Department as well as the Office of Community Development; NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned employees be and hereby are approved to attend the Niagara Frontier Building Officials Association Annual Conference being held in Amherst, New York from January 30 through February 1, 2006.

✓ Vote Record - Resolution 2006-100						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-101 **Travel Authorization - Police Dept. - Dog Control Officer and Part-Time Dog Control Officer**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, Remote Chemical Immobilization and Humane Animal Control Certification Training will be held in Kingston, New York on February 22, 2006; AND

WHEREAS, Dog Control Officers Scott Thrun and Aaron Kandefer have requested authorization to attend said training; AND

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

WHEREAS, the total cost to the Town shall not exceed \$705; AND

WHEREAS, these expenses have been budgeted by the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Dog Control Officers Scott Thrun and Aaron Kandefer be and hereby are authorized to attend the Remote Chemical Immobilization and Humane Animal Control Certification Training being held in Kingston, New York on February 22, 2006.

✓ Vote Record - Resolution 2006-101						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-102 **Travel Authorization - Personnel Dept.**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, the Society for Human Resource Management (SHRM) Annual Conference and Exposition will be held in Washington, DC from June 25 through June 28, 2006; AND

WHEREAS, Coordinator of Employee Relations Anthony M. Romano has requested authorization to attend said conference; AND

WHEREAS, Mr. Romano has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$1,776; AND

WHEREAS, these expenses have been budgeted by the Personnel Department; NOW, THEREFORE, BE IT

RESOLVED, that Coordinator of Employee Relations Anthony M. Romano be and hereby is authorized to attend the Society for Human Resource Management (SHRM) Annual Conference and Exposition being held in Washington, DC from June 25 through June 28, 2006.

✓ Vote Record - Resolution 2006-102						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Communications

Departmental Communications

Subject	Details
Building Permits - January 2006	
2005 Records & Information Management Year End Report	
Cheektowaga Conservation Advisory Council - Minutes of January 5, 2006 Meeting	
Cheektowaga Conservation Advisory Council - Minutes of January 21, 2006 Meeting	
Minutes of Cheektowaga Environmental Advisory Committee Meeting - January 20, 2006	

General Communications

Subject	Details
Summons and Complaint: Washington Mutual Bank F/K/A Vs. Kristen M. Kryszak/Town of Cheektowaga Etal	
Summons and Complaint: Debra M & Joseph K Hess, Parent and Natural Guardian of Jake D. Farey Vs. Town of Cheektowaga	
Notice of Claim: Valerie A. Tills Vs. Town of Cheektowaga	
Notice of Claim: Samuel T. Caruso Vs. Town of Cheektowaga	
Notice of Claim: Edwin Jankowski Vs. Town of Cheektowaga	
Notice of Claim: Delores/Charles Horey Vs. Town of Cheektowaga	
Notice of Claim: Angela Olejniczak Vs. Town of Cheektowaga	
Notice of Claim: Emmett Blake Vs. Town of Cheektowaga	
Notice of Claim: Marjorie Conley C/O NGM Insurance Co. Vs. Town of Cheektowaga	
Notice of Claim: Teresa Zelaskiewicz Vs. Town of Cheektowaga	
Request to Speak: Laurence N. Watson: Regarding Stiglmeier Park	

Supervisor's Comments**Councilmember's Comments****Public Comments**

[Download Document](#)**Town of Cheektowaga**

3301 Broadway

Cheektowaga, NY 14227

Executive Session

~ M

Mary F. Holtz

Wednesday, February 22, 2006

6:00 PM

Council Office

I. Call to Order

6:00 PM Meeting called to order on February 22, 2006 at Council Office, Conference Room, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Absent	
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	6:00 PM
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	6:00 PM
Jeff Swiatek	Town of Cheektowaga	Councilmember	Absent	
James Jankowiak	Town of Cheektowaga	Councilmember	Present	6:00 PM
Alice Magierski	Town of Cheektowaga	Councilmember	Present	6:00 PM
James Rogowski	Town of Cheektowaga	Councilmember	Present	6:00 PM
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present	6:00 PM
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present	6:00 PM

II. Resolutions



RESOLUTION 2006-103

DOC ID: 1200

Enter Into Executive Session At 6:10 PM

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

Personnel Items were discussed, along with Litigation.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Jaworowicz, Johnson Jr., Jankowiak, Magierski, Rogowski
ABSENT:	Dennis Gabryszak, Jeff Swiatek

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Town of Cheektowaga Mary F. Holtz
 3301 Broadway Telephone: (716) 686-3434
 Cheektowaga, NY



Town Board Meeting of March 6, 2006 Cheektowaga, NY

6:45 PM Meeting called to order on March 6, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Jankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	
Anthony Romano	Town of Cheektowaga	Director of Employee Relations	Present	
Brian Krause	Town of Cheektowaga	Supervising Accountant	Present	
Christine Ziemba	Town of Cheektowaga	Chief of Police	Present	
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present	
Patricia Wojcik	Town of Cheektowaga	Director of Senior Services	Present	
Thomas Adamczak	Town of Cheektowaga	Supervising Building Inspector	Present	
William Pugh	Town of Cheektowaga	Town Engineer	Present	

Invocation

Msgr. John Madsen, St. Barnabas R C Church

Public Comment Period

Proclamation Honoring Michael Papero

From The Table

2006-128 **Appointment to Planning Board Member**
SPONSORED BY: Jaworowicz, Johnson Jr., Rogowski

WHEREAS, there is a vacancy in the position of Member to the Cheektowaga Planning Board as a result of the appointment of Anthony Sisti to serve as Chairman of the Planning Board, and

WHEREAS, Stanley Kaznowski has applied for such position, and meets the requirements for such position, NOW, THEREFORE, BE IT

RESOLVED, that Stanley Kaznowski of Cheektowaga, New York be and hereby is appointed to the position of Member of the Cheektowaga Planning Board, effective immediately and terminating on December 31, 2009.

✓ Vote Record - Resolution 2006-128						
		Yes/Aye	No/Nay	Abstain	Absent	
<input type="checkbox"/>	Adopted					
<input type="checkbox"/>	Adopted as Amended					

<input checked="" type="checkbox"/>	Defeated	Dennis Gabryszak	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Patricia Jaworowicz	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Jeff Swiatek	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolutions

2006-135

Warrant List

SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to March 3, 2006 are hereby approved and made part hereof:

GENERAL FUND	\$338,813.47
RISK RETENTION FUND	22,367.82
HUD REHABILITATION FUND	16,749.57
SPECIAL DISTRICTS FUND	1,066,296.96
HIGHWAY FUND	55,435.57
TRUST & AGENCY FUND	6,368.07
HUD CDBG FUND	34,110.00
PART TOWN FUND	5,387.77
NYS AFFORDABLE HOUSING FUND	<u>8,023.00</u>
	\$1,553,552.23

✓ Vote Record - Resolution 2006-135						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-136

Fund Transfer

SPONSORED BY: Supervisor Gabryszak, Councilmember Jaworowicz

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

2005

GENERAL FUND

FROM:	100-1680-4088	Travel, Training, & Conference	\$11,494.00
	100-1680-4431	Hardware Maintenance	\$42,939.25
TO:	100-1680-2204	Hardware	\$54,433.25

HIGHWAY FUND

FROM:	300-5142-4029	Salt
\$28,816.00		

TO: 300-5110-4162 Gasoline \$28,816.00

✓ Vote Record - Resolution 2006-136						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Secondder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-137 **Decision Local Law No. 2 of 2006 Amend Sex Offender Residency Prohibition Law**
SPONSORED BY: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

WHEREAS, by resolution dated January 17, 2006, this Town Board enacted Local Law No. 1 of the Year 2006, entitled "Sex Offender Residency Prohibition", and

WHEREAS, said law prohibits convicted sex offenders from residing within 1,500 feet of the real property of any school, park, playground or day care center in the Town of Cheektowaga, and

WHEREAS, it has been proposed to extend such law to prohibit sex offenders from living within 1,500 feet of any community center, teen facility, dance hall and skating rink since children traditionally congregate near these places, and

WHEREAS, Local Law Intro No.2006- 2 of the Year 2006, entitled "A Local Law to Amend the Sex Offender Residency Prohibition Law" has been drafted to make the aforesaid changes to Local Law No. 1 of the Year 2006, and

WHEREAS, a public hearing was held on the 27th day of February, 2006 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-2 of the Year 2006, entitled "A Local Law to Amend the Sex Offender Residency Prohibition Law", and

WHEREAS, it is in the public interest to enact such law, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board determines it is in the public interest to adopt Local Law No. 2 of the Year 2006 entitled "Local Law to Amend the Sex Offender Residency Prohibition Law" and said Local Law is hereby adopted and enacted, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) certified copy of this local law in her office and one (1) certified copy with the Secretary of State, and BE IT FURTHER

RESOLVED, that Local Law No. 2 of the Year 2006 shall take effect upon filing with the Secretary of State.

✓ Vote Record - Resolution 2006-137						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Secondder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Secondder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Secondder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Secondder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn					

	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alice Magierski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-138 **Award of Bid - 2006 4-Wheel Drive SUV Truck - XLT**
SPONSORED BY: Councilmember Jankowiak, Councilmember Rogowski

WHEREAS, this Town Board invited sealed bids for one (1) 2006 model 4-Wheel Drive SUV Truck - XLT, AND

WHEREAS, bids were received and opened at a public bid opening held on February 22, 2006 at 11:00 a.m. and said proposals were referred to the Central Garage General Crew Chief for analysis, NOW, THEREFORE, BE IT

RESOLVED, that after said analysis, it has been recommended that the bid for one (1) 2006 4-Wheel Drive SUV Truck - XLT be and hereby is awarded to Bison Truck Center, Inc., 2370 Walden Avenue, Cheektowaga, New York 14225 in the amount of \$24,438.00, said being the lowest bidder meeting all the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds are available in Account #1640-2502-0000.

✓ Vote Record - Resolution 2006-138						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-139 **Amended Award of Bid Resolution**
SPONSORED BY: Councilmember Jankowiak, Councilmember Magierski

WHEREAS, by resolution dated January 3, 2006, this Town Board awarded a contract for furnishing of Imaging and Microfilming Services for the Town of Cheektowaga Maps and Plans and

WHEREAS, an error was made and the correct project for this award is for Furnishing of Microfilming and Imaging of Police Investigation Files, NOW THEREFORE, BE IT

RESOLVED, that the aforementioned resolution dated January 3, 2006 hereby is amended to read "that the contract for Furnishing and Microfilming and Imaging Services for the Town of Cheektowaga Police Investigation Files is awarded to Lason".

✓ Vote Record - Resolution 2006-139							
				Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-140 **Notice to Bidders for 2006 Low Boy Dump Truck**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga desires to purchase one 2006 New and Unused Low Boy Dump Truck for use by the Building Maintenance Department, 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 said purchase of one 2006 New and Unused Low Boy Dump Truck, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received and opened by the Town Clerk on the 22nd day of March, 2006 at 11:00 A.M., at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on March 22, 2006 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) 2006 New and Unused Low Boy Dump Truck/Plow.

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

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

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

Mary F. Holtz
 Town Clerk

DATED: March 6, 2006

✓ Vote Record - Resolution 2006-140						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-141 **Notice to Bidders - Mowing Detention Basins and Pfohl Landfill**
SPONSORED BY: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for mowing detention basins and the Pfohl Landfill in the Town of Cheektowaga, NOW, THEREFORE, BE IT

RESOLVED, that this request be granted and that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of equipment and operators for mowing detention basins and the Pfohl Landfill for a three (3) year contract covering 2006, 2007 and 2008, 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 March, 2006 at 11:00 A.M., at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on March 22, 2006 at 11:00 A.M., at the Town Hall, corner of Broadway and Union Roads, for the furnishing of equipment and operators for mowing detention basins and the Pfohl Landfill in the Town of Cheektowaga for a three (3) year contract covering 2006, 2007 and 2008.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside "Bid for Furnishing of Equipment and Operators for Mowing" and submitted to the Town Clerk prior to bid opening.

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

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

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.

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

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

Mary F. Holtz
Town Clerk

DATED: March 6, 2006

✓ Vote Record - Resolution 2006-141						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-142 **Notice to Bidders: Topsoil**
SPONSORED BY: Councilmember Jaworowicz, Councilmember Johnson Jr.

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purpose to purchase TOPSOIL by Cheektowaga Highway Department and various departments in the Town.

Information for bidders and specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York, between the hours of 9:00 AM

and 4:30 PM, Monday through Friday, NOW THEREFORE BE IT

RESOLVED, that the Town Clerk is hereby designated as the Office to open bids on the aforesaid items at a public bid opening to be held on Wednesday, March 22, 2006, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.

NOTICE TO BIDDERS

TOWN OF CHEEKTOWAGA, NEW YORK

SEALED PROPOSALS will be received and considered by the Cheektowaga Town Board on March 22, 2006 at a public bid opening at 11:00 AM, at the Town Hall located on Broadway and Union Roads, Cheektowaga, NY, for the purpose of furnishing TOPSOIL for use by various departments in the Town of Cheektowaga.

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

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

 MARY HOLTZ
 TOWN CLERK
 TOWN OF CHEEKTOWAGA

DATED:

✓ Vote Record - Resolution 2006-142						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-143 **Amendment to Community Development Block Grant Annual Plan**
SPONSORED BY: Gabryszak, Johnson Jr., Rogowski

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

WHEREAS, the Town wishes to amend its Annual Community Development Block Grant Action Plan pursuant to the attached Community Development Block Grant Program Amendment Report, and

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

WHEREAS, the Director of Community Development recommends approval of the proposed amendment, Now Therefore Be It

RESOLVED, that the Town Board hereby amends the Town of Cheektowaga's Annual Community Development Block Grant Action Plan pursuant to the attached Community Development Block Grant Program Amendment Report.

Town of Cheektowaga
 Community Development Block Grant Program
 Notice of Amended Annual Plan
 2006 - #1

The Town of Cheektowaga amends its Annual Community Development Block Grant Action Plan to re-allocate up to \$75,000 of revolving fund program income, received by the Cheektowaga Economic Development Corporation, to fund sewer and drainage projects in the Village of Depew, including the Erie Street sewer re-lining project, completed in 2005, and the first phase of the Norman Drive sewer re-lining project planned for 2006.

✓ Vote Record - Resolution 2006-143						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-144 **Approve Cultural Group Agreement with Cheektowaga Arts Society**
SPONSORED BY: Councilmember Jaworowicz, Councilmember Rogowski

WHEREAS, the Town, in its 2006 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 2005 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):

Cultural/Not-For-Profit Organization	Funding Approved
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 2006 Town budget, subject to audit and approval of a properly signed Town voucher.

✓ Vote Record - Resolution 2006-144						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-145 Hiring/Termination of Part-Time Employees
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, that the following individuals be and hereby are hired as SEASONAL EMPLOYEES, not to exceed five (5) months in a calendar year, in the various departments listed and in compliance with Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

EFFECTIVE

SEWER MAINTENANCE - Laborer - \$7.25 per hour
 David Profic, Jr. Cheektowaga, New York

3/07/06

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

EFFECTIVE

RECORDS CENTER - Clerk (Temporary) (SARA Grant) - \$9.00 per hour
 Tracy Bolognese Depew, New York

3/06/06

TAX OFFICE - Part Time Clerk - \$8.00 per hour
 Ruth Casacci Cheektowaga, New York

3/07/06

BE IT FURTHER RESOLVED, that the following part-time School Crossing Guard's hourly pay be and hereby is adjusted as follows:

POLICE DEPARTMENT - School Crossing Guard - \$7.10 to \$7.61 per hour
 Mary Roberts Cheektowaga, New York

2/27/06

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

EFFECTIVE

POLICE DEPARTMENT - Sign Maintenance Division
 Thomas Maciok

12/30/05

✓ Vote Record - Resolution 2006-145						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Second	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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2006-146 Appointment to Planning Board
SPONSORED BY: Jankowiak, Magierski, Gabryszak, Swiatek

WHEREAS, there is a vacancy in the position of Member to the Cheektowaga Planning Board as a result of the appointment of Anthony Sisti to serve as Chairman of the Planning Board, and

WHEREAS, Claire Ferucci has applied for such position, and meets the requirements for such position, NOW, THEREFORE, BE IT

RESOLVED, that Claire Ferucci of Cheektowaga, New York be and hereby is appointed to the position of Member of the Cheektowaga Planning Board, effective immediately and terminating on December 31, 2009.

Motion was made by Councilmember Johnson, seconded by Councilmember Jaworowicz to table this resolution.

✓ Vote Record - Resolution 2006-146						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/>	Adopted	Dennis Gabryszak	Seconded	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Tabled	Jeff Swiatek	Seconded	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Next: Mar 20, 2006 6:45 PM	Alice Magierski	Seconded	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-147 Appointment of Network Coordinator (Provisional to Permanent) Mark Orzechowski
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, Mark D. Orzechowski was appointed provisionally by this Town Board to the position of Network Coordinator in the Department of Information Support Services (DISS); 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, Mark D. Orzechowski has been approved by Erie County Civil Service for said position and meets all the necessary qualifications for permanent appointment; NOW, THEREFORE BE IT

RESOLVED, Mark D. Orzechowski of Depew, New York, be and hereby is appointed to the permanent position of Network Coordinator in the Department of Information Support Services (DISS) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective March 7, 2006.

✓ Vote Record - Resolution 2006-147							
				Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Seconded	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn						

	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-148 **Appointment of Senior Microcomputer Technical Support Specialist (Promotional) Thomas L. Przybylak**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, a vacancy exists in the title of Senior Microcomputer Technical Support Specialist in the Department of Information Support Services (DISS); 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 in existence for said title; AND

WHEREAS, Thomas L. Przybylak, currently employed as a Computer Support Technician in the Department of Information Support Services, has bid on said position and appears on the current civil service list as eligible for appointment; NOW, THEREFORE BE IT

RESOLVED, Thomas L. Przybylak of Depew, New York, be and hereby is appointed to the position of Senior Microcomputer Technical Support Specialist in the Department of Information Support Services (DISS) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective March 7, 2006.

✓ Vote Record - Resolution 2006-148						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-149 **Appointment of Computer Support Technician (Promotional) Richard C. McKay**
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, a vacancy exists in the title of Computer Support Technician in the Department of Information Support Services (DISS); 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 in existence for said title; AND

WHEREAS, Richard C. McKay, currently employed as a Computer Support Assistant in the Department of Information Support Services, has bid on said position and appears on the current civil service list as eligible for appointment; NOW, THEREFORE BE IT

RESOLVED, Richard C. McKay of Cheektowaga, New York, be and hereby is appointed to the position of Computer Support Technician in the Department of Information Support Services (DISS) in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective March 7, 2006.

✓ Vote Record - Resolution 2006-149							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2006-150 Appointment of Senior Clerk (Contingent Permanent) Laurie M. Vail
SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, a contingent permanent vacancy exists in the position of Senior Clerk in the Office of the Town Assessor; AND

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

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

WHEREAS, such job title is in the competitive class of civil service; AND

WHEREAS, the civil service list for said title was canvassed and interviews conducted; AND

WHEREAS, Laurie M. Vail, appears on said list and meets all the necessary qualifications for contingent permanent appointment; NOW, THEREFORE, BE IT

RESOLVED, that Laurie M. Vail of Depew, New York be and hereby is appointed to the contingent permanent position of Senior Clerk in the Office of the Town Assessor, in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective February 28, 2006.

✓ Vote Record - Resolution 2006-150							
			Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Adopted as Amended	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn						

	James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Communications

Departmental Communications

Subject	Details
Building Permits - February 2006	
Cheektowaga Conservation Advisory Council - Minutes of February 18, 2006 Meeting	
Cheektowaga Public Library Board - Minutes of January 25, 2006 Meeting	

General Communications

Subject	Details
Notice of Claim - Evan Gaertner Vs. Town of Cheektowaga	
Notice of Claim - Helen M. Brunner Vs. Town of Cheektowaga	
Notice of Claim : Lawrence Colucci Vs. Town of Cheektowaga	

Comments

Supervisor's Comments

Councilmember's Comments

Public Comments

Meeting was adjourned in memory of Dorothy Jankowiak, Aunt of Councilmember James Jankowiak

[Download Document](#)**Town of Cheektowaga**

3301 Broadway

Cheektowaga, NY 14227

Regular Meeting

~ M



Mary F. Holtz

Monday, April 3,

6:45 PM

Pine Hill Primary Center/School

I. Call to Order

6:45 PM Meeting called to order on April 3, 2006 at Pine Hill Primary Center/School, 1635 E. Delavan Avenue, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	6:45 PM
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	6:45 PM
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	6:45 PM
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	6:45 PM
James Jankowiak	Town of Cheektowaga	Councilmember	Absent	6:45 PM
Alice Magierski	Town of Cheektowaga	Councilmember	Present	6:45 PM
James Rogowski	Town of Cheektowaga	Councilmember	Present	6:45 PM
Anthony Romano	Town of Cheektowaga	Director of Employee Relations	Present	6:45 PM
Brian Krause	Town of Cheektowaga	Supervising Accountant	Present	6:45 PM
Christine Ziemba	Town of Cheektowaga	Chief of Police	Present	6:45 PM
John Jaroszewski	Town of Cheektowaga	General Crew Chief	Present	6:45 PM
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present	6:45 PM
Thomas Adamczak	Town of Cheektowaga	Building Inspector	Present	6:45 PM
William Pugh	Town of Cheektowaga	Town Engineer	Present	6:45 PM

II. Public Comment Period**III. Resolutions**



RESOLUTION 2006-165

DOC ID: 1257

Transfer of Funds

Sponsored By: Supervisor Gabryszak, Councilmember Jaworowicz

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

2005

GENERAL FUND

FROM:	100-1010-1901	Regular Payroll	\$	233.00
	100-1110-1901	Regular Payroll		17,432.00
	100-1220-1901	Regular Payroll		4.00
	100-1315-1901	Regular Payroll		1.00
	100-1910-4261	Postage		135.00
	100-1355-1901	Regular Payroll		541.00
	100-1330-1951	Seasonal Regular		6,834.00
	100-1315-1901	Regular Payroll		6,205.00
	100-1315-4011	Printed Forms		44.00
	100-1415-4001	Contractual Services		1,895.00
	100-1430-1971	Part-Time Regular		821.00
	100-1430-4751	Employee Assistance Program		260.00
	100-1440-1901	Regular Payroll		1,456.00
	100-1440-4325	Copy Machine Supplies		117.00
	100-1625-1901	Regular Payroll		7,431.00
	100-1625-1971	Part-Time Regular		3,460.00
	100-1670-1901	Regular Payroll		671.00
	100-1680-1901	Regular Payroll		1,196.00
	100-1680-1914	Shift Differential		223.00
	100-1685-1971	Part-Time Regular		4,204.00
	100-3020-1901	Regular Payroll		858.00
	100-3120-1908	Training		71,977.00
	100-3120-1911	Longevity		1,013.00
	100-3120-1914	Shift Differential		22,769.00
	100-3120-1971	Part-Time Regular		38,123.16
	100-3310-1901	Regular Payroll		3,180.00
	100-3310-1971	Part-Time Regular		8,600.00
	100-3510-1901	Regular Payroll		344.00
	100-3510-1917	Clothing Allowance		100.00
	100-3510-4030	Kennel Supplies		676.00
	100-3610-4001	Office Supplies		1.00
	100-7110-1901	Regular Payroll		4,835.00
	100-7110-1914	Shift Differential		2,566.00
	100-7110-1951	Seasonal Regular		62,674.00
	100-7140-1901	Regular Payroll		295.00
	100-7140-1971-1612	Rec. Attendants		548.00
	100-7140-1971-1614	Rec. Attendants		2,488.00
	100-7140-1971-1631	Cedargrove Camp Salaries		10,411.00
	100-7140-4025	Athletic Supplies		523.00
	100-7620-1901	Regular Payroll		171.00
	100-9499-1971	Part-Time Regular		1,269.00
	100-9010-8101	Employees Retirement		130,320.00
	100-9010-8111	Police Retirement		67,913.00
TO:	100-1010-1931	Vacation Sellback	\$	233.00
	100-1110-1902	Overtime Payroll		17,412.00
	100-1110-1911	Longevity		20.00
	100-1220-1971	Part-Time Regular		4.00
	100-1315-1931	Vacation Sellback		1.00
	100-1330-4262	Mailing Costs		135.00
	100-1355-1902	Overtime Payroll		537.00
	100-1355-1932	Sick Sellback		4.00
	100-1410-1901	Regular Payroll		137.00
	100-1410-1902	Overtime Payroll		2,662.00
	100-1410-1932	Sick Sellback		16.00
	100-1410-1971	Part-Time Regular		11,301.00
	100-1415-1902	Overtime Payroll		528.16
	100-1415-1971	Part-Time Regular		1,366.00
	100-1430-1901	Regular Payroll		320.00
	100-1430-1931	Vacation Sellback		501.00
	100-1430-4754	Drug Testing		260.00
	100-1440-1902	Overtime Payroll		1,572.00

100-1440-1932	Sick Sellback	1.00
100-1625-1902	Overtime Payroll	6,116.00
100-1625-1911	Longevity	2,755.00
100-1625-1914	Shift Differential	207.00
100-1625-1932	Sick Sellback	1,813.00
100-1640-1902	Overtime Payroll	13,894.00
100-1640-1914	Shift Differential	1,986.00
100-1640-1932	Sick Sellback	908.00
100-1670-1932	Sick Sellback	671.00
100-1680-1902	Overtime Payroll	15,653.00
100-1680-1990	Other Pay	642.00
100-1680-4431	Hardware Maintenance	44.00
100-1685-1901	Regular Payroll	4,689.00
100-1685-1902	Overtime Payroll	155.00
100-3020-1914	Shift Differential	858.00
100-3020-1932	Sick Sellback	1.00
100-3120-1901	Regular Payroll	15,909.00
100-3120-1902	Overtime Payroll	60,305.00
100-3120-1907	Court Time	24,284.00
100-3120-1917	Clothing Allowance	300.00
100-3120-1932	Sick Sellback	34.00
100-3310-1902	Overtime Payroll	9,877.00
100-3310-1914	Shift Differential	91.00
100-3310-1932	Sick Sellback	1,813.00
100-3510-1902	Overtime Payroll	921.00
100-3510-1971	Part-Time Regular	199.00
100-3610-1971	Traffic Safety Commission	1.00
100-7110-1902	Overtime Payroll	4,561.00
100-7110-1932	Sick Sellback	25.00
100-7110-1971	Part-Time Regular	62,923.00
100-7140-1914	Shift Differential	295.00
100-7140-1971-1611	Part-Time Regular	548.00
100-7140-1971-1625	Part-Time Regular	2,488.00
100-7140-1971-1627	Part-Time Regular	1,077.00
100-7140-1971-1630	Part-Time Regular	397.00
100-7140-1971-1633	Part-Time Regular	3,906.00
100-7140-1971-1636	Part-Time Regular	2,730.00
100-7140-1971-1640	Part-Time Regular	1,600.00
100-7140-1971-1654	Part-Time Regular	701.00
100-7140-4999	Credit Card Expense	523.00
100-7620-1902	Overtime Payroll	135.00
100-7620-1914	Shift Differential	36.00
100-9499-1901	Regular Payroll	281.00
100-9499-1902	Overtime Payroll	3,221.00
100-9499-1931	Vacation Sellback	1.00
100-9010-8975	Retirement Buyout	198,233.00

SPECIAL DISTRICTS FUND

FROM: 150-8160-1901	Regular Payroll	\$ 52,906.00
255-8125-1901	Regular Payroll	17,292.00
255-8125-1902	Overtime Payroll	1,427.00
255-8125-1914	Shift Differential	448.00
255-8125-1951	Seasonal Regular	20,260.00
255-8125-1971	Part-Time Regular	1,038.00
255-8125-8101	Employee Retirement	3,783.00
255-8125-8141	Medical Insurance	7,858.00
255-8125-8190	Retirement Incentive	1,371.00
255-8125-8975	Retirement Buyback	8,967.00
255-8125-9101	Bond Principal	30,702.00
255-8125-9201	Bond Interest	25,213.00
255-8135-1902	Overtime Payroll	12,443.00
255-8135-1917	Clothing Allowance	135.00
255-8135-1937	Weekend Differential	3,000.00
255-8135-1951	Seasonal Regular	7,568.00
255-8135-1971	Part-Time Regular	4,117.00
255-8135-2500	Pump Station Equipment	2,197.00
255-8135-2512	Building Improvements	16,067.00
255-8135-4001	Office Supplies	620.00
255-8135-4021	Maintenance Supplies	6,737.00
255-8135-4022	Janitorial Expense	462.00
255-8135-4071	Clothing Replacement	291.00
255-8135-4087	Travel & Conferences	835.00
255-8135-4142	Chemicals	1,414.00
255-8135-4431	Equipment Repairs	11,595.00
255-8135-4456	Elevator Repairs	977.00
255-8135-4541	Lab Testing	2,953.00

255-8135-4581	Contracted Tech Serv.	1,177.00
255-8135-8101	Employee Retirement	2,501.00
255-8135-8141	Medical Benefits	38,745.00
255-8135-8143	Retiree's Medical Ins.	55,088.00
255-1910-2799	Approp. Fund Balance	99,210.00

TO:	150-8160-1932	Sick Sellback	\$	824.00
	150-8160-1951	Seasonal Regular		52,078.00
	150-8160-4231	Water		4.00
	255-8125-1932	Sick Sellback		839.00
	255-8135-1901	Regular Payroll		7,371.00
	255-8135-1914	Shift Differential		3,621.00
	255-8135-4217	Utilities		8,261.00
	255-8135-4356	Buffalo Sewer Auth.	349,797.00	
	255-8125-8121	Social Security		7,541.00
	255-8135-8121	Social Security		3,574.00
	255-8135-8975	Retirement Buyout		5,487.00

PART TOWN FUND

FROM:	800-3620-1901	Regular Payroll	\$	3,253.00
TO:	800-3620-1911	Longevity	\$	1,325.00
	800-9010-8121	Social Security		1,928.00

HIGHWAY FUND

FROM:	300-5141-1901	Regular Payroll	\$	28,080.00
TO:	300-5141-1902	Overtime Payroll	\$	26,637.00
	300-5141-1914	Shift Differential		1,428.00
	300-5141-1917	Clothing Allowance		15.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-166

DOC ID: 1255

Transfer of Funds

Sponsored By: Supervisor Gabryszak, Councilmember Jaworowicz

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

2006

GENERAL FUND

FROM:	100-3310-4471	Signs & Markings	\$	360.00
TO:	100-3310-1917	Clothing Allowance	\$	360.00

HUD-CDBG

FROM:	700-1097-0707	Neighborhood Improvements	\$	456.00
TO:	700-7097-0730	Youth Companionship	\$	456.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-167

DOC ID: 1258

Warrant List

Sponsored By: Supervisor Gabryszak, Councilmember Jaworowicz

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to March 31, 2006 are hereby approved and made part hereof:

General Fund	\$965,349.64
Risk Retention Fund	100,724.83
HUD Rehabilitation Fund	17,020.00
Special Districts Fund	297,657.61
Highway Fund	442,352.46
Capital Projects Fund	20,146.83
Trust & Agency Fund	22,374.87
HUD CDBG Fund	44,303.06
Part Town Fund	20,892.87
NYS Affordable Housing Fund	<u>6,855.00</u>
	\$1,937,677.17

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-168

DOC ID: 1249

Award of Bid Topsoil

Sponsored By: Councilmember Jaworowicz, Councilmember Johnson Jr.

WHEREAS, bids were duly received and opened by the Town Clerk at a public bid opening held on March 22, 2006 for TOPSOIL for use by the Town of Cheektowaga as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and reports, AND

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

RESOLVED, that the bid for TOPSOIL be awarded to Leo Brenon Topsoil, 5530 Killian Road, North Tonawanda, NY 14120, for regular screened or shredded as per bid specifications and picked up by Town of Cheektowaga vehicles, or to be delivered, AND

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

TABULATION FOR TOPSOIL 2006

Leo Brenon Topsoil 5530 Killian Road North Tonawanda, NY 14120	Regular - \$12.50 Deliv. \$10.50 pick/up Screened-\$16.40 Deliv.\$13.30 pick/up Shredded-\$16.40 Deliv.\$13.30 pick/up
Custom Topsoil, Inc. 320 Crabapple Lane Cheektowaga, NY 14227	Regular - \$12.00pick/up Screened- \$21.00 pick/up Shredded- \$21.00 pick/up
Mr. Topsoil DBA 3419 Broadway Cheektowaga, NY	Regular - \$20.00 Deliv. \$18.00 pick/up Screened-\$21.00 Deliv.\$19.00 pick/up Shredded-\$21.00 Deliv.\$19.00 pick/up

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Patricia Jaworowicz, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-169

DOC ID: 1250

Award of Bid for Five (5) New and Unused 2006 Model, Trailer Mounted, Self Contained, Vacuum Leaf Loaders

Sponsored By: Councilmember Jaworowicz, Councilmember Johnson Jr.

WHEREAS, bids were duly received and opened by the Town Clerk at a public bid opening held on March 15, 2006 for FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SELF CONTAINED, VACUUM LEAF LOADERS for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and reports, AND

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

RESOLVED, that the bid for FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SELF CONTAINED, VACUUM LEAF LOADERS be awarded to The ODB Company, Inc., 5118 Glen Alden Drive, Richmond, VA. 23231, at a total bid price of \$92,315.00 said bidder being 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

RESOLVED, that monies be charged to line item 500-5130-2407-5420.

TABULATION FOR
FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SELF CONTAINED, VACUUM LEAF LOADERS

Cyncon Equipment Inc. 7494 West Henrietta Road Rush, New York 14543	\$18,215.00 ea.	\$91,075.00 Total
The ODB Company, Inc. 5118 Glen Alden Drive Richmond, Va. 23231	\$18,463.00 ea.	\$92,315.00 Total

*Upon inspection of both leaf containers, ODB offers a much better self contained leaf collector, having certain features that make it much easier to work with the equipment. Also in the bid specs ODB offers a much higher replacement parts inventory and more of a discount. ODB also offers a full 2 year warranty for engine and clutch.

RESULT: WITHDRAWN



RESOLUTION 2006-170

DOC ID: 1254

Award of Bid - 2006 Low Boy Dump Truck

Sponsored By: Councilmember Magierski, Councilmember Johnson Jr.

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) 2006 Low Boy Dump Truck for the Building Maintenance Department, which bids were duly received and opened at a public bid opening called for that purpose, AND

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

WHEREAS, Allan B. Blachowski, Junior Civil Engineer, has submitted the same which is hereto attached and made part hereof, NOW, THEREFORE, BE IT

RESOLVED, that the bid for the furnishing of one (1) 2006 Chevrolet Low Boy Dump Truck be awarded to Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043 for their bid in the amount of \$25,255.00, said bid being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds are available in Account #100-1625-2303 for this purpose.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-171

DOC ID: 1256

Award of Bid - Mowing Galleria Detention Basins and Pfohl Brothers Landfill

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, as a result of advertisement, bids were received on March 22, 2006 for the furnishing of equipment and operators for mowing three (3) Galleria Detention Basins and the Pfohl Brothers Landfill Site in the Town of Cheektowaga for 2006, 2007 and 2008, 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, Junior Civil Engineer, to the Town Board dated March 27, 2006, NOW, THEREFORE, BE IT

RESOLVED, that Contract "A" for the furnishing of equipment and operators for mowing three (3) Galleria Detention Basins be awarded to Mowcon, Inc., 3786 Clinton Street, West Seneca, New York 14224 for submission of the lowest bid meeting the requirements of the specifications in the amount of \$5,900.00, AND, BE IT FURTHER

RESOLVED, that Contract "B" for the furnishing of equipment and operators for mowing the Pfohl Brothers Landfill Site be awarded to Niagara Grass, 2637 Niagara Falls Boulevard, Niagara Falls, New York 14304 for submission of the lowest bid meeting the requirements of the specifications in the amount of \$2,970.00, AND, BE IT FURTHER

RESOLVED, that funds have been budgeted for maintenance of the Galleria Detention Basins in Account #06-0834-0000, 06-0831-0000 and 06-0833-0000 and for the Pfohl Brothers Site in Account #150-1910-5901.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-172

DOC ID: 1271

Call for Public Hearing Special Use Permit Request/Omnipoint Communications, Inc.

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, Omnipoint Communications, Inc. has made application and requested a special use permit for increasing the height of an existing cellular communications tower at 500 Como Park Boulevard, by an additional 12 feet to accommodate a new cellular phone service provider, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on April 17, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 17th day of April, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

OMNIPOINT COMMUNICATIONS, INC.

for special permission to increase the height of an existing 140 foot cellular communications tower at 500 Como Park Boulevard tower by an additional 12 feet to accommodate a new cellular telephone service provider, pursuant to Article VI, Section 260-47 of the Zoning Law of the Town of Cheektowaga, New York.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being more particularly bounded and described as follows:

Commencing at a point in the centerline of Como Park Boulevard said point being 818+ feet easterly from the centerline of Center Avenue, at intersection with the extension of the division line between two parcels of land owned by Buffalo Crushed Stone, Tax Map No. 114.05-2-1 on the west and Tax Map No. 114.05-2-2 on the east; thence N 00 degrees -37' E 480 ± feet to the point of beginning; thence through the parcel of land owned by Buffalo Crushed Stone, Tax Map No. 114.05-2-1 the following three (3) courses and distances;

1. N 89 degrees-23' W a distance of 100 feet to a point; thence
2. N 00 degrees-37' E a distance of 100 feet to a point; thence
3. S 89 degrees-23' a distance of 100 feet to a point in the Aforementioned division line; thence course 100 feet to a point In the aforementioned division line; thence,

S 00 degrees-37' W along said division line a distance of 100 feet to the point of beginning, containing an area of 0.230 acres (10,000 Sq. ft.) more or less.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-173

DOC ID: 1229

Advertise Athletic White Stripe

Sponsored By: Supervisor Gabryszak, Councilmember Magierski

WHEREAS, Parks Division requires Athletic White Stripe for the purpose of lining athletic fields, NOW, THEREFORE, BE IT

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

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

RESOLVED, that sealed bids will be received on the 12th day of April, 2006 at 11:00 AM at a public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

=====

Notice to Bidders

Sealed proposals will be received by the Town Clerk on April 12, 2006 at 11:00 am at the Town Hall, 3301 Broadway, for the supplying of Athletic White Stripe for the year 2006.

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

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

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-174

DOC ID: 1231

Advertise Pool Maintenance Chemicals

Sponsored By: Supervisor Gabryszak, Councilmember Magierski

WHEREAS, the Town of Cheektowaga Parks, Recreation & Youth Services, Parks Division, annually requires Pool Maintenance Chemicals for 2006, NOW, THEREFORE, BE IT

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

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

RESOLVED, that sealed bids will be received on the 12th day of April, 2006, at 11:00 AM at a Public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

=====

Notice to Bidders

Sealed proposals will be received by the Town Clerk on April 12, 2006 at 11:00 am at Town Hall, 3301 Broadway, for the furnishing of Pool Maintenance Chemical for the year 2006.

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

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

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-175

DOC ID: 1248

Notice to Bidders Tree Planting for Spring 2006

Sponsored By: Councilmember Jaworowicz, Councilmember Johnson Jr.

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purpose of purchasing new trees for the Town's tree planting in the Spring of 2006.

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

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, April 26, 2006, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.

RESULT: WITHDRAWN



RESOLUTION 2006-176

DOC ID: 1253

~~Notice to Bidders: Purchase of Seven (7) New and Unused Police Patrol Vehicles~~

Sponsored By: Councilmember Jaworowicz, Councilmember Magierski

BE IT RESOLVED, that the Town Clerk is hereby directed to publish an Invitation to Bid for the purchase of seven (7) New and Unused 2006 Police Patrol Vehicles by the Town of Cheektowaga Police Department, said notice to be published in the Cheektowaga Times; AND, IT IS FURTHER

RESOLVED, that sealed bids will be received on the 12th day of April, 2006 at 11:00 A.M., at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

=====

Notice to Bidders

Sealed proposals will be received by the Town of Cheektowaga on April 12, 2006 at 11:00 am at the Town Hall, corner of Broadway and Union Roads, for the purchase of seven (7) new and unused police vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at her office in said Town. One bid is to be submitted for the purchase of seven (7) new police vehicles as 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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-177

DOC ID: 1269

SEQR Negative Declaration/Site Plan Approval for 30 Innsbruck Drive

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

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 Robert J. Gill, Architect for Costanzo's Bakery for the construction of the two building additions totaling 11,225 square feet in building area at 30 Innsbruck Drive, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on March 8, 2006 recommended a determination of non-significance as shown on the attached memorandum dated January 23, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the of the site plan at their meeting of March 9, 2006, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the site plan and has recommended the installation of public walks and modifications to allow for the driveways as shown on the site plan dated March 1, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is approved subject to:

- 1. The final civil plans being approved by the Town Engineer for the storm drainage improvements.
- 2. The applicant meet the minimum requirements of Section 508.5 of the NYS Fire Code for fire protection water supplies.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-178

DOC ID: 1251

Approve Cultural Group Agreement with Cheektowaga Community Chorus and Cheektowaga Art Guild

Sponsored By: Councilmember Rogowski, Councilmember Johnson Jr.

WHEREAS, the Town, in its 2006 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 2005 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):

Cultural/Not-For-Profit Organization	Funding Approved
Cheektowaga Community Chorus	\$10,000.00
Cheektowaga Art Guild	\$ 1,100.00

and BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2006 Town budget, subject to audit and approval of a properly signed Town voucher.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Rogowski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-179

DOC ID: 1252

Accept Sidewalk Easement at 151 Bennett Road

Sponsored By: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, as part of the review process for the development of property at 151 Bennett Road, the developer was requested to convey a sidewalk easement to the Town of Cheektowaga over the area where a public sidewalk was constructed, and

WHEREAS, Maplewood Commons LLC, the owner of such property, has submitted the requested easement to the Town, and

WHEREAS, the Building Inspections Department and Town Attorney's Office have reviewed such easement document and have recommended that the Town accept same, 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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



Accept Evangelical Cemetery

Sponsored By: Supervisor Gabryszak, Councilmember Johnson Jr.

WHEREAS, there has been established in the Town of Cheektowaga a cemetery known as the Evangelical Cemetery owned by the Evangelical Cemetery of Buffalo, Inc., which association maintains a public cemetery on Pine Ridge Road near Delavan Avenue, and

WHEREAS, said cemetery association has under its care certain funds for perpetual care, permanent maintenance, special trust and general fund, and

WHEREAS, the cemetery association has been and still is unable to procure sufficient income from the above investments, the members of the association and from the representatives of the deceased persons interred in the cemetery, and

WHEREAS, the cemetery association has requested that the Town of Cheektowaga, pursuant to Section 1506(j) of the Not-For-Profit Corporation Law, accept the conveyance of the cemetery premises and transfer of assets, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby accepts the conveyance of the aforementioned cemetery premises, and the transfer of the assets from the cemetery association, such conveyance to be subject to all agreements as to lots sold and all trust, restrictions and conditions upon the title or use of the real property or assets, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to effectuate the transfer of the cemetery premises and assets to the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that, upon transfer of title to the aforementioned cemetery premises to the Town of Cheektowaga, the Town of Cheektowaga will assume maintenance of said cemetery premises.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-181

DOC ID: 1272

Occupancy Permit for Anderson Road Storm Sewer Improvements Project

Sponsored By: Councilmember Johnson Jr., Supervisor Gabryszak

WHEREAS, the Anderson Road Storm Sewer Improvements Project is to provide for the construction of a storm sewer outfall to an existing drainage system located on the New York State Thruway Authority (NYSTA) right-of-way south of Walden Avenue which will require the issuance of a NYSTA Occupancy Permit and payment of an annual fee, NOW, THEREFORE, BE IT

RESOLVED, that the Town Engineer, William R. Pugh, P.E., be and hereby is authorized and directed to prepare and submit the aforesaid Occupancy Permit Application for the referenced project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-182

DOC ID: 1273

Site Plan Approval-4217 Genesee Street- McDonalds' Restaurant

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

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 FRA Engineering, P.C. for minor site improvements to an existing fast food restaurant at 4217 Genesee Street, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of March 9, 2006 is recommending the approval of the site plan, 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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-183

DOC ID: 1274

Site Plan Approval - 1649- 1669 Walden Avenue

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, pursuant to the Zoning Law of the Town of Cheektowaga, the Planning Board reviews various development review applications for site plans, rezonings, special permits and realty subdivisions and renders its recommendation concerning the compatibility of such application with the zoning regulations, Town Master Plan and neighborhood character, AND

WHEREAS, the Town Board, pursuant to the Zoning Law of the Town of Cheektowaga, is required to affirm, modify or reject any recommendation submitted to it by the Planning Board, AND

WHEREAS, a development review application and site plan was submitted by Benderson Development Co., LLC for the re-approval of a site plan for a 4,676 square foot restaurant , AND

WHEREAS, the Town Board on September 2, 2002 previously approved the site plan for the subject project , AND

WHEREAS, pursuant to Chapter 260, Article VII, Section 260-53B of the Zoning Law the Town Board approval of said site plan expired due to the developer's failure to commence construction within one year from the date of said site plan approval, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of February 9, 2006 recommended its re-approval of the site plan, 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 re-approves the project site plan

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-184

DOC ID: 1259

Hiring/Termination of Part-Time/Seasonal Employees

Sponsored By: Councilmember Magierski, Supervisor Gabryszak

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

PARKS DIVISION - Laborer - \$8.75/hour
Nicholas Schane, Cheektowaga, New York
Effective 4/10/06

Edward Pozdyn, Cheektowaga, New York
Effective 4/24/06

PARKS DIVISION - Laborer - \$7.75/hour
Robert Giardini, Cheektowaga, New York
Effective 4/09/06

Daniel Wagner, Cheektowaga, New York
Effective 4/09/06

Pawel Laskowski, Cheektowaga, New York
Effective 4/09/06

William Swiat, Cheektowaga, New York
Effective 4/24/06

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

JUSTICE COURT - Court Officer (Temporary) - \$14.372/hour
John E. Stronka, Cheektowaga, New York
Effective 3/29/06

PARKS DIVISION - Laborer - \$7.75/hour
Richard Gramza, Cheektowaga, New York
Effective 4/10/06

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

SANITATION DEPARTMENT
Courtney Bensman
Effective 3/14/06

Christopher Borello
Effective 3/18/06

AND, BE IT FURTHER RESOLVED that the following termination date be amended as follows:

RECORDS MANAGEMENT
Amanda Burgett
Effective 3/22/06

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-185

DOC ID: 1265

Appointment of Superintendent Wastewater Main Pump Station (Provisional) Jon Nichy

Sponsored By: Magierski, Johnson Jr., Gabryszak

WHEREAS, Jon W. Nichy was appointed to the temporary position of Superintendent Wastewater Pump Station in the Main Pump Station by this Town Board on January 29, 2006; 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 Supervisory Unit; AND

WHEREAS, said position is in the competitive class of civil service; AND

WHEREAS, a current civil service list is not in existence for said title; AND

WHEREAS, Jon W. Nichy, currently employed as temporary Superintendent Wastewater Pump Station in the Main Pump Station, bid on said vacancy, and meets the necessary qualifications for provisional appointment; NOW, THEREFORE BE IT

RESOLVED, that Jon W. Nichy of Depew, New York, be and hereby is appointed to the provisional position of Superintendent Wastewater Pump Station in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective April 4, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-186

DOC ID: 1264

Appointment of General Crew Chief (Sewer Maintenance) (Permanent) (Robert Latshaw)

Sponsored By: Magierski, Johnson Jr., Gabryszak

WHEREAS, Robert W. Latshaw was appointed by this Town Board to the temporary position of General Crew Chief in the Sewer Maintenance Department on January 21, 2006; 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 Supervisory Unit; AND

WHEREAS, the Town Board wishes to make this appointment permanent; NOW, THEREFORE BE IT

RESOLVED, that Robert W. Latshaw of Cheektowaga, New York, be and hereby is appointed to the position of General Crew Chief in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective April 4, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-187

DOC ID: 1266

Appointment of Working Crew Chief (Sewer Maintenance) (Permanent) Cartenuto/Lysiak

Sponsored By: Gabryszak, Johnson Jr., Magierski

WHEREAS, Joseph F. Cartenuto and John J. Lysiak were appointed to the temporary position of Working Crew Chief in the Sewer Maintenance Department by this Town Board on January 21, 2006; AND

WHEREAS, notice of said vacancies have been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit; AND

WHEREAS, the Town wishes to appoint these employees permanently to said title; NOW, THEREFORE BE IT

RESOLVED, that Joseph F. Cartenuto of Cheektowaga, New York, and John J. Lysiak of Depew, New York, be and hereby are appointed to the position of Working Crew Chief in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective April 4, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-188

DOC ID: 1260

Appointment of Clerk Typist (Neighborhood Preservation) (Permanent) Kathleen Butsch

Sponsored By: Councilmember Magierski, Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Clerk Typist in the Neighborhood Preservation Office; AND

WHEREAS, the Town of Cheektowaga Employees Association (TCEA) has agreed to waive the posting of the vacancy in this specific instance; AND

WHEREAS, Kathleen Butsch, currently employed as a Clerk Typist in Workforce Development, has expressed an interest in said vacancy and meets all the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Kathleen Butsch of Cheektowaga, New York, be and hereby is appointed to the position of Clerk Typist in the Neighborhood Preservation Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective April 1, 2005.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-189

DOC ID: 1268

Appointment of Clerk Typist (Police Department) (Temporary) Joan Krakowiak

Sponsored By: Councilmember Magierski, Supervisor Gabryszak

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

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

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

WHEREAS, such job title is in the competitive class of civil service; AND

WHEREAS, the civil service list for said title was canvassed and interviews conducted; AND

WHEREAS, Joan H. Krakowiak, appears on said list and meets all the necessary qualifications for contingent appointment; NOW, THEREFORE, BE IT

RESOLVED, that Joan H. Krakowiak of Depew, New York be and hereby is appointed to the temporary position of Clerk Typist in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective April 4, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-190

DOC ID: 1261

Appointment of Computer Support Assistant (Department of Information Support Services) (Permanent) Lawrence Godzich

Sponsored By: Councilmember Magierski, Supervisor Gabryszak

WHEREAS, a vacancy exists in the title of Computer Support Assistant in the Department of Information Support Services; 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 Erie County Civil Service list was canvassed for said title; AND

WHEREAS, Lawrence Godzich has applied for said position and meets all the necessary qualifications for appointment; NOW, THEREFORE BE IT

RESOLVED, Lawrence Godzich of Cheektowaga, New York, be and hereby is appointed to the position of Computer Support Assistant in the Department of Information Support Services and in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective April 4, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-191

DOC ID: 1262

Appointment of Automotive Body Repair Worker (Central Garage) (Permanent) Daniel Pawlowski

Sponsored By: Councilmember Magierski, Supervisor Gabryszak

WHEREAS, a vacancy exists in the title of Automotive Body Repair Worker in the Central Garage; AND

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

WHEREAS, Daniel Pawlowski, currently employed as an Automotive Mechanic in the Central Garage, bid on said vacancy, and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Daniel Pawlowski of Cheektowaga, New York, be and hereby is appointed to the position of Automotive Body Repair Worker in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective April 4, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-192

DOC ID: 1263

Travel Authorization Assessor's Department (Derrick Grube)

Sponsored By: Councilmember Magierski, Supervisor Gabryszak

WHEREAS, the Fundamentals of Real Property Appraisal Seminar is being held 4/6, 4/12, 4/19, 4/27 and 5/05/06 in Little Valley, New York;
AND

WHEREAS, Real Property Appraiser Technician Derrick Grube has requested authorization to attend said seminar; AND

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

WHEREAS, the total cost to the Town shall not exceed \$405; AND

WHEREAS, these expenses have been budgeted by the Assessor's Office; NOW, THEREFORE, BE IT

RESOLVED, that Real Property Appraiser Technician Derrick Grube be and hereby is authorized to attend the Fundamentals of Real Property Appraisal Seminar being held 4/6, 4/12, 4/19, 4/27 and 5/05/06 in Little Valley, New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



Travel Authorization Motor Vehicle Theft and Insurance Fraud Statewide Work Group (Police Department) Chief Christine Ziemba and Detective Mark Jedd

Sponsored By: Councilmember Magierski, Supervisor Gabryszak

WHEREAS, the Motor Vehicle Theft and Insurance Fraud Statewide Work Group is being held on April 10, 2006 in Albany, New York; AND
 WHEREAS, Police Chief Christine Ziemba and Detective Mark Jedd have requested authorization to attend said meeting; AND
 WHEREAS, Police Chief Ziemba has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND
 WHEREAS, all costs incurred shall be paid for through a grant acquired by the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Chief Christine Ziemba and Detective Mark Jedd are hereby authorized to attend the Motor Vehicle Theft and Insurance Fraud Statewide Work Group being held on April 10, 2006 in Albany, New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak

IV. Communications

A. Departmental Communications

- Cheektowaga Conservation Advisory Council - Minutes of Meeting - March 18, 2006**
- Building Permits - March 2006**
- Supervisor’s Statement of Funds - February 2006**
- Cheektowaga Traffic Safety Commission - Minutes of Meeting - February 21, 2006**

B. General Communications

- Notice of Claim: Kenneth Rautenstrauch Vs. Town of Cheektowaga**
- Notice of Claim: Mary Gage, Individually and As Preliminary Administratrix of the Estate of Andrew M. Gage, Deceased Vs. County of Erie, Niagara Frontier Transportation Authority, and Town of Cheektowaga**
- Notice of Claim: Elizabeth & David Thron Vs. Town of Cheektowaga**

V. Comments

A. Supervisor’s Comments

B. Councilmember’s Comments

C. Public Comments

VI. Suspension of Rules

- Suspend the rules to include the following 2 items

✓ Vote Record - Suspend the rules to include the following 2 items						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Alice Magierski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



RESOLUTION 2006-194

DOC ID: 1275

Sign Contract Amendment for Van Service with County of Erie

Sponsored By: Supervisor Gabryszak, Councilmember Rogowski

WHEREAS, by resolution dated December 19, 2005, this Town Board entered into an agreement with the County of Erie for a transportation program for the elderly, and

WHEREAS, the County of Erie has now proposed amending such agreement to provide a third van to the Town of Cheektowaga for serve the frail elderly, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute such Contract Amendment with the County of Erie.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski
ABSENT:	James Jankowiak



RESOLUTION 2006-195

DOC ID: 1276 A

Authorize Purchase of Land From Norfolk Southern for Rails to Trails Project

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, the Town of Cheektowaga received Federal grants to construct The Cheektowaga Rails to Historic Trails Pathway Project in the Town of Cheektowaga (PIN 5755.08), and

WHEREAS, the Town of Cheektowaga has been proceeding with land and easement acquisitions in order to construct this multi-use recreation path, and

WHEREAS, by resolution dated February 28, 2005, this Town Board approved a lease with Norfolk Southern Corporation for a portion of the pathway, and

WHEREAS, in order to further advance the construction of this project, the New York State Department of Transportation stated that, instead of the lease with Norfolk Southern Corporation, it is necessary for the Town to purchase 14 acres of railroad right-of-way from Norfolk Southern Corporation that extends approximately 1.3 miles, beginning at William Street at the southwest to the New York State Thruway, and

WHEREAS, by resolution dated October 17, 2005, this Town Board retained GAR Associates, Inc. to prepare an appraisal of this property so that the Town could negotiate with Norfolk Southern Corporation, and

WHEREAS, said appraisal was completed and the Town Attorney negotiated the purchase of this property with representatives of Norfolk Southern Corporation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby formally offers Norfolk Southern Corporation the sum of \$130,000 for the aforementioned property, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a contract with Norfolk Southern Corporation for the purchase of this property for \$130,000, the terms of such contract to be subject to the approval of the Town Attorney, and BE IT FURTHER

RESOLVED, that the approval of this contract is further subject to the approval of a supplemental grant agreement by the New York State Department of Transportation and the Greater Buffalo Niagara Regional Traffic Committee, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is also authorized and directed to execute a Supplemental agreement with the New York State Department of Transportation incorporating this purchase, and BE IT FURTHER

RESOLVED, that funding for the purchase of this property shall be appropriated from the Federal funding being provided for this project.

 Motion by Councilmember Swiatek, seconded by Councilmember Johnson to amend the resolution in paragraph 10 by adding the words "subject to approval of Town Attorney", and the amendment was approved. Subsequently, Supervisor Gabryszak moved to table the resolution, but this motion failed for lack of a second. Upon further discussion, another Motion was made by Councilmember Swiatek, and seconded by Councilmember Johnson to amend the resolution by deleting the words "and directed" in paragraphs 8 and 10, and the amended resolution was approved.

WHEREAS, the Town of Cheektowaga received Federal grants to construct The Cheektowaga Rails to Historic Trails Pathway Project in the Town of Cheektowaga (PIN 5755.08), and

WHEREAS, the Town of Cheektowaga has been proceeding with land and easement acquisitions in order to construct this multi-use recreation path, and

WHEREAS, by resolution dated February 28, 2005, this Town Board approved a lease with Norfolk Southern Corporation for a portion of the pathway, and

WHEREAS, in order to further advance the construction of this project, the New York State Department of Transportation stated that, instead of the lease with Norfolk Southern Corporation, it is necessary for the Town to purchase 14 acres of railroad right-of-way from Norfolk Southern Corporation that extends approximately 1.3 miles, beginning at William Street at the southwest to the New York State Thruway, and

WHEREAS, by resolution dated October 17, 2005, this Town Board retained GAR Associates, Inc. to prepare an appraisal of this property so that the Town could negotiate with Norfolk Southern Corporation, and

WHEREAS, said appraisal was completed and the Town Attorney negotiated the purchase of this property with representatives of Norfolk Southern Corporation, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby formally offers Norfolk Southern Corporation the sum of \$130,000 for the aforementioned property, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute a contract with Norfolk Southern Corporation for the purchase of this property for \$130,000, the terms of such contract to be subject to the approval of the Town Attorney, and BE IT FURTHER

RESOLVED, that the approval of this contract is further subject to the approval of a supplemental grant agreement by the New York State Department of Transportation and the Greater Buffalo Niagara Regional Traffic Committee, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is also authorized to execute a Supplemental agreement with the New York State Department of Transportation incorporating this purchase, subject to the approval of Town Attorney, and BE IT FURTHER

RESOLVED, that funding for the purchase of this property shall be appropriated from the Federal funding being provided for this project.

A motion was made by Councilmember Swiatek and seconded by Councilmember Johnson to amend this resolution by adding the words, "subject to approval of the Town Attorney", which amendment was approved. Subsequently, a motion was made by Supervisor Gabryszak to table the resolution, but this motion failed for lack of a second. After further discussion, another motion was made by Councilmember Swiatek, seconded by Councilmember Johnson to eliminate the words "and directed ", and this amendment was also approved. The amended resolution was approved.

RESULT: ADOPTED AS AMENDED [UNANIMOUS]

MOVER: Thomas Johnson Jr., Councilmember

SECONDER: Alice Magierski, Councilmember

AYES: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Magierski, Rogowski

ABSENT: James Jankowiak

4. Adjourn the meeting

✓ Vote Record - Adjourn the meeting						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/>	Adopted	Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Thomas Johnson Jr.	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		Alice Magierski	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Town of Cheektowaga

3301 Broadway

Cheektowaga, NY 14227

Regular Meeting

~ M



Mary F. Holtz

Monday, August 14, 2006 6:45 PM Council Chambers

I. Public Hearings at 6:30 PM

Public Hearing # 1

PUBLIC HEARING 3401 GENESEE STREET

Decision was reserved

✓ Vote Record - Public Hearing #1						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adjourned <input checked="" type="checkbox"/> Closed	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing # 2

PUBLIC HEARING - REHM ROAD

Decision was reserved.

✓ Vote Record - Public Hearing #2						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adjourned <input checked="" type="checkbox"/> Closed	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing # 3

PUBLIC HEARING - 201 YOUNGS ROAD

Decision was reserved.

✓ Vote Record - Public Hearing #3						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adjourned <input checked="" type="checkbox"/> Closed	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Seconder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

II. Call to Order

6:45 PM Meeting called to order on August 14, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Jankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	
Brian Krause	Town of Cheektowaga	Supervising Accountant	Present	
William Pugh	Town of Cheektowaga	Town Engineer	Present	
Thomas Adamczak	Town of Cheektowaga	Supervising Building Inspector	Present	
Anthony Romano	Town of Cheektowaga	Director of Employee Relations	Present	

Jennifer Runfola	Town of Cheektowaga	Deputy Town Attorney	Present	
Thomas Kolbert	Town of Cheektowaga	Town Justice	Present	
Kenneth Kopacz	Town of Cheektowaga	Executive Director of Parks, Recreation and Youth	Present	

III. Public Comment Period

IV. Invocation - Pastor John Carpenter, Evangelical Baptist Church

V. Resolutions



RESOLUTION 2006-394

DOC ID: 1509

Transfer of Funds

Sponsored By: Supervisor Gabryszak, Councilmember Jaworowicz

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

CAPITAL FUND

FROM: 500-1440-4341-5127	Waterline construction	\$ 27,844.66
500-1910-9399-5309	Administrative Expense	1,888.96
500-1910-9399-5311	Administrative Expense	3,238.16
500-1625-9318-5311	Town Wide Telephone	150.00
500-7410-2520-5320	Library	6,244.42
500-1440-4572-5421	Creek Maintenance	5,978.95
500-1910-9399-5421	Administrative Expense	13,900.00
500-7110-9705-5710	Town Hall Equipment	4,715.66

TO: 500-1910-2799-5127	Appropriated Fund Balance	\$ 27,844.66
500-1910-2799-5309	Appropriated Fund Balance	1,888.96
500-1910-2799-5311	Appropriated Fund Balance	3,388.16
500-1910-2799-5320	Appropriated Fund Balance	6,244.42
500-1910-2799-5421	Appropriated Fund Balance	19,878.95
500-1910-2799-5710	Appropriated Fund Balance	4,715.66

HUD CDBG FUND

FROM: 700-1000-0602	Residential Security Improvements	\$ 20,017.60
700-9004-0710	Sloan Recreation Improvements	2,100.00
700-1005-0704	Contingency	900.00
700-1005-0704	Contingency	7,282.00
700-1005-0604	Housing Rehab-Mobile Homes	13,989.88
700-1004-0701	Planning	833.33
700-1003-2300	Temporary Relocation	2,000.00
700-1004-0704	Contingency	1,105.75
700-1003-0684	Fair Housing	1,000.00
700-1006-5000	Removal of Architectural Barriers	30,000.00

TO: 700-1000-0723	Drainage & Sewer Improvements	\$ 20,017.60
700-9004-0900	Sloan Fire Protection Equipment	2,100.00
700-1005-0706	Housing Counseling Services	900.00
700-1005-2412	Recreation Facilities Improvements	7,282.00
700-1005-2412	Recreation Facilities Improvements	13,989.88
700-1004-0606	Disposition	833.33
700-1003-0606	Disposition	2,000.00
700-1004-0606	Disposition	1,105.75
700-1003-0606	Disposition	1,000.00
700-1006-0723	Drainage & Sewer Improvements	30,000.00

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-395

DOC ID: 1504

Warrant

Sponsored By: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to August 11, 2006 are hereby approved and made a part hereof:

GENERAL FUND	\$ 3,234,522.37
RISK RETENTION FUND	105,795.98
DEBT SERVICE FUND	586,186.32
HUD HOUSING REHABILITATION FUND	23,938.25
SPECIAL DISTRICTS FUND	1,103,065.83
HIGHWAY FUND	710,180.06
CAPITAL FUND	202,608.69
TRUST & AGENCY FUND	6,369.41
HUD CDBG FUND	99,649.61
PART TOWN FUND	111,079.80
NYS AFFORDABLE HOUSING FUND	<u>16,791.25</u>
	\$ 6,200,187.57

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



Negative SEQRA Declaration-3529 Broadway

Sponsored By: Rogowski, Johnson Jr., Jaworowicz

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 the Lead Agency, it must affirm, modify or reject any recommendations submitted to it by the EAC, and

WHEREAS, an application was submitted by Michael Serafini, Inc. for the rezoning of 3529 Broadway from M1-Light Manufacturing District to M2-General Manufacturing District for the construction of a 5,632 square foot warehouse building to a contractor's storage facility, and

WHEREAS, the Environmental Advisory Committee, at its meeting held on July 26, 2006, recommended a determination of non significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the requested rezoning at its meeting of January 12, 2006; however, a recommendation was reserved on the site plan, and

WHEREAS, the Town Board has reviewed the application submitted and the recommendations made by the EAC and the Planning Board, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board believes that the subject project will not have a significant effect on the environment, and therefore issues a Negative Declaration for purposes of SEQRA, AND BE IT FURTHER

RESOLVED, that the site plan is accepted subject to:

1. The Town Engineer approving the proposed drainage and grading plan.
2. The discontinuance of all recycling (crushing) of concrete, bituminous or aggregate products by December 31, 2006 consistent with the time frame allowed by the Town of Cheektowaga Zoning Board of Appeals decision dated May 25, 2006;
3. Provide a deed restriction/protective covenant or other legally binding instrument, as promised, which will prohibit any future use of the facility for an adult business, as such term is defined in the Town of Cheektowaga Zoning Law;
4. The Town Planning Board provide a recommendation on the proposed site plan
5. The size of the proposed coniferous trees increase to a minimum of 5 feet in height as required by section 260-51D(7) of the Zoning Law

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Jaworowicz, Thomas Johnson Jr.
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-397

DOC ID: 1511

Negative SEQRA Declaration - 1481 Harlem Road

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

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 Buffalo Conrail Federal Credit Union for the rezoning of part of 1481 Harlem Road for the construction of a parking area accessory to a credit union office at 1481 Harlem Road, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on July 26, 2006 recommended a determination of non-significance as shown on the attached memorandum dated August 3, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of May 11, 2006, AND

WHEREAS, the Town of Cheektowaga Zoning Board of Appeals is reviewing an area variance request for a 380 square foot addition to the existing building, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving the grading and drainage plan.
2. The Zoning Board of Appeals granting the necessary setback variance.

Attachments:	
Pages from EAC-July 26, 2006 minutes	
RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



Approve Rezoning 3529 Broadway

Sponsored By: Rogowski, Johnson Jr., Jaworowicz

WHEREAS, Michael Serafini petitioned for a rezoning from M1-Light Manufacturing District to M2-General Manufacturing District for the construction of a 5,632 square foot building addition to an existing contractor's storage building/office on property owned by him and located at 3529 Broadway, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 27th day of February, 2006 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 Michael Serafini for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing Services District of the property described in the attached legal description be and the same is hereby approved, subject to applicant submitting a drainage and grading plan acceptable to the Town Engineer prior to the issuance of any building permits, and BE IT FURTHER

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

LEGAL DESCRIPTION

All that Tract or Parcel of Land, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot Number ten (10), Township eleven (11), Range seven (7) of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point in the center line of Broadway distant one thousand two hundred eighty-five and ninety-eight hundredths (1285.98) feet easterly from its intersection with the west line of the middle one-third (1/3) part of Lot Number ten (10), said point also being the northeast corner of lands conveyed to Louis A. DiRienzo and Michael A. DiRienzo by deed recorded in the Erie County Clerk's Office in Liber 4597 of Deeds at page 321; thence southerly along the east line of lands conveyed to said DiRienzo three hundred six and two hundredths (306.02) feet to the principal point or place of beginning continuing southerly along the east line of lands conveyed to DiRienzo eight hundred twelve and fifty-four hundredths (812.54) feet to the northerly line of lands conveyed to the Niagara, Lockport & Ontario Power Company by deed recorded in the Erie County Clerk's Office in Liber 3293 of Deeds at page 138; thence easterly along the northerly line of said Power Company's land one hundred seventy-eight and eighty hundredths (178.80) feet to the southwest corner of lands conveyed to Casimer Lerczak and Celia his wife by deed recorded in the Erie County Clerk's Office in Liber 5569 of Deeds at page 502; thence northerly along the west line of lands conveyed to Lerczak seven hundred fifty-five and sixty-two hundredths (755.62) feet; thence westerly parallel with the center line of Broadway one hundred seventy and forty-two hundredths (170.42) feet to the principal point or place of beginning.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Jaworowicz, Thomas Johnson Jr.
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-399

DOC ID: 1492

Rezone 1481 Harlem Road

Sponsored By: Councilmember Magierski, Councilmember Johnson Jr.

WHEREAS, Buffalo Conrail Federal Credit Union petitioned for a rezoning from R-Residence District to C-Retail Business to expand an existing parking area which is accessory to an administrative office on property owned by Edward and Alice Sobolewski and located at 1481 Harlem Road, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of June, 2006 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, at the July 17, 2006 meeting, enacted a resolution (resolution no. 2006-392) purporting to issue a Negative Declaration under SEQRA for the rezoning of 1481 Harlem Road, and approving the rezoning of such property, but said resolution was defective, and

WHEREAS, this Town Board, on August 14, 2006, issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning, NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution (#2006-392) be and hereby is rescinded, and BE IT FURTHER

RESOLVED, that the application of Buffalo Conrail Federal Credit Union for the rezoning from R-Residence District to C-Retail Business District of the property described in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot 72, township 10, range 7 of the Buffalo Creek Reservation and further distinguished as subdivision lots number (6) and (7) as shown on map of William Holland Land Company filed in the Erie County Clerks Office under map cover 1506

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-400

DOC ID: 1486

Award of Bid - Rehabilitation of Sanitary Sewers

Sponsored By: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, bids were duly received on June 21, 2006 as a result of advertisement for the Rehabilitation of Sanitary Sewers in the Town of Cheektowaga Consolidated Sanitary Sewer District, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Rehabilitation of Sanitary Sewers in the Consolidated Sanitary Sewer District within the Town, as per said unit prices and as recommended by the Town Engineer, is hereby awarded to:

New Hope Pipe Liners, LLC
859 Willow Grove Street
Hackettstown, New Jersey 07840

ITEM I	Cleaning	8"	\$2.00
		10"	2.00
		12"	4.00
		15"	4.00
		18"	5.00
		21"	5.00
		24"	8.00
ITEM II	Television	8"	\$2.00/ft
		10"	2.00/ft
		12"	2.00/ft
		15"	2.00/ft
		18"	2.00/ft
		21"	3.00/ft
		24"	3.00/ft
ITEM III	Lining	8"	\$ 34.00
		10"	37.00
		12"	45.00
		15"	65.00
		18"	67.00
		21"	95.00
		24"	118.00
ITEM IV	Lateral Cut-In	8"	\$ 30.00 per lateral
		10"	30.00 per lateral
		12"	35.00 per lateral
		15"	35.00 per lateral
		18"	42.00 per lateral
		21"	65.00 per lateral
		24"	65.00 per lateral
ITEM V	Maintenance and Protection of Traffic		
	Lump Sum		\$5,000.00

AND, BE IT FURTHER

RESOLVED, that the costs for rehabilitation work have been budgeted in Accounts #2550-8125-4438 and #2550-8125-4543.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-401

DOC ID: 1487

~~Award of Bid - 2007 Truck with Vacuum/High Velocity Sewer Cleaner~~

Sponsored By: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, bids were duly received and opened at a public bid opening on June 21, 2006 for the purchase of one (1) new and unused 2007 Truck with Vacuum/High Velocity Sewer Cleaner for the Sewer Maintenance Department, AND

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

WHEREAS, the Village of Sloan has shown an interest in and has committed to matching the low bidder's trade-in value of \$12,500.00 for the 1995 Vacuum/Sewer Cleaner being replaced in the Town Sewer Maintenance Department fleet and has agreed to accept the vehicle upon delivery of the new 2007 Vacuum/High Velocity Sewer Cleaner to the Town, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the purchase of one (1) new and unused 2007 Truck with Vacuum/High Velocity Sewer Cleaner be and hereby is awarded to:

Joe Johnson Equipment (USA) Inc.
77 Oriskany Drive
Tonawanda, New York 14150

for their bid in the amount of \$242,059.00 including options bid, said bid being the lowest meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that funds have been budgeted for the purchase of one (1) Truck with Vacuum/High Velocity Sewer Cleaner in Account #2550-8125-2550, AND, BE IT FURTHER

RESOLVED, that the existing 1995 Vacuum/Sewer Cleaner originally being contemplated for trade-in be retained for future acquisition by the Village of Sloan at a price equivalent to the trade-in offered by the low bidder, following delivery of the new 2007 unit.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-402

DOC ID: 1503

Award of Bid - Primrose Drive & Shirley Drive Storm Sewer Installation/Road Reconstruction

Sponsored By: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, a Notice to Bidders was published for the receipt of bids for Primrose Drive and Shirley Drive Storm Sewer Installation/Road Reconstruction, which bids were duly received and opened on August 2, 2006 at 11:00 A.M. by the Town Clerk, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, NOW, THEREFORE, BE IT

RESOLVED, that the bid for Primrose Drive and Shirley Drive Storm Sewer Installation/Road Reconstruction be and hereby is awarded to Northeast Diversification, Inc., 2 Cadby Industrial Park, Lancaster, New York 14086 for the total bid price of \$170,222.00, being the lowest bid meeting the requirements of the specifications for Bid Items A, B & C, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Northeast Diversification, Inc. for the aforesaid project, AND, BE IT FURTHER

RESOLVED, that funding for said project shall be funded with budgeted C.D.B.G. funds, AND, BE IT FURTHER

RESOLVED, that said award shall be contingent upon receipt of Release of Funds from the U.S. Department of Housing and Urban Development.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-403

DOC ID: 1510

Call for Public Hearing - Part of 2819 William Street

Sponsored By: Councilmember Magierski, Councilmember Johnson Jr.

WHEREAS, Reliance Financial Group has made application and requested the rezoning of part of 2819 William Street from R- Residence to NS- Neighborhood Services for a parking area expansion, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on September 11, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 11th day of September, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

Reliance Financial Group

for the rezoning of a part of 2819 William Street from R- Residence to NS- Neighborhood Services for a parking area expansion.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY
Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 67, Township 10, Range 7 of the Buffalo Creek Reservation Survey, bounded and described as follows:

Beginning at the intersection of the easterly line of Ceil Drive and the southerly line of William Street as widened by New York State Appropriation per deed filed in the Erie County Clerk's Office in Liber 4080 of deeds at Page 467, Map 283, Parcel 283;
Thence southerly along the easterly line of said Ceil Drive, at a bearing of S 02°00'21" W, a distance of 196.65 feet to the True point and place of beginning;
Thence easterly along a line being parallel with the centerline of William Street as a 66 foot road, and at a bearing of S 87°09'39" E, a distance of 115.89 feet to a point;
Thence southerly along a line being parallel with the easterly line of said Ceil Drive, and at a bearing of S 02°00'21" W, a distance of 25.98 feet to a point;
Thence westerly along a line being parallel with the centerline of William Street as a 66 foot road, and at a bearing of N 87°09'39" W, a distance of 115.89 feet to a point on the easterly line of said Ceil Drive;
Thence northerly along the easterly line of said Ceil Drive, at a bearing of N 02°00'21" E, a distance of 25.98 feet to the True point and place of beginning.

This parcel of land containing 0.07 acres more or less.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-404

DOC ID: 1482

~~One (1) New and Unused 2006 Model, Truck Mounted Vacuum/Broom Type Street Sweeper~~

Sponsored By: Councilmember Jaworowicz, Councilmember Johnson Jr.

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice To Bidders for the purchase of One (1), New and Unused 2006 Model, Truck Mounted Vacuum/Broom Type Street Sweeper by the Cheektowaga Highway Department.

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

RESOLVED, the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, August 30, 2006, at 11:00 AM, in the Council Chamber of the Cheektowaga Town Hall.

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT
LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town of Cheektowaga Highway Department will receive bids for the purchase of One (1) New And Unused 2006 Model, Truck Mounted Vacuum/Broom Type Street Sweeper for use by the Highway Department of the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on August 30, 2006 at 11:00 A.M.

Information for bidders and specifications may be obtained from the Office of Mary Holtz, Town Clerk of The Town of Cheektowaga at the Cheektowaga Town Hall, Cheektowaga, NY 14227. Bids must be enclosed in an opaque envelope plainly marked ONE (1) NEW AND UNUSED 2006 MODEL, TRUCK MOUNTED VACUUM/BROOM TYPE STREET SWEEPER.

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

Mary Holtz, TOWN CLERK

DATE:

PUBLISHED:

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Patricia Jaworowicz, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-405

DOC ID: 1479

3325 Genesee Street/ Open Burning

Sponsored By: Supervisor Gabryszak, Councilmember Jankowiak

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

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

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

WHEREAS, an application for a permit was submitted by the New Creation Fellowship to conduct an open fire on August 6, 2006 on the property located at 3325 Genesee Street, Cheektowaga, New York AND

WHEREAS, the applicant intends to maintain a small bonfire with the assistance of the U-Crest Fire Department in conjunction with summer youth activities, AND

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

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

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-406

DOC ID: 1507

Street Light Installation - Genesee Street

Sponsored By: Councilmember Johnson Jr., Councilmember Jankowiak

WHEREAS, as part of the ongoing NYSDOT Highway Reconstruction Project for Genesee Street from the Dick Road/Cayuga Road intersection to the east entrance drive to the Buffalo Niagara International Airport, identified as PIN 5512.39.101, street lighting facilities are being installed in accordance with a Public Utility Work Agreement HC-140 previously approved by Town Board Resolution dated November 17, 2003, NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to connect seven (7) 250 watt and five (5) 400 watt high pressure sodium luminaries under Service Classification No. 2 associated with the aforesaid NYSDOT Project at an annual increase to the Town's General Lighting District of \$770.02 in accordance with the attached New York State Electric & Gas proposal dated August 8, 2006, which is hereby made a part of this resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



Harlem Road Lighting Betterment

Sponsored By: Gabryszak, Johnson Jr., Rogowski, Magierski

WHEREAS, the New York State Department of Transportation (NYSDOT) proposes the Fall 2006 letting for the reconstruction of Harlem Road from Genesee Street to Yorktown Road (Town of Amherst), identified as PIN 5268.32.123, AND

WHEREAS, the Town of Cheektowaga has been working collaboratively with the Town of Amherst for the past several years through an initiative of the Harlem Kensington Cleveland(HKC) Task Force and in conjunction with the HKC Community Association and the HKC Business Association to plan for the redevelopment of the Harlem Road Business District, AND

WHEREAS, as part of the redevelopment plan for Harlem Road both communities believe that it is important to create a uniform identity for this aging business corridor and with the assistance of NYSDOT unique design features will be added to the highway project to further enhance the road corridor, which include traffic round -a-bouts, decorative sidewalks, masonry walls and street trees, AND

WHEREAS, NYSDOT has also agreed to fund and provide new street lighting within their highway project, AND

WHEREAS, the street lighting that NYSDOT will be funding is not decorative in design, AND

WHEREAS, the HKC Business Association and the HKC Community Association believe that decorative street lighting is a vital component to the overall road corridor design, AND

WHEREAS, NYSDOT will agree to incorporate decorative street lighting into the highway project if the Town of Cheektowaga and the Town of Amherst agree to pay for the betterment as allowed pursuant to Subdivision 27 of Section 10 of the State Highway Law, AND

WHEREAS, the Town of Amherst has committed to funding their portion of the lighting betterment, AND

WHEREAS, the Town of Cheektowaga also believes that the lighting betterment is an important component to the Harlem Road redevelopment project and will also commit to funding the betterment through its highway lighting budget, AND

WHEREAS, the NYS Assembly through Assembly Leader Tokasz, has expressed a desire to find financial assistance to offset the Town of Cheektowaga's cost of this betterment, NOW THEREFORE BE IT

RESOLVED, that said funds shall be appropriated from the General Lighting District budget, which budget shall be reimbursed with any funding provided by Assemblyman Paul A. Tokasz, AND BE IT FURTHER

RESOLVED, that the Town agrees to deposit with the Comptroller of the State of New York, funding in the amount of \$137,923.00 to finance the cost of the street lighting betterment, AND BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed, on behalf of this Town Board, to sign the Public Utility Work Agreement HC-140 submitted by the New York State Department of Transportation (betterment) for the aforesaid project.

Motion by Councilmember Rogowski, seconded by Councilmember Magierski to table this resolution.

RESULT: TABLED [UNANIMOUS]

MOVER: Dennis Gabryszak, James Rogowski

SECONDER: Thomas Johnson Jr., Alice Magierski

AYES: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



63 Sprucewood-Unsafe/Unsecured

Sponsored By: Councilmember Magierski, Councilmember Jaworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 63 Sprucewood Drive, Cheektowaga, New York SBL# 125.11-4-16 that is a danger to the safety of others, and records kept by the Assessors Office identify Sharon Baginski, 63 Sprucewood Drive, Cheektowaga, New York 14227, as the owner AND

WHEREAS, an inspection of such premises was conducted on 63 Sprucewood Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-409

DOC ID: 1480

64 Yeager Drive / Unsafe-Unsecure

Sponsored By: Councilmember Magierski, Councilmember Jaworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 64 Yeager Drive, Cheektowaga, New York SBL# 80.20-16-63 that is a danger to the safety of others, and records kept by the Assessors Office identify Joseph Trowbridge, 64 Yeager Drive, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted on 64 Yeager Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-410

DOC ID: 1493

79E Windwood - Unsafe/Unsecured

Sponsored By: Magierski, Jaworowicz, Johnson Jr.

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State; and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 79 E Windwood Court, Cheektowaga, New York SBL# 91.14-2-6 that is a danger to the safety of others, and records kept by the Assessors Office identify Donato Ciminelli, 11580 Walden Avenue, Alden, New York 14004, as the owner AND

WHEREAS, an inspection of such premises was conducted on 79 E Windwood Court, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 70-7A.(5) and Section 70-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated; and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	Patricia Jaworowicz, Thomas Johnson Jr.
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



PR&YS Program Fees 2006

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

BE IT RESOLVED that the following program fees be and hereby are established in the Department of Parks, Recreation & Youth Services:

FEE IN (\$0.00) DENOTE 2005 FEES

RESIDENT DISCOUNT CARDS

CHILDREN (7 - 15 YEARS OF AGE)		\$5.00	(\$5)
ADULT (16 - 59 YEARS OF AGE)		\$7.00	(\$7)
SENIORS (60 YEARS OF AGE AND OLDER)		FREE	(FREE)

CAMP DARTWOOD

SUMMER	RESIDENT	NON-RESIDENT
PER CHILD ALL 6 WEEKS	\$524 (\$514)	\$625 (\$613)
PER CHILD WEEKLY	\$ 96 (\$ 94)	\$115 (\$112)
SECOND CHILD ALL 6 WEEKS	\$510 (\$500)	\$610 (\$599)
SECOND CHILD WEEKLY	\$ 94 (\$ 92)	\$109 (\$106)
THREE (3) DAYS PER WEEK	\$ 82 (\$ 80)	UNAVAILABLE

CAMP FLAMINGO

SUMMER	RESIDENT	NON-RESIDENT
PER CHILD ALL 6 WEEKS	\$524 (\$514)	\$625 (\$613)
PER CHILD WEEKLY	\$ 96 (\$ 94)	\$115 (\$112)
SECOND CHILD ALL 6 WEEKS	\$510 (\$500)	\$610 (\$582)
SECOND CHILD WEEKLY	\$ 94 (\$ 92)	\$109 (\$106)
THREE (3) DAYS PER WEEK	\$ 82 (\$ 80)	UNAVAILABLE

CAMP JI-IK-DO-WAH-GAH

SUMMER	RESIDENT	NON-RESIDENT
PER CHILD ALL 6 WEEKS	\$512 (\$499)	\$625 (\$613)
PER CHILD WEEKLY	\$ 96 (\$ 94)	\$115 (\$112)
SECOND CHILD ALL 6 WEEKS	\$495 (\$480)	\$610 (\$599)
SECOND CHILD WEEKLY	\$ 94 (\$ 92)	\$109 (\$106)
THREE (3) DAYS PER WEEK	\$ 82 (\$ 80)	UNAVAILABLE

CAMP CRABAPPLE

SUMMER	RESIDENT	NON-RESIDENT
PER CHILD ALL 6 WEEKS	\$450 (\$440)	\$625 (\$613)
PER CHILD WEEKLY	\$ 96 (\$ 94)	\$115 (\$112)
SECOND CHILD ALL 6 WEEKS	\$430 (\$420)	\$610 (\$599)
SECOND CHILD WEEKLY	\$ 94 (\$ 92)	\$109 (\$106)
THREE (3) DAYS PER WEEK	\$ 82 (\$ 80)	UNAVAILABLE

ADAPTED RECREATION PROGRAM

OCTOBER - APRIL	RESIDENT \$153	NON-RESIDENT \$185
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SPECIAL OLYMPICS

\$ 25	\$ 25
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TINY TOTS

SUMMER	RESIDENT	NON-RESIDENT
PER CHILD	\$43 (\$38)	\$53 (\$48)
SECOND CHILD	\$38 (\$35)	\$48 (\$45)

THREE TO GET READY

SUMMER	RESIDENT	NON-RESIDENT
PER CHILD	\$43 (\$34)	\$53 (\$44)
SECOND CHILD	\$38 (\$31)	\$48 (\$41)

GYMNASTICS

SUMMER 2 DAY (M/W)	RESIDENT	NON-RESIDENT
PER CHILD	\$60 (\$47)	\$70 (\$57)
SECOND CHILD	\$55 (\$42)	\$65 (\$52)

SUMMER 2 DAY (T-TH)	RESIDENT	NON-RESIDENT
PER CHILD	\$60 (\$51)	\$70 (\$61)
SECOND CHILD	\$55 (\$46)	\$65 (\$56)

TINY TUMBLERS

SUMMER 3/4YR OLD 1 DAY PER CHILD SECOND CHILD	RESIDENT \$25 (\$25) \$20 (\$20)	NON-RESIDENT \$35 (\$35) \$30 (\$30)
FRIDAY GYMNASTICS SUMMER PER CHILD SECOND CHILD	RESIDENT \$25 (\$23) \$20 (\$18)	NON-RESIDENT \$35 (\$33) \$30 (\$28)
ADVANCED I GYMNASTICS SUMMER PER CHILD SECOND CHILD	RESIDENT \$70 (\$55) \$65 (\$50)	NON-RESIDENT \$80 (\$65) \$75 (\$60)
ADVANCED II GYMNASTICS SUMMER PER CHILD SECOND CHILD	RESIDENT \$70 (\$63) \$65 (\$58)	NON-RESIDENT \$80 (\$73) \$75 (\$68)
INTRO TO ADVANCED GYMNASTICS PER CHILD SECOND CHILD	\$70 (\$55) \$65 (\$50)	\$80 (\$65) \$75 (\$60)
ADVANCED GYMNASTICS PRACTICES (per class)	\$ 5 (\$ 3)	\$ 5 (\$ 3)
AEROBICS YEAR ROUND PER CLASS	RESIDENT \$2 (\$2)	NON-RESIDENT \$3 (\$3)
ADULT EXERCISE	\$100 -	-
SWIMMING SUMMER	RESIDENT	NON-RESIDENT
YOUTH SECOND CHILD	\$32 (\$27) \$29 (\$24)	\$42 (\$37) \$39 (\$33)
PARENT/INFANT SECOND CHILD	\$22 - \$19 -	\$32 - \$29 -
TODDLER SECOND CHILD	\$22 (\$17) \$19 (\$14)	\$32 (\$27) \$29 (\$24)
WATER WALKING	\$24 (\$19)	\$34 (\$29)
ADULT 2 nd ADULT	\$29 (\$24) \$26	\$39 (\$34) \$36
WATER SLIDE	\$ 1 (\$ 1)	\$ 1 (\$ 1)
DAILY USER FEE (Maryvale/ Dingens)	\$ 1 (\$ 1)	\$ 2 (\$ 2)
DAILY USER FEE (Town Pool)	\$ 2 (\$ 2)	\$ 4 (\$ 4)
FALL/ WINTER YOUTH SECOND CHILD OPEN FAMILY (LESS DAYS)	\$32 (\$23) \$29 (\$19) \$32 (\$27)	\$42 (\$33) \$39 (\$29) \$42 (\$41)
LIFEGUARD TRAINING	\$137	\$177
Pool utilization for instructional groups will be charged \$30 per hour for 10 or less patrons. Five dollars more will be charged for every person above 10 in number. Rental availability subject to approval by the Pool Director.		
INSTRUCTIONAL TENNIS SUMMER YOUTH ADULT	RESIDENT \$31 (\$25) \$31 (\$25)	NON-RESIDENT \$41 (\$35) \$41 (\$35)
WEE THREE-TWICE THE FUN FALL/ WINTER/SPRING PER CHILD SECOND CHILD	RESIDENT \$275 \$250	NON-RESIDENT \$295 \$270
TEA TIME FOR TWO FALL WINTER PER CHILD SECOND CHILD	RESIDENT \$60 (\$46) \$55 (\$41)	NON-RESIDENT \$70 (\$56) \$65 (\$51)
PRE K 2004-2005 SEPT-MAY	RESIDENT	NON-RESIDENT

THREE DAYS

PAID IN FULL AT REGISTRATION	\$511	(\$473)	\$571	(\$528)
MONTHLY INSTALLMENTS	\$531	(\$246.50)	\$591	(\$274)
2 ND CHILD	\$491		\$551	

TWO DAY 2 1/2 HRS

PAID IN FULL AT REGISTRATION	\$442	(\$399)	\$492	(\$449)
MONTHLY INSTALLMENTS	\$462	(\$209.50)	\$512	(\$234.50)
2 ND CHILD	\$422		\$472	

PUBLIC SKATE

FALL/WINTER	RESIDENT	NON-RESIDENT
GENERAL ADMISSION	\$4	(\$ 4)

W/ RESIDENT DISCOUNT CARD

CHILDREN 3 AND UNDER	FREE	(FREE)
CHILDREN 4 TO 15	\$2	(\$2)
ADULTS 16 AND UP	\$3	(\$3)
SENIOR CITIZENS	\$2	(\$2)

SKATE RENTAL	\$2	(\$2)
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BIRTHDAY PARTIES	\$7.50 PER PERSON	(\$6)
SCHOOL TIME SKATES	\$4.00 PER PERSON	(\$3)

LEARN TO SKATE

FALL/ WINTER	RESIDENT	NON-RESIDENT
PER INDIVIDUAL	\$49 (\$48)	\$69 (\$68)

ICE HOCKEY

FALL/ WINTER	RESIDENT	TRAVEL	NON-RESIDENT	TRAVEL
	HOUSE		HOUSE	
NOVICE	\$283(\$283)	N/A	\$458(\$458)	N/A
MITE	\$323(\$323)	\$438(\$438)	\$508(\$508)	\$623(\$623)
SQUIRT	\$373(\$373)	\$488(\$488)	\$558(\$558)	\$673(\$673)
PEE WEE	\$423(\$423)	\$538(\$538)	\$608(\$608)	\$723(\$723)
BANTAM	\$473(\$473)	\$588(\$588)	\$658(\$658)	\$773(\$773)
MIDGET	\$543(\$543)	\$443(\$443)	\$708(\$708)	\$628(\$628)

- ALL COACHES WILL RECEIVE A \$30.00 REDUCTION FOR ONE CHILD
- SECOND CHILD ENROLLED FROM A FAMILY \$30.00 REDUCTION
- THIRD CHILD ENROLLED FROM A FAMILY \$70.00 REDUCTION
- 2006 - 2007 TRAVEL TRY-OUT FEE \$7.00 EACH TRY OUT
- THERE WILL BE A \$50.00 LATE FEE FOR ANYONE NOT PAID IN FULL BY 10/15/06

ICE RENTALS

FALL/ WINTER	PRIME TIME	\$139	(\$124)	5:00pm-11:00pm
PER HOUR			M-F	
			All day Sat and Sun	
	NON-PRIME	\$119	(\$103)	8:00am- 5:00pm
			M-F	

SPORT COURT RENTALS

PER HOUR	\$65	(\$55)
PER HOUR AND HALF	\$85	(\$75)
PER 2 HOURS	\$100	(\$90)

INLINE HOCKEY

SUMMER	RESIDENT	NON-RESIDENT
YOUTH PARTICIPANT	\$ 89 (\$89)	\$119 (\$119)
ADULT / MIDGET TEAM	\$840	EACH <u>NON-RESIDENT</u> \$15
	ADDITIONAL	

ADULT / MIDGET INLINE TEAMS ARE RESPONSIBLE FOR PAYMENT OF REFEREES PRIOR TO THE START OF EACH GAME

FLOOR HOCKEY

YOUTH PARTICIPANT	RESIDENT	NON-RESIDENT
	\$ 55	\$ 70

ADULT/ MIDGET TEAM \$ 550 EACH NON-RESIDENT \$15 ADDITIONAL

** ADULT/MIDGET FLOOR HOCKEY TEAMS ARE RESPONSIBLE FOR PAYMENT OF REFEREES PRIOR TO THE START OF EACH GAME**

YOUTH SOCCER

SUMMER	RESIDENT	NON-RESIDENT
CHILD	\$ 53	(\$51) \$69 (\$65)

ADULT, JUNIORS, MIDGET \$450 PER TEAM
 EACH NON RESIDENT PAYS \$15 ADDITIONAL
 (ADULT, JUNIORS AND MIDGET TEAMS PAY THE REFEREE FEES PRIOR TO THE START OF THE GAME)

ALL STAR-ALL SPORTS	\$ 30	(\$30)	\$ 40	(\$40)		
START SMART SOCCER	\$ 43	(\$43)			\$ 58	(\$58)
START SMART BASEBALL	\$ 48	(\$48)	\$ 58	(\$58)		
START SMART BASKETBALL	\$ 48	(\$48)	\$ 58	(\$58)		
 YOUTH BASKETBALL						
FALL/ WINTER			RESIDENT		NON-RESIDENT	
PER PARTICIPANT			\$30	(\$28)	\$40	(\$38)
 ADULT BASKETBALL						
PER TEAM			\$75	(\$75)		
HIGH SCHOOL BASKETBALL (summer)	\$50	(\$50)				
 VOLLEYBALL (teams pay referee fees each week)						
FALL/ WINTER			\$200 PER TEAM			
INDOOR			SATURDAYS			
			THURSDAY AND FRIDAY			
MINI-SESSION					12 SEPT-DEC	
INDOOR			\$75	(\$75)	18 JAN-APRIL	
			NON-RESIDENTS AFTER 4 - PER TEAM \$10.00 EACH			
SUMMER						
OUTDOOR			\$75	(\$75)		
 DIAMOND PERMITS						
SUMMER (per 2 hour time block)			RESIDENT		NON-RESIDENT	NO LIGHTS
\$50 (\$45)	\$70	(\$65)				
LIGHTS			\$80	(\$75)	\$95	(\$90)
13 WEEK SERIES						
NO LIGHTS			\$450	(\$425)	\$675	(\$650)
LIGHTS			\$750	(\$725)	\$925	(\$900)
Additional games added to 13-week series are charged at the regular 2-hour Block rate.						
 SOCCER / FOOTBALL FIELD RENTAL						
PER TWO HOUR TIME BLOCK			RESIDENT		NON-RESIDENT	
			\$60	(\$60)	\$75	(\$75)
 VOLLEYBALL COURT RENTAL						
1 COURT PER TWO HOUR BLOCK	\$55	(\$50)	RESIDENT		NON-RESIDENT	
					\$70	(\$70)
 ADULT SOFTBALL LEAGUES						
SUMMER			LEAGUE		FRANCHISE FEE	
			COED		\$315	(\$315)
			WOMEN'S		\$315	(\$315)
			MEN'S LEISURE		\$315	(\$315)
			MEN'S OVER 40		\$315	(\$310)
			OPEN MEN'S		\$490	(\$490)

**ALL NON-RESIDENTS MUST PAY \$20.00 ADDITIONAL

**BUSINESS TEAMS (BUSINESSES WITHIN THE TOWN), ALL PLAYERS MUST WORK FOR THAT BUSINESS, \$305 (\$355). THIS INCLUDES THE FIRST 11 ON THE ROSTER. NON-RESIDENTS AFTER 11 MUST PAY \$20 EACH.

**ALL TEAMS ARE RESPONSIBLE FOR PAYING THE UMPIRES EACH WEEK

**THE \$15 ASA FEE WILL BE INCLUDED WITH THE REGISTRATION FEE

SUMMER TEEN PROGRAM						
WEEKLY			RESIDENTS		NON-RESIDENTS	
ONE CHILD			\$101	(\$95)	\$120	(\$109)
SECOND CHILD	\$96	(\$90)			\$116	(\$100)
 6 WEEKS						
ONE CHILD			RESIDENTS		NON-RESIDENTS	
SECOND CHILD	\$571	(\$540)	\$601	(\$570)	\$715	(\$630)

*FIRST WEEK ONLY - one child \$94 109 \$113

*3 day week

CULTURAL CENTER (BAND SHELL) LOCATED IN TOWN PARK

THE RENTAL FEE IS FOR FOUR HOURS ANY TIME PRIOR TO OR AFTER THE SPECIFIED RENTAL TIME THE RENTER IS RESPONSIBLE FOR THE COSTS OF KEEPING STAFF ON

RESIDENTS

\$400 for a four hour period Additional hours before or after the specified rental time will be billed at \$125 per hour.

NON-RESIDENTS

\$800 for a four hour period Additional hours before or after the specified rental time will be billed at \$195 per hour.

Motion by Councilmember Jankowiak, seconded to Councilmember Jaworowicz to suspend reading the fees for PRY & S Programs on this resolution, and the motion was approved.

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: James Jankowiak, Councilmember

SECONDER: Dennis Gabryszak, Supervisor

AYES: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-412

DOC ID: 1512

Request to Appoint Drug Court Judge

Sponsored By: Councilmember Rogowski, Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga has been operating a Drug Court through the Town Justice Court to give non-violent substance-abusing offenders an opportunity to reduce or eliminate criminal justice sanctions if they are successful in completing treatment, and

WHEREAS, said Drug Court has been operating under a grant from the New York State Division of Criminal Justice Services, and

WHEREAS, the late Honorable Ronald E. Kmiotek was the Town Justice in charge of such drug court since its inception in the Town, and

WHEREAS, the Honorable Thomas S. Kolbert has indicated a willingness to take over the responsibilities for the Drug Court operations, and

WHEREAS, this Town Board is appreciative that the Honorable Thomas S. Kolbert will continue the work of the Town Drug Court, and

WHEREAS, the Town Justice Court has been informed that the Administrative Judge for the 8th Judicial District and/or the Office of Court Administration must consent to the designation of the Town Justice to be in charge of the Drug Court, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby recommends that the Honorable Thomas S. Kolbert, Cheektowaga Town Justice, be designated as the Town Justice in charge of the Town's Drug Court, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to send a certified copy of this resolution to the New York State Division of Criminal Justice Services and to the Administrative Judge for the 8th Judicial District.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-413

DOC ID: 1513

~~Memorialize NYS Legislature to Override Governor's Veto and to Enact Veterans Bill~~

Sponsored By: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, prior to 2005, the Erie County Office of Veterans' Services was a separate agency of Erie County, and

WHEREAS, in 2005, the Erie County Executive consolidated numerous offices, including the Office of Veterans' Services, into one office named the Office of Public Advocacy, and

WHEREAS, prior to the merger, the Erie County Office of Veterans' Services received, on the average, 80 telephone calls per day and 100 letters per week, and

WHEREAS, as a result of this merger, the time for responding to service members (including those returning home from combat duty and those who previously served during other military eras) has been jeopardized, and

WHEREAS, bills were submitted in the State Senate (S.6963-B) and Assembly (A.10236-B) which would require that a local office of a county veterans' service agency, in counties having a population of 300,000 or more, occupy office space that is separate from any other public or private entity; and that such office shall be staffed by at least one full time employee, and

WHEREAS, the Erie County Veterans' Task Force unanimously supported such bill, and

WHEREAS, the Erie County Legislature enacted a resolution requesting the approval of such legislation, and

WHEREAS, such bill was passed in the Assembly (142 to 1) and the Senate (58 to 0), but Governor George Pataki vetoed such bill on July 26, 2006, and

WHEREAS, this Board supports the legislation which was proposed by the aforementioned Senate and Assembly bills, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the New York State Senate and Assembly to reintroduce the aforementioned bills (or to override the Governor's veto, if possible), and for Governor George Pataki to sign same into law in the next legislative session, and BE IT FURTHER

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-414

DOC ID: 1515

Approve Special Events Application

Sponsored By: Councilmember Jaworowicz, Councilmember Rogowski

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

WHEREAS, Life Transitions Center (Perinatal Bereavement) has made application to hold a ceremonial "walk" (to remember babies families have lost) in Cheektowaga Town Park on October 8, 2006 from 9:00 A.M. to 3:00 P.M.; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Life Transitions Center for the aforementioned ceremonial "walk" in Cheektowaga Town Park to be held on October 8, 2006; and be it further

RESOLVED, that approval of said application is contingent upon payment of any fees required for use of Town Park or the Pavilion at Town Park.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Patricia Jaworowicz, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-415

DOC ID: 1481

Renew Ambulance Driver/Attendant Licensee

Sponsored By: Councilmember Jankowiak, 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 list below 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.

NAME	ADDRESS	EXPIRATION DATE
James H. Bauld	517 Harlem Road, Upper, West Seneca, NY 14224	3/31/2009

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-416

DOC ID: 1477

Prvs Terminations

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effective as indicated (seasonal/regular part-time/part-time):

- Christopher Spencer - 14043
6/2/06
- Craig Mahalic - 14206
8/18/05
- Justin Lelonek - 14227
4/14/06
- Amy Hawrysiak - 14225
7/19/06

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-417

DOC ID: 1489

Hire/Terminate/Amend Part-Time/Seasonal Employees

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT - Laborer - \$7.50/hour
Jill M. Wagner, Cheektowaga, NY
Effective 8/07/06

POLICE DEPARTMENT - Detention Officer - \$14.25/hour
Steven D. Pundt, Cheektowaga, NY
Effective 7/18/06

BE IT RESOLVED, that the following **PART-TIME EMPLOYEE** be transferred as follows:

FROM RECORDS CENTER - Clerk (SARA Grant) - \$10/hour to Clerk - \$7.25/hour
Meghan B. Hannel, Cheektowaga, NY
Effective 8/01/06

BE IT RESOLVED, that the following **PART-TIME EMPLOYEES** be adjusted accordingly:

POLICE DEPARTMENT - Detention Officer - \$14.00/hour to \$14.25/hour
Mark Collett, Cheektowaga, NY
Effective 7/18/06

PARKS DIVISION - Laborer - \$7.25/hour to \$7.75/hour
Thomas Krawczyk, Cheektowaga, NY
Effective 4/05/06

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

POLICE DEPARTMENT
John T. Jones, Effective 8/02/06
Mark Collett, Effective 7/20/06

ACCOUNTING DEPARTMENT
Matthew Adams, Effective 7/22/06

SANITATION DEPARTMENT
Robert Vesona, Effective 8/05/06

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-418

DOC ID: 1496

~~Transfer Clerk Typist (Temporary) (Police Department) to Clerk (Part Time) (Police Department) -
Joan H. Krakowiak~~

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, by resolution this Town Board appointed Joan H. Krakowiak to the temporary position of Clerk Typist in the Police Department; AND

WHEREAS, the permanent Clerk Typist, Cheryl Witt, has returned to duty; NOW, THEREFORE, BE IT

RESOLVED, that Joan H. Krakowiak of Depew, New York, be and hereby is appointed to the part-time position of Clerk in the Police Department at the hourly rate of \$6.75 effective August 1, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-419

DOC ID: 1490

Amend Appointment Date of Police Officers (Jeffrey M. Schmidt, Matthew J. Arnold, John J. Jones, Jr., and Anthony Nazzarett)

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, Jeffrey M. Schmidt, Matthew J. Arnold, John J. Jones, Jr., and Anthony Nazzarett, all of Cheektowaga, New York, were appointed to the position of Police Officer effective July 17, 2006; AND

WHEREAS, the appointment date of these Police Officers must be amended; NOW, THEREFORE, BE IT

RESOLVED, that Jeffrey M. Schmidt, Matthew J. Arnold, John J. Jones, Jr., and Anthony Nazzarett, all of Cheektowaga, New York, be and hereby are appointed to the position of Police Officer effective August 3, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-420

DOC ID: 1485

Appointments/Reappointment to Youth Board

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS the Constitution and By-Laws of the Cheektowaga Youth Board allow for up to three (3) one-year reappointments for members; and

WHEREAS Deborah Ruh has expressed interest in continuing to serve on the voluntary board; and

WHEREAS vacancies currently exist on the Cheektowaga Youth Board; and

WHEREAS Gregory Tierney, Nicole Habermehl, Jessica Stechenfinger and Nicole Scherrer have expressed interest in serving on the voluntary board; NOW THEREFORE, BE IT

RESOLVED that Deborah Ruh be and, hereby, is reappointed to the Cheektowaga Youth Board, for an additional one-year term with an expiration date of May 31, 2007; and BE IT

FURTHER RESOLVED that Gregory Tierney, Nicole Habermehl, Jessica Stechenfinger and Nicole Scherrer be and, hereby, are appointed to the Cheektowaga Youth Board for full three year terms, effective this date and expiring on August 13, 2009.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-421

DOC ID: 1495

~~Appointment of Records Inventory Clerk (Records Center) (Temporary/Competitive) Deanna M. Schugardt~~

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, a temporary vacancy currently exists in the title of Records Inventory Clerk in the Records Center; 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 in existence for said title; AND

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

WHEREAS, Deanna Schugardt, currently employed as a part-time Clerk in the Records Center, appears on said civil service list and meets all the necessary qualifications for temporary appointment; NOW, THEREFORE BE IT

RESOLVED, that Deanna Schugardt of Cheektowaga, New York, be and hereby is appointed to the temporary position of Records Inventory Clerk in the Records Center, in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective August 1, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-422

DOC ID: 1500

~~Appointment of Laborer (Permanent) (Sanitation Department) (Shawn D. Surdej)~~

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department; AND

WHEREAS, Shawn D. Surdej, currently employed as a Motor Equipment Operator - B in the Sanitation Department, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Shawn D. Surdej of Sloan, New York, be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective August 15, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-423

DOC ID: 1502

~~Appointment of Laborer (Permanent) (Sanitation Department) (Gregory S. Gaczewski)~~

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Laborer in the Sanitation Department; AND

WHEREAS, Gregory S. Gaczewski, currently employed as a Motor Equipment Operator - B in the Sanitation Department, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Gregory S. Gaczewski of Cheektowaga, New York, be and hereby is appointed to the position of Laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective August 15, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-424

DOC ID: 1501

Appointment of Motor Equipment Operator - B (Sanitation Department) (Permanent) (Robert Malicki)

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Motor Equipment Operator - B in the Sanitation Department; AND

WHEREAS, Robert Malicki, currently employed as a Laborer in the Sanitation Department, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Robert Malicki of Cheektowaga, New York, be and hereby is appointed to the position of Motor Equipment Operator - B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective August 15, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-425

DOC ID: 1508

Appointment of Senior Sewer Maintenance Worker (Sewer Maintenance Division) (Permanent) Joseph F. Cartenuto

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, a vacancy exists in the title of Senior Sewer Maintenance Worker in the Sewer Maintenance Division; AND

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

WHEREAS, Joseph F. Cartenuto, currently employed as a Working Crew Chief in the Sewer Maintenance Division, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Joseph F. Cartenuto of Cheektowaga, New York, be and hereby is appointed to the position of Senior Sewer Maintenance Worker in the Sewer Maintenance Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective August 15, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-426

DOC ID: 1506

~~Appointment of Working Crew Chief (Permanent) (Sewer Maintenance) Mark C. Bessing~~

Sponsored By: Jankowiak, Gabryszak, Johnson Jr.

WHEREAS, a vacancy exists in the position of Working Crew Chief in Sewer Maintenance; AND

WHEREAS, notice of said vacancies have been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit; AND

WHEREAS, Mark C. Bessing, currently employed as a Senior Sewer Maintenance Worker in the Sewer Maintenance Department, bid on said vacancy and meets the necessary qualifications; NOW, THEREFORE BE IT

RESOLVED, that Mark C. Bessing of Cheektowaga, New York, be and hereby is appointed to the position of Working Crew Chief in the Sewer Maintenance Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective August 15, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Thomas Johnson Jr.
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-427

DOC ID: 1448 B

Appointment of Auto Mechanics (2) (Permanent) Central Garage (Kevin Gozdziaak and Marc Slazak)

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, two (2) vacancies exist in the title of Automotive Mechanic in the Central Garage; AND

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

WHEREAS, Kevin Gozdziaak and Marc R. Slazak, have applied for said vacancies and meet the necessary qualifications; NOW, THEREFORE, BE IT

RESOLVED, that Kevin Gozdziaak of Cheektowaga, New York, be and hereby is appointed to the position of Automotive Mechanic in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective August 21, 2006; AND, BE IT FURTHER

RESOLVED, that Marc R. Slazak of Cheektowaga, New York, be and hereby is appointed to the position of Automotive Mechanic in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective August 29, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-428

DOC ID: 1498

~~Travel Authorization Community Development “CPD Performance Measurement Regional Grantee Training Session” August 23-24, 2006, Pittsburgh, Pennsylvania - Director of Community Development Jerome J. Gabryszak~~

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, “CPD Performance Measurement Regional Grantee Training Session” is being held in Pittsburgh, Pennsylvania from August 23-24, 2006; AND

WHEREAS, Director of Community Development Jerome J. Gabryszak has requested authorization to attend said training; AND

WHEREAS, Mr. Gabryszak has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$565; AND

WHEREAS, these expenses have been budgeted by the Office of Community Development; NOW, THEREFORE, BE IT

RESOLVED, that Director of Community Development Jerome J. Gabryszak be and hereby is authorized to attend “CPD Performance Measurement Regional Grantee Training Session” being held in Pittsburgh, Pennsylvania from August 23-24, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-429
DOC ID: 1505

Travel Authorization Police Department “Infrared and Ultraviolet Photography” August 9, 2006, New York City, NY - Lieutenant David Zack and Detective Robert Mullen

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, a seminar entitled “Infrared and Ultraviolet Photography” is being offered on August 9, 2006 in New York, New York; AND

WHEREAS, Police Lieutenant David Zack and Detective Robert Mullen have requested authorization to attend said seminar; AND

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

WHEREAS, the total cost to the Town shall not exceed \$494; AND

WHEREAS, these expenses have been budgeted by the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Police Lieutenant David Zack and Detective Robert Mullen be and hereby are authorized to attend a seminar entitled “Infrared and Ultraviolet Photography” being offered on August 9, 2006 in New York, New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

VI. Communications

A. Departmental Communications

1. **Supervisor’s Statement of Funds - June 2006**
2. **Building Permits - July 2006**
3. **Cheektowaga Conservation Advisory Council - Minutes of July 15, 2006 Meeting**
4. **Town of Cheektowaga Emergency Services - Quarterly Reports April to June 2006**
5. **Environmental Advisory Committee - Minutes of July 12, 2006**
6. **Environmental Advisory Committee - Minutes of July 26, 2006 Meeting**
7. **Cheektowaga Planning Board: Minutes of July 13, 2006 Meeting**
8. **Statement of Changes In Cash Balances and Statements of Cash Receipts and Disbursements of the Receiver of Taxes and Assessments, the Town Clerk and the Town Justices Year Ended December 31, 2005 and Independent Auditors’ Report**
9. **Comprehensive Annual Financial Report for the Year Ended December 31, 2005**

B. General Communications

1. **County of Erie, Department of Public Works: Certificate and Notice of Highway Restriction: Portion of Cayuga Road CR 245, From Genesee Street (Route 33) to Wehrle Drive In the Town of Cheektowaga**
2. **Notice of Petition: Paul Marinaccio Vs Town of Cheektowaga, NY, Its Assessor and Its Board of Assessment Review**
3. **Notice of Petition: Onyx Industrial Services, Inc Vs Assessor and Town of Cheektowaga**
4. **Notice of Petition: Beach-Elmwood Properties, LLC Vs Assessor, Cheektowaga Board of Assessment Review and the Town of Cheektowaga**
5. **Notice of Petition: Cooper Industries, Inc Vs Assessor of the Town of Cheektowaga, Cheektowaga Board of Assessment Review and the Cheektowaga School District (Parcel ID# 102.04-3-17.3**
6. **Notice of Petition: Musarra Management & Investment Co. LTD, Musarra Realty Holding Co, LTD, Diane M F Schwach, Claudette R M Mussara and Arthur F DuC Musarra Vs Town of Cheektowaga and Its Assessor and Board of Assessment Review**
7. **Notice of Petition: Cooper Industries, Inc Vs Assessor of the Town of Cheektowaga, Cheektowaga Board of Assessment Review and the Cheektowaga School District (Parcel ID# 102.04-3-17.123**
8. **Notice of Petition: Marcus Rose Realty, LLC Vs Assessor for Town of Cheektowaga, Cheektowaga Board of Assessment Review, and the Town of Cheektowaga**

9. **Notice of Petition: DDR MDT Cheektowaga Walden Place LLC Vs Assessor for the Town of Cheektowaga, Cheektowaga Board of Assessment Review and Town of Cheektowaga**
10. **Notice of Petition: DDR MDT Union Road Plaza LLC Vs Assessor for the Town of Cheektowaga, Cheektowaga Board of Assessment Review and the Town of Cheektowaga**
11. **Notice of Petition: David C Hanzlian Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
12. **Notice of Petition: Advantage US Holdings III, LLC Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
13. **Notice of Petition: Costanzo's Realty, Inc. Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
14. **Notice of Petition: Broadway Rinks, LTD Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
15. **Notice of Petition: Aero Drive, LLC Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
16. **Notice of Petition: Keith W Schillo Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
17. **Notice of Petition: Cindy-Lin Corporation Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
18. **Notice of Petition: Terry, LLC Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
19. **Notice of Petition: Ciminelli Development Co., Inc. - Index No. 6717/06 Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
20. **Notice of Petition: Ciminelli Development Co., Inc. - Index No. 6719/06 Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
21. **Notice of Petition: Ciminelli Development Co., Inc. - Index No. 6720/06 Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
22. **Notice of Petition: NOCO Energy Corp. Vs Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
23. **Notice of Petition: Manzella Productions Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
24. **Notice of Petition: Dover, LP Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
25. **Notice of Petition: Parkway Associates, Inc Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
26. **Notice of Petition: Sofia Mado Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
27. **Notice of Petition: Ciminelli Development Co., Inc. - Index No. 6718/06 Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
28. **Notice of Petition: US FoodService Corporation Vs Assessor and Board of Assessment Revoew of the Town of Cheektowaga and the Town of Cheektowaga**
29. **Notice of Petition: C & S Wholesale Grocers Vs Assessor and Cheektowaga Board of Assessment Review and the Town of Cheektowaga**
30. **Notice of Petition: Pepsi Bottling Group Vx Assessor and Cheektowaga Board of Assessment Review and the Town of Cheektowaga**
31. **Notice of Petition: R and L (Delaware) Associates, Inc Vs Assessor of the Town of Cheektowaga, Cheektowaga Board of Assessment Review and the Town of Cheektowaga**
32. **Notice of Petition: MVP Airport, LLC Vs Board of Assessors, and Assessor of the Town of Cheektowaga and Cheektowaga Board of Assessment Review**
33. **Notice of Petition: W W Grainger, Inc Vs Board of Assessors and Cheektowaga Board of Assessment Review**
34. **Notice of Petition: New Penn Motor Express Vs Board of Assessors and the Cheektowaga Board of Assessment Review**
35. **Notice of Petition: Wal-Mart Stores, Inc (BG Thruway LLC) Vs Cheektowaga Board of Assessment Review, Cheektowaga Assessor and the Town of Cheektowaga**
36. **Notice of Petition: Benderson Properties, Inc (55 & 63 Benbro Dr) Vs. Cheektowaga Assessor**
37. **Notice of Petition: Delta Sonic Car Wash Systems, Inc (Index # 2006-6853) Vs Cheektowaga Assessor**
38. **Notice of Petition: Delta Sonic Car Wash Systems, Inc. (Index # 2006-6857) Vs Cheektowaga Assessor**
39. **Notice of Petition: Walden Project Associates, LLC Vs Cheektowaga Assessor**
40. **Notice of Petition: Randall Benderson 1993-1 Trust Vs Assessor of Town of Cheektowaga**

41. Notice of Petition: 2525 Walden Associates Vs Assessor of the Town of Cheektowaga
42. Notice of Petition: W & D Management Associates, LP Vs Assessor of the Town of Cheektowaga
43. Notice of Petition: Genesee Lodging Associates, LLC Vs Assessor of the Town of Cheektowaga
44. Notice of Petition: First Berkshire Business Trust Vs Assessor of the Town of Cheektowaga
45. Notice of Petition: NB/DS Associates Vs Assessor of the Town of Cheektowaga
46. Notice of Petition: Eckerd Corporation Vs Assessor, and the Cheektowaga Board of Assessment Review
47. Notice of Petition: Tri-City Rentals Vs Assessor for the Town of Cheektowaga and Cheektowaga Board of Assessment Review and the Town of Cheektowaga
48. Notice of Petition: Buffalo RHM Operating LLC Vs Assessor for the Town of Cheektowaga, Cheektowaga Board of Assessment Review and the Town of Cheektowaga
49. Notice of Petition: Dick Urban Plaza Associates, LLC C/O Walgreens Vs Assessor for the Town of Cheektowaga and the Town of Cheektowaga
50. Notice of Petition: Quebecor Printing Buffalo, Inc Vs Assessor for the Town of Cheektowaga , Board of Assessors and the Cheektowaga Board of Assessment Review and the Town of Cheektowaga
51. Notice of Petition: AMF Bowling Centers, Inc. - Section 102.03 Vs Board of Assessors and the Board of Assessment Review of the Town of Cheektowaga
52. Notice of Petition: AMF Bowling Centers, Inc. - Section 92.13 Vs Board of Assessors and the Board of Assessment Review of the Town of Cheektowaga
53. Notice of Petition: Har-Wal Associates Inc Vs Assessor, Board of Assessors, Cheektowaga Board of Assessment Review and the Town of Cheektowaga
54. Notice of Petition: Niagara Mohawk Power Corporation, D/B/A National Grid Vs Town of Cheektowaga, Town of Cheektowaga Assessor or Board of Assessors
55. Notice of Petition: Aldi Inc Vs Assessor of the Town of Cheektowaga, and the Town of Cheektowaga
56. Notice of Petition: Life Insurance Company of Southwest National Life Insurance Co Vs Assessor, Cheektowaga Board of Assessment Review and the Town of Cheektowaga
57. Notice of Petition: Upstate Farm Cooperatives, Inc Vs Assessor, Cheektowaga Board of Assessment Review and the Town of Cheektowaga
58. Notice of Petition: American Axle & Manufacturing Inc Vs Assessor, Cheektowaga Board of Assessment Review and the Town of Cheektowaga
59. Notice of Petition: Federated Department Stores, Inc D/B/A Kaufmann's Vs Assessor, Cheektowaga Board of Assessment Review and the Town of Cheektowaga
60. Notice of Petition: Federated Department Stores, Inc D/B/A Lord & Taylor Vs Assessor, Cheektowaga Board of Assessment Review and the Town of Cheektowaga
61. Notice of Claim: Lora Buck, Parent of Randy Miller, Jr Vs Town of Cheektowaga
62. Notice of Claim: Gladys M Gobbetti Vs Town of Cheektowaga
63. Notice of Claim: Martin Neureuther Vs Town of Cheektowaga
64. Notice of Claim: James E. Thomas, Jr. Vs Town of Cheektowaga
65. Notice of Claim: Susan Cummings Vs Town of Cheektowaga
66. Notice of Claim: Laurie A. Ucasz Vs Town of Cheektowaga

VII. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. Adjourn

Motion by Supervisor Gabryszak, seconded by Councilmember Jankowiak to adjourn the meeting in memory of Honorable Town Justice Ronald Kmiotek who passed away on July 27, 2006.

Powered by **Granicus**



Town of Cheektowaga
 3301 Broadway
 Cheektowaga, NY 11520

Mary F. Holtz
 Telephone: (616) 686-3131

**Town Board Meeting February 2, 2006
 Cheektowaga, NY**

6:05 PM Meeting called to order on February 2, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

A	N	O	T	S	A
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	6:05 PM	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	6:05 PM	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	6:05 PM	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	6:05 PM	
James Rankowiak	Town of Cheektowaga	Councilmember	Absent	6:05 PM	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	6:05 PM	
James Rogowski	Town of Cheektowaga	Councilmember	Present	6:05 PM	
William Pugh	Town of Cheektowaga	Town Engineer	Present	6:05 PM	
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present	6:05 PM	
Christine Ciemba	Town of Cheektowaga	Chief of Police	Present	6:05 PM	
John Broszewski	Town of Cheektowaga	General Crew Chief	Present	6:05 PM	
Kevin Schenk	Town of Cheektowaga	Deputy Town Attorney	Present	6:05 PM	
Thomas Adamczak	Town of Cheektowaga	Supervising Building and Plumbing Inspector	Present	6:05 PM	
Anthony Romano	Town of Cheektowaga	Coordinator of Employee Relations	Present	6:05 PM	

1

Fr. Joe Bayne - The Franciscan Center

H

Public Hearing 1
 Public Hearing: Rezoning of 3529 Broadway From M1-Light Manufacturing to M2-General Manufacturing District

Decision was reserved.

Ú V R H 1		Y A	N N	A	A	
.. p	Adjourned	Dennis Gabryszak	Initiator	p		
	Closed	Patricia Laworowicz	Seconder	p		
		Thomas Johnson Jr.	Other	p		
		Jeff Swiatek	Other	p		
		James Rankowiak	Other			p
		Alice Magierski	Other	p		
		James Rogowski	Other	p		

Public Hearing 2

Public Hearing: Rezoning of 1289 Alden Avenue From M1- Light Manufacturing to M2- General Manufacturing District

Decision was reserved.

Ú V R H 2		Y A	N N	A	A	
.. p	Adjourned	Dennis Gabryszak	Initiator	p		
	Closed	Patricia Laworowicz	Seconder	p		
		Thomas Johnson Jr.	Other	p		
		Jeff Swiatek	Other	p		
		James Rankowiak	Other			p
		Alice Magierski	Other	p		
		James Rogowski	Other	p		

Public Hearing 3

Public Hearing to Amend Local Law No. 1 of the Year 2006 Entitled Sex Offender Residency Prohibition- Intro 2006-2

Decision was reserved

Ú V R H		Y A	N N	A	A	
.. p	Adjourned	Dennis Gabryszak	Initiator	p		
	Closed	Patricia Laworowicz	Other	p		
		Thomas Johnson Jr.	Other	p		
		Jeff Swiatek	Other	p		
		James Rankowiak	Other			p
		Alice Magierski	Seconder	p		
		James Rogowski	Other	p		

C

F T T

2006-97 Appointment to Cheektowaga Conservation Advisory Council
 SPONSORED BY: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, by resolution dated July 2, 1990, the Cheektowaga Town Board adopted Local Law No. 2 of the Year 1990, entitled "A Local Law to create the Cheektowaga Conservation Advisory Council", and

WHEREAS, pursuant to such law, the Cheektowaga Town Board appointed voting members to such Cheektowaga Conservation Advisory Council (CCAC), and

WHEREAS, Mary Ann Feldt resigned from her position as member of the CCAC by letter dated January 26, 2006, and

WHEREAS, Corrairie A. Aloisio has been attending the CCAC meetings and has expressed an interest in serving as a member of the CCAC, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the resignation of Mary Ann Feldt from her position as member of the CCAC, effective immediately, and BE IT FURTHER

RESOLVED, that Corrairie A. Aloisio, 01 Gregory Court, Depew, New York 14033 be and hereby is appointed to the CCAC, effective immediately and terminating on October 15, 2006.

TOWN OF CHEEKTOWAGA RESOLUTIONS 2006			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Mover	1					
Adopted as Amended	Patricia Laworowicz	Mover	1					
Defeated	Thomas Johnson Jr.	Initiator	1					
Tabled	Jeff Swiatek	Mover	1					
Withdrawn	James Rankowiak	Mover						1
	Alice Magierski	Mover	1					
	James Rogowski	Second	1					

RESOLUTIONS

2006-104 Warrant

SPONSORED BY: Supervisor Gabryszak, Councilmember Magierski

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to February 20, 2006 are hereby approved and made part hereof:

GENERAL FUND	2,833,323.00
RISK RETENTION FUND	198,088.10
DEBT SERVICE FUND	82,263.00
HUD HOUSING REHABILITATION FUND	1,001.00
SPECIAL DISTRICTS FUND	853,211.16
HIGHWAY FUND	2,231.85
CAPITAL FUND	13,215.00
TRUST AGENCY FUND	1,892.88
HUD CDBG FUND	2,192.51
PARTIALLY FUNDED	11,981.13
HUD NYS AFFORDABLE HOUSING FUND	1,151.50

000,609,063.31

Ú V R R 2006 10		Y A	N N	A	A	
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. ithdrawn	Dennis Gabryszak	Initiator	p			
	Patricia Jaworowicz	oter	p			
	Thomas Johnson Jr.	oter	p			
	Jeff Swiatek	oter	p			
	James Rankowiak	oter	p			p
	Alice Magierski	Seconder	p			
	James Rogowski	oter	p			

2006-105 Fund Transfer

SPONSORED BY: Supervisor Gabryszak, Councilmember Jaworowicz

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

HUD NYS AFFORDABLE HOUSING

FROM: 900-8600-0910 NYS AHC Revenue 005,000.00

TO: 900-8668-0000 NYS AHC Expense 005,000.00

Ú V R R 2006 10		Y A	N N	A	A	
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. ithdrawn	Dennis Gabryszak	Initiator	p			
	Patricia Jaworowicz	Seconder	p			
	Thomas Johnson Jr.	oter	p			
	Jeff Swiatek	oter	p			
	James Rankowiak	oter	p			p
	Alice Magierski	oter	p			
	James Rogowski	oter	p			

2006-106 Softball Bid - Award 2006

SPONSORED BY: Supervisor Gabryszak, Councilmember Magierski

HEREAS, sealed bids were duly received by the Town Board at a bid opening on January 31, 2006 for the furnishing of baseball and softball equipment as a result of advertising thereof, and

HEREAS, such bids were referred to the Department of Parks, Recreation & Youth Services, for analysis, tabulation and report, and

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

RESOLVED that bids be awarded to the lowest, responsible bidder meeting specifications and to be in the best interest of the Town of Cheektowaga for the 2006 calendar year, and BE IT FURTHER

RESOLVED that the costs resulting from the awarding of this bid are funded through 0100-100.539 and 0100-100.601 accounts for cost centering purposes:

--Jim Kudtka Sporting Goods, Inc.
2500 Walden Avenue
Cheektowaga, New York 11525

--Caux Sporting Goods
25 Pineview Drive
Amherst, New York 11728

2006 106			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Initiator	p					
Adopted as Amended	Patricia Jaworowicz	oter	p					
Defeated	Thomas Johnson Jr.	oter	p					
Tabled	Jeff Swiatek	oter	p					
Withdrawn	James Rankowiak	oter						p
	Alice Magierski	Secoder	p					
	James Rogowski	oter	p					

2006-107 Five (5) New and Unused 2006 Model, Trailer Mounted, Self Contained, Vacuum Leaf Loaders
SPONSORED BY: Councilmember Jaworowicz, Councilmember Johnson Jr.

WHEREAS, The Town Clerk be and hereby is directed to publish a Notice to Bidders for the purpose of purchase of FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SELF CONTAINED, VACUUM LEAF LOADER by Cheektowaga Highway Department.

Information for bidders and specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York, between the hours of 9:00 AM and 3:30 PM, Monday through Friday, NOT THEREFORE, BE IT

RESOLVED, That the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, March 15, 2006, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT
REGA NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SELF CONTAINED, VACUUM, LEAF LOADERS for use by the Highway 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 15, 2006 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Mary Holtz, Town Clerk at his office located at Town Hall, Cheektowaga NY. Bids must be enclosed in an opaque envelope plainly marked "BID FOR FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SELF CONTAINED, VACUUM LEAF LOADERS."

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

UNION RESOLUTIONS 2006 10		Y	A	N	I	A	A
p	Adopted	Dennis Gabryszak	oter	p			
..	Adopted as Amended	Patricia Laworowicz	Initiator	p			
..	Defeated	Thomas Johnson Jr.	Secndor	p			
..	Tabled	Jeff Swiatek	oter	p			
..	Withdrawn	James Rankowiak	oter	p			p
		Alice Magierski	oter	p			
		James Rogowski	oter	p			

2006-108 Authorize Town Clerk to Issue New/Renewal Ambulance Driver/Attendant Licenses
 SPONSORED BY: Supervisor Gabryszak, Councilmember Swiatek

WHEREAS, on the 14th 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>EXPIRATION DATE</u>
Beauchamp, Steven A	1 San Pablo Court, East Amherst, NY 14051	9/30/2008
Bosley, Christopher M	225 Abbott Rd, Orchard Park, NY 14120	1/31/2008

Burt, Eric A	3 Slate Creek Dr #3, Chktg., NY 14220	8/31/2008
Crewson, Jason B	19 Silent Meadow, Orchard Park, NY 14120	9/30/2008
Gillis, James F	10 Cresthaven Dr, West Seneca, NY 14220	10/31/2008
Greenwell, David A	PO 26, Middleport, NY 14105	11/30/2008
Hall, Ruth E	111 Old Lyme Drive #1, Williamsville, NY 14221	6/30/2008
Hultquist, Scott O	2039 Church St, Eden, NY 14050	8/31/2008
James-Raju, Sonia	1095 Mahalen Rd., Penfield, NY 14526	9/30/2008
Keller, Leigh P	11066 Boncliff Dr., Alden, NY 14000	9/30/2008
Lombardo, James T	1111 Dutton Dr, Lewiston, NY 14092	9/30/2008
Merkel, Andrew	1050 Maple St, Basom, NY 14013	10/30/2008
Miller, Jacob A	13901 Spring St, Collins, NY 14030	10/31/2008
Miller, Jamie A	10 Marne Rd, Chktg., NY 14215	9/30/2008
Perrott, Timothy R	6809 Dewett Holmwood Rd, Orchard Park, NY	9/30/2008
Pietrzyk, Brian	190 Melvin Dr, Tonawanda, NY 14223	9/30/2008
Pomeroy, Albert S	19 Columbus Ave, Buffalo, NY 14220	9/30/2008
Rogers, Daniel P	135 Clinton St, Alden, NY 14000	6/30/2008
Sweeney, Julianna	111 Melfoy Ave, Lackawanna, NY 14218	3/31/2008
Szewc, William O	110 Knox Ave, West Seneca, NY 14220	9/30/2008
Tomasik, Jennifer M	3302 E. Pleasant Ave., Hamburg, NY 14005	8/31/2008
Wolkiewicz, Ronald S	105 Heather Rd., Chktg., NY 14225	9/30/2008

2006 10			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Initiator	p					
Adopted as Amended	Patricia Jaworowicz	Cotter	p					
Defeated	Thomas Johnson Jr.	Cotter	p					
Tabled	Jeff Swiatek	Secunder	p					
Withdrawn	James Jankowiak	Cotter						p
	Alice Magierski	Cotter	p					
	James Rogowski	Cotter	p					

2006-109 Support National Sex Offender Registry
 SPONSORED BY: Magierski, Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Rogowski, Jankowiak

WHEREAS, at present, there is no federal means to effectively track sex offenders who travel from state to state, and

WHEREAS, state laws which govern sex offenders are inconsistent and, at times inadequate, and may result in thousands of sex offenders falling through the cracks every year, and

WHEREAS, United States Senator Charles E. Schumer has co-sponsored Federal legislation known as the Sex Offender Registration and Notification Act (Senate Bill No. 1086) to create a National Sex Offender registry, and

WHEREAS, this legislation would also:

- create stronger registration standards for sex offenders

- create a searchable statewide sex offender registry
- link state registries so that an offense committed in one state does not go unrecognized in another

and

WHEREAS, adoption of this legislation would enable governmental entities to better track sex offenders nationwide, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby supports Senator Charles E. Schumer in his efforts to enact Senate Bill No. 1086, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Senator Charles E. Schumer, Senator Hillary Rodham Clinton and Congressman Brian M. Higgins.

2006 10			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Seconder						
Adopted as Amended	Patricia Jaworowicz	Seconder						
Defeated	Thomas Johnson Jr.	Seconder						
Tabled	Jeff Swiatek	Moderator						
Withdrawn	James Jankowski	Seconder						
	Alice Magierski	Initiator						
	James Rogowski	Seconder						

2006-110 Authorize Supervisor to Execute Contracts for Polish Festival Performers and Vendors

SPONSORED BY: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowski, Magierski, Rogowski

BE IT RESOLVED, that the Supervisor be and hereby is authorized and directed to execute contracts and agreements between the Town of Cheektowaga and performers and vendors for the 28th annual Polish American Arts Festival, to be held on July 14, 15 and 16, 2006.

2006 110			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Initiator						
Adopted as Amended	Patricia Jaworowicz	Seconder						
Defeated	Thomas Johnson Jr.	Seconder						
Tabled	Jeff Swiatek	Seconder						
Withdrawn	James Jankowski	Seconder						
	Alice Magierski	Seconder						
	James Rogowski	Seconder						

2006-111 Authorize Signing Cultural Group Agreements with Cheektowaga Patriotic Commission, Cheektowaga Historical Association and Friends of the Woods

SPONSORED BY: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, the Town, in its 2006 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 2005 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):

Cultural/Not-For-Profit Organization	Funding Approved
Cheektowaga Historical Association	\$ 1,350.00
Cheektowaga Patriotic Commission	\$15,000.00
Friends of the Woods, Ltd.	\$ 800.00
Cheektowaga Community Symphony Orchestra	\$12,000.00

and BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2006 Town budget, subject to audit and approval of a properly signed Town voucher.

UNION RESOLUTIONS 2006 111			Y	A	N	N	A	A
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. Withdrawn	Dennis Gabryszak	Mover	p					
	Patricia Laworowicz	Mover	p					
	Thomas Johnson Jr.	Initiator	p					
	Jeff Swiatek	Mover	p					
	James Rankowiak	Mover						p
	Alice Magierski	Mover	p					
	James Rogowski	Seconder	p					

2006-112 Establish Trust & Agency Account for Stiglmeier Park
 SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, Stiglmeier Park is a Town-owned park located in the southeast section of the Town of Cheektowaga, and

WHEREAS, the Stiglmeier Park Steering Committee is interested in raising funds for the benefit of Stiglmeier Park, and

WHEREAS, the Stiglmeier Park Steering Committee has asked that the Town agree to accept these funds and establish a trust and agency fund to utilize such funds for the benefit of Stiglmeier Park, and

WHEREAS, this Board is happy to accept donations for Stiglmeier Park, NOW, THEREFORE, BE IT

RESOLVED, that the following Trust and Agency Account be and hereby is established in the Town budget for the acceptance of donations from the Stiglmeier Park Steering Committee and others for Stiglmeier Park:

600-0600-0806

and, BE IT FURTHER

RESOLVED, that donations to such account shall be used for the sole purpose of benefiting Stiglmeier Park.

TOWN OF CHEEKTOWAGA 2006 112			Y	A	N	N	A	A
p	Adopted	Dennis Gabryszak	o	p				
..	Adopted as Amended	Patricia Jaworowicz	o	p				
..	Defeated	Thomas Johnson Jr.	o	p				
..	Tabled	Jeff Swiatek	o	p				
..	Withdrawn	James Rankowiak	o	p				p
		Alice Magierski	o	p				
		James Rogowski	o	p				

2006-113 Schumer Grant for Geese Management
 SPONSORED BY: Councilmember Magierski, Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga strives to maintain a good quality of life in the community and

WHEREAS, the Town instituted an Integrated Canadian Goose Management program last year in an effort to improve sanitary conditions and public enjoyment of parklands and

WHEREAS, grant monies may be available via United States Senator Charles Schumer to continue efforts to manage the Town's goose population, 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 United States Senator Charles Schumer 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 to the acquisition of said funding.

Ú V R R 2006 11			Y A	N N	A	A	
␣	Adopted	Dennis Gabryszak	␣oter	␣	␣	␣	␣
⋮	Adopted as Amended	Patricia Jaworowicz	Seconder	␣	␣	␣	␣
⋮	Defeated	Thomas Johnson Jr.	␣oter	␣	␣	␣	␣
⋮	Tabled	Jeff Swiatek	␣oter	␣	␣	␣	␣
⋮	␣ithdrawn	James Rankowiak	␣oter	␣	␣	␣	␣
		Alice Magierski	Initiator	␣	␣	␣	␣
		James Rogowski	␣oter	␣	␣	␣	␣

2006-114 Higgins Grant for Geese Management
 SPONSORED BY: Councilmember Magierski, Councilmember Jaworowicz

HEREAS, the Town of Cheektowaga strives to maintain a good quality of life in the community and

HEREAS, the Town instituted an Integrated Canadian Goose Management program last year in an effort to improve sanitary conditions and public enjoyment of parklands and

HEREAS, grant monies may be available via United States Congressman Brian Higgins to continue efforts to manage the Town's goose population, 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 United States Congressman Brian Higgins 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 to the acquisition of said funding.

Ú V R R 2006 11			Y A	N N	A	A	
␣	Adopted	Dennis Gabryszak	␣oter	␣	␣	␣	␣
⋮	Adopted as Amended	Patricia Jaworowicz	Seconder	␣	␣	␣	␣
⋮	Defeated	Thomas Johnson Jr.	␣oter	␣	␣	␣	␣
⋮	Tabled	Jeff Swiatek	␣oter	␣	␣	␣	␣
⋮	␣ithdrawn	James Rankowiak	␣oter	␣	␣	␣	␣
		Alice Magierski	Initiator	␣	␣	␣	␣
		James Rogowski	␣oter	␣	␣	␣	␣

2006-115 Grant for Community Emergency Response Team Training
 SPONSORED BY: Councilmember Johnson Jr., Councilmember Rogowski

HEREAS, in the event of a catastrophic disaster, there may not be adequate emergency services personnel to help everyone immediately, and

WHEREAS, there is a need to train volunteers from the general public to help themselves and their families and neighbors to save lives and protect property, and

WHEREAS, funding in the amount of approximately \$1,500 is available from the Federal government through the Border Community Service for instruction in Community Emergency Response Team Training to make the general population ready in case of an emergency, NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultant, be authorized and directed to execute all documents pertaining to the application to the Border Community Service 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 for the acquisition of said funding.

UNION RESOLUTIONS 2006-11		Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Proter	Proter				
Adopted as Amended	Patricia Laworowicz	Proter	Proter				
Defeated	Thomas Johnson Jr.	Initiator	Proter				
Tabled	Jeff Swiatek	Proter	Proter				
Withdrawn	James Rankowiak	Proter	Proter				Proter
	Alice Magierski	Proter	Proter				
	James Rogowski	Secoder	Proter				

2006-116 Grant for Drug Interdiction Patrol
 SPONSORED BY: Supervisor Gabryszak, Councilmember Magierski

WHEREAS, the Bureau of Justice Assistance has combined funding formerly available through the Edward Byrne program and the Local Law Enforcement Block Grant program and is offering grant monies to a disparate group in Erie County consisting of the Town of Cheektowaga, City of Buffalo, County of Erie, and Town of West Seneca and

WHEREAS, the Town of Cheektowaga will receive approximately \$10,623 to support Drug Interdiction Patrol, Port of Entry Drug Detection activities, and purchase technology and equipment and

WHEREAS, no matching funds are required for the purpose of securing these grant funds and

WHEREAS, the City of Buffalo will serve as the lead agency for the purpose of securing and administering these grant funds NOW, THEREFORE BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding including a Memorandum of Understanding with the other municipal partners in this collaborative effort.

Ú V R R 2006 116			Y A	N N	A	A
␣ Adopted	Dennis Gabryszak	Initiator	␣			
⋮ Adopted as Amended	Patricia Laworowicz	␣oter	␣			
⋮ Defeated	Thomas Johnson Jr.	␣oter	␣			
⋮ Tabled	Jeff Swiatek	␣oter	␣			
⋮ ␣ithdrawn	James Rankowiak	␣oter				␣
	Alice Magierski	Secunder	␣			
	James Rogowski	␣oter	␣			

2006-117 Grant to Convert Street Lighting
 SPONSORED BY: Supervisor Gabryszak, Councilmember Johnson Jr.

␣ HEREAS, in order to save money, conserve energy and provide reliable street lighting in certain areas of the Town of Cheektowaga, there is a need to convert gas and solar street lights to electric, and

␣ HEREAS, moneys in an amount up to \$2,000,000 may be available through Congressman Brian Higgins to assist the Town with such an endeavor, NO, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, the Town's grant consultant, be authorized and directed to complete the necessary application, forms, etc. to be submitted to United States Congressman Brian Higgins 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 for acquisition of said funding.

Ú V R R 2006 117			Y A	N N	A	A
␣ Adopted	Dennis Gabryszak	Initiator	␣			
⋮ Adopted as Amended	Patricia Laworowicz	␣oter	␣			
⋮ Defeated	Thomas Johnson Jr.	Secunder	␣			
⋮ Tabled	Jeff Swiatek	␣oter	␣			
⋮ ␣ithdrawn	James Rankowiak	␣oter				␣
	Alice Magierski	␣oter	␣			
	James Rogowski	␣oter	␣			

2006-118 Grant for Dingens Storm Sewer System Extension
 SPONSORED BY: Supervisor Gabryszak, Councilmember Johnson Jr.

␣ HEREAS, in 1998, the Town of Cheektowaga bonded the installation of a 60-inch storm sewer trunkline from Harlem Road at Dingens Street and outletting to Buffalo River, as a betterment to the NYSDOT Harlem Road reconstruction project, as a first phase in providing flood relief to the southwest quadrant of the Town, and

␣ HEREAS, it is planned to extend said trunkline westerly along Dingens Street, an Erie County highway, to be supplemented by additional storm outlet capacity connecting south under the New York State Thruway to the Buffalo River, then construct storm sewer extensions in

subsequent phases within Town streets running to Dingens Street, where no storm drainage nor available outlet capacity now exists, and

WHEREAS, Federal moneys may be available through the efforts of Congressman Brian Higgins to assist the Town of Cheektowaga with the extension of the storm sewer trunkline, outlet connections, and street lateral extensions to provide drainage benefits to the long established neighborhoods in the Dingens Street area, NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultant, be authorized and directed to complete the necessary application and any and all documents to be submitted to United States Congressman Brian Higgins for the purpose of securing this grant assistance for the aforesaid flood relief program, and BE IT FURTHER

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

2006 119		Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Initiator	Y				
Adopted as Amended	Patricia Laworowicz	Mover					
Defeated	Thomas Johnson Jr.	Second	Y				
Tabled	Jeff Swiatek	Mover	Y				
Withdrawn	James Rankowiak	Mover					Y
	Alice Magierski	Mover	Y				
	James Rogowski	Mover	Y				

2006-119 Grant for Western Border Economic Development and Residential Renewal

SPONSORED BY: Supervisor Gabryszak, Councilmember Johnson Jr.

WHEREAS, there is an increasing number of abandoned and derelict properties along the western boundary of the Town of Cheektowaga, and

WHEREAS, funding is needed to enable the Town of Cheektowaga to acquire these properties for the purpose of rehabilitation or demolition, and

WHEREAS, Federal funding in an amount up to \$5,000,000 may be available through Congressman Brian Higgins to assist the Town with this redevelopment/renewal project, NOW, THEREFORE, BE IT

RESOLVED, that Grantmakers Advantage, the Town's grant consultant, be authorized and directed to complete the necessary application, forms, etc. to be submitted to United States Congressman Brian Higgins 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 for acquisition of said funding.

Ú V R R 2006 11			Y A	N N	A	A	
p	Adopted	Dennis Gabryszak	Initiator	p			
..	Adopted as Amended	Patricia Laworowicz	oter	p			
..	Defeated	Thomas Johnson Jr.	Seconder	p			
..	Tabled	Jeff Swiatek	oter	p			
..	Withdrawn	James Rankowiak	oter				p
		Alice Magierski	oter	p			
		James Rogowski	oter	p			

2006-120 Authorize Supervisor to Sign Contracts for Concerts In 2006
 SPONSORED BY: Supervisor Gabryszak, Councilmember Swiatek

BE IT RESOLVED that subject to approval by the Town Attorney, Supervisor Dennis H. Gabryszak be and hereby is authorized to sign contracts between the Town of Cheektowaga, performers and recurring vendors for concerts and special events to be held during the year 2006.

FUNDING SOURCE: 0100-0100-0503
 0100-0100-091
 0100-0620-091
 0100-0620-0685
 0100-0550-0300

Ú V R R 2006 120			Y A	N N	A	A	
p	Adopted	Dennis Gabryszak	Initiator	p			
..	Adopted as Amended	Patricia Laworowicz	oter	p			
..	Defeated	Thomas Johnson Jr.	oter	p			
..	Tabled	Jeff Swiatek	Seconder	p			
..	Withdrawn	James Rankowiak	oter				p
		Alice Magierski	oter	p			
		James Rogowski	oter	p			

2006-121 Authorization for Supervisor's Signature for Statement of Support of New York State National Guard and Reserve
 SPONSORED BY: Councilmember Swiatek, Councilmember Magierski

BE IT RESOLVED, that the Town Supervisor be and hereby is authorized to sign the attached Statement of Support from the Department of Defense signifying the Town of Cheektowaga's support for our men and women who are members of the New York State Guard and Reserve.

2006 121			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Moderator						
Adopted as Amended	Patricia Jaworowicz	Moderator						
Defeated	Thomas Johnson	Moderator						
Tabled	Jeff Swiatek	Initiator						
Withdrawn	James Rankowiak	Moderator						
	Alice Magierski	Secunder						
	James Rogowski	Moderator						

2006-122 Secure Unsafe/Vacant 23 Villa Moraine
 SPONSORED BY: Councilmember Magierski, Councilmember Jaworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 23 Villa Moraine Drive, Cheektowaga, New York SB 101.36-11-11 that is a danger to the safety of others, and records kept by the Assessors Office identify Michelle Ramsey, 23 Villa Moraine Drive, Cheektowaga, New York 1225, as the owner AND

WHEREAS, an inspection of such premises was conducted on 23 Villa Moraine Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-1A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

2006 122		Y	A	N	N	A	A
Adopted	Dennis Gabryszak						
Adopted as Amended	Patricia Jaworowicz	Secunder					
Defeated	Thomas Johnson						
Tabled	Jeff Swiatek						
Withdrawn	James Rankowiak						
	Alice Magierski	Initiator					
	James Rogowski						

2006-123 Secure Unsafe/Vacant 107 Parwood Drive
 SPONSORED BY: Councilmember Magierski, Councilmember Jaworowicz

WHEREAS, Town of Cheektowaga law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 107 Parwood Drive, Cheektowaga, New York SB 125.08-3-1 that is a danger to the safety of others, and records kept by the Assessors Office identify Eric Amy Schafer, 107 Parwood Drive, Cheektowaga, New York 14222, as the owner AND

WHEREAS, an inspection of such premises was conducted on 107 Parwood Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

2006 12		Y	A	N	N	A	A
Adopted	Dennis Gabryszak						
Adopted as Amended	Patricia Jaworowicz	Secunder					
Defeated	Thomas Johnson						
Tabled	Jeff Swiatek						
Withdrawn	James Rankowiak						
	Alice Magierski	Initiator					
	James Rogowski						

2006-124 Secure Unsafe/Vacant 2371 Genesee Street
 SPONSORED BY: Councilmember Magierski, Councilmember Jaworowicz

WHEREAS, Town of Cheektowaga law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 2371 Genesee Street, Cheektowaga, New York SB 101.28-8-6.1 that is a danger to the safety of others, and records kept by the Assessors Office identify James Nowaczewski, 2371 Genesee Street, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted on 2371 Genesee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

2006 12			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	1st						
Adopted as Amended	Patricia Laworowicz	Seconder						
Defeated	Thomas Johnson	1st						
Tabled	Jeff Swiatek	1st						
Withdrawn	James Rankowiak	1st						
	Alice Magierski	Initiator						
	James Rogowski	1st						

2006-125 Hiring/Termination of Part-Time Employees
 SPONSORED BY: Supervisor Gabryszak, Councilmember Magierski

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

EFFECTIVE

<u>POLICE DEPARTMENT - School Crossing Guard - \$10 per hour</u>		
Mary Roberts	Cheektowaga, New York	2/20/06
<u>SENIOR SERVICES - Van Driver - \$8.00 per hour</u>		
Joseph B. Miller	Cheektowaga, New York	2/28/06
<u>JUSTICE COURT - Clerk - \$25 per hour</u>		
Sally Gabryszak	Cheektowaga, New York	2/28/06

AND, BE IT FURTHER RESOLVED, that the following employees receive rate adjustments as follows:

EFFECTIVE

<u>PARIS DIVISION - Laborer - \$25 to \$35 per hour</u>		
Joseph Galletta	Cheektowaga, New York	2/20/06
Richard Griffin	Sloan, New York	2/20/06

AND, BE IT RESOLVED, that the following employees be and hereby are promoted as listed:

EFFECTIVE

<u>PARIS DIVISION</u>		
Charles Gies		2/20/06
<u>RECORDS CENTER (Grant)</u>		
David Profic, Jr.		3/03/06

Ú V R 2006 12			Y A	N N	A	A
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. ithdrawn	Dennis Gabryszak	Initiator	p			
	Patricia Laworowicz	oter	p			
	Thomas Johnson Jr.	oter	p			
	Jeff Swiatek	oter	p			
	James Jankowiak	oter				p
	Alice Magierski	Seconder	p			
	James Rogowski	oter	p			

2006-126 Hire Part-Time Employee In PRYS
 SPONSORED BY: Supervisor Gabryszak, Councilmember Swiatek

BE IT RESOLVED that the individual listed below be and hereby is hired, as indicated, in the Department of Parks, Recreation & Youth Services, effective immediately:

- Recreation Attendants - 010.161
- Regular Part-time
- Recreation Attendant - 6.5

Amy Bryant

Ú V R 2006 126			Y A	N N	A	A
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. ithdrawn	Dennis Gabryszak	Initiator	p			
	Patricia Laworowicz	oter	p			
	Thomas Johnson Jr.	oter	p			
	Jeff Swiatek	Seconder	p			
	James Jankowiak	oter				p
	Alice Magierski	oter	p			
	James Rogowski	oter	p			

2006-127 Designate Members of EMS Board
 SPONSORED BY: Councilmember Jankowiak, Councilmember Magierski

HEREAS, in order to provide for the provisions of emergency medical services on a uniform basis, this Town Board, on May 1, 198, adopted an Ambulance Services Ordinance, AND

HEREAS, 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

HEREAS, the composition of the EMS Board is set forth in Section 52 of the Code of the Town of Cheektowaga, AND

WHEREAS, the terms of the present individuals who were appointed to the EMS Board expired, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals shall be designated to serve as members of the EMS Board for 2006 for a term of one year:

REPRESENTING	DESIGNATE	ALTERNATE
Bellevue	Dell Reitz	Remaining Board
Cleveland Hill	Robert Trautman	Mark Collett
Doyle	Richard Ralecki	None
Forks	Todd Schmigel	Neil Cummings
Hy-drew	Robert Schmitt	Roman Gawronski
Pine Hill	Fred Brug	David Caprio
Walden	Jack Tower	Philip Ricotta
Sloan	Scott Prell	Barry Ping
South Pine	Gyle Tobolski	Comm. Schnurstein
U-Crest	Ronald Grant	Michael Graczyk
St. Joseph Hospital	Dr. Frank Lee	
Chief of Police	Captain Thomas Rowan	
Dispatch	Denneth Paa	
Town Board	Supervisor Gabryszak	

EX-OFFICIO MEMBERS (non-voting)

Rural/Metro	Brian Pfeiffer
County EMS	John Adolpf

and, BE IT FURTHER

RESOLVED, that Robert Schmitt be appointed to serve as Chairman of the EMS Board.

UNIVERSITY REGIONAL 2006 12		Y	A	N	N	A	A
p	Adopted	Dennis Gabryszak	oter	p			
..	Adopted as Amended	Patricia Jaworowicz	oter	p			
..	Defeated	Thomas Johnson Jr.	oter	p			
..	Tabled	Jeff Swiatek	Initiator	p			
..	Withdrawn	James Rankowiak	oter	p			p
		Alice Magierski	Secunder	p			
		James Rogowski	oter	p			

2006-128 Appointment to Planning Board Member
 SPONSORED BY: Jaworowicz, Johnson Jr., Rogowski

WHEREAS, there is a vacancy in the position of Member to the Cheektowaga Planning Board as a result of the appointment of Anthony Sisti to serve as Chairman of the Planning Board, and

WHEREAS, Stanley Mazowski has applied for such position, and meets the requirements for such position, NOW, THEREFORE, BE IT

RESOLVED, that Stanley Mazowski of Cheektowaga, New York be and hereby is appointed to the position of Member of the Cheektowaga Planning Board, effective immediately and terminating on December 31, 2009.

UNION RESOLUTIONS 2006-12		Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Other	p				
Adopted as Amended	Patricia Jaworowicz	Seconder	p				
Defeated	Thomas Johnson Jr.	Other	p				
Tabled	Jeff Swiatek	Other	p				
Withdrawn	James Rankowiak	Other	p				p
NO: M 6, 2006 6: M	Alice Magierski	Other	p				
	James Rogowski	Initiator	p				

2006-129 Appointment of Police Sergeant (Steven Berecz)
 SPONSORED BY: Supervisor Gabryszak, Councilmember Magierski

WHEREAS, a permanent vacancy exists in the position of Police Sergeant in the Police Department AND

WHEREAS, Police Officer Steven Berecz currently appears on the Police Sergeant civil service list and is eligible for promotion AND

WHEREAS, the Chief of Police recommends that Police Officer Berecz be promoted to the position of Police Sergeant NOW, THEREFORE, BE IT

RESOLVED, that Steven Berecz of Cheektowaga, New York, be and hereby is appointed to the position of Police Sergeant in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Police Club effective February 28, 2006.

UNION RESOLUTIONS 2006-12		Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Initiator	p				
Adopted as Amended	Patricia Jaworowicz	Other	p				
Defeated	Thomas Johnson Jr.	Other	p				
Tabled	Jeff Swiatek	Other	p				
Withdrawn	James Rankowiak	Other	p				p
	Alice Magierski	Seconder	p				
	James Rogowski	Other	p				

2006-130 Appointment of Sewer Maintenance Worker (Temporary) Thomas Marten
 SPONSORED BY: Supervisor Gabryszak, Councilmember Johnson Jr.

WHEREAS, a temporary vacancy exists in the title of Sewer Maintenance Worker in the Sewer Maintenance 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, Thomas Marten, currently employed as a temporary laborer in the Highway Department, bid on said vacancy, and meets the necessary qualifications NO, THEREFORE BE IT

RESOLVED, that Thomas Marten of Cheektowaga, New York, be and hereby is appointed to the temporary position of Sewer Maintenance Worker in the Sewer Maintenance Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective February 21, 2006.

TOWN OF CHEEKTOWAGA 2006 1 0			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Initiator						
Adopted as Amended	Patricia Laworowicz	Mover						
Defeated	Thomas Johnson	Seconder						
Tabled	Jeff Swiatek	Mover						
Withdrawn	James Rankowiak	Mover						
	Alice Magierski	Mover						
	James Rogowski	Mover						

2006-131 Appointment of Court Clerks (2) Carol Ann Kilijanski and Andrea Zawadzki

SPONSORED BY: Supervisor Gabryszak, Councilmember Swiatek

WHEREAS, two (2) vacancies exist in the position of Court Clerk in the Justice Court AND

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

WHEREAS, no full-time employee bid on said vacancies AND

WHEREAS, such job title is in the competitive class of civil service AND

WHEREAS, the civil service list for said title was canvassed and interviews conducted AND

WHEREAS, both Carol Ann Kilijanski and Andrea Zawadzki, appear on said list and meet all the necessary qualifications for appointment NO, THEREFORE, BE IT

RESOLVED, that Carol Ann Biljanski of Cheektowaga, New York be and hereby is appointed to the position of Court Clerk in the Justice Court in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective February 28, 2006 AND, BE IT FURTHER

RESOLVED, that Andrea Pawadzki of Cheektowaga, New York be and hereby is appointed to the position of Court Clerk in the Justice Court in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective March 6, 2006.

TOWN OF CHEEKTOWAGA - BOARD MEETING - FEBRUARY 20, 2006 - 11						
			Y	A	N	A
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. Withdrawn	Dennis Gabryszak	Initiator	p			
	Patricia Laworowicz	Mover	p			
	Thomas Johnson Jr.	Mover	p			
	Jeff Swiatek	Secunder	p			
	James Rankowiak	Mover				p
	Alice Magierski	Mover	p			
	James Rogowski	Mover	p			

C

Departmental Communications

S	D
Supervisor's Statement of Funds - January 2006	
Supervisor's Statement of Funds - December 2005	
Minutes: Town Environmental Advisory Committee - February 15, 2006	
Minutes: Cheektowaga Planning Board - January 12, 2006	
Minutes: Cheektowaga Conservation Advisory Council - February 2, 2006	
Minutes: Cheektowaga Traffic Safety Commission - January 10, 2006	

General Communications

S	D
Notice of Claim: Mark Blachowicz vs. Town of Cheektowaga	
Notice of Claim: Jim Bonn vs. Town of Cheektowaga	

Notice of Claim: Connie Hill □s. Town of Cheektowaga	
Notice of Claim: Mirian □ang □s. Town of Cheektowaga	
Notice of Claim: Michael H. Pastwik □s. Town of Cheektowaga	
Notice of Claim: Daniel □ □aurie Sauer □s. Town of Cheektowaga	
Notice of Claim: Chris Taber, □r. □s. Town of Cheektowaga	
Notice of Claim: □ illiam □ Patricia □ ilkowski/Travelers Insurance □s. Town of Cheektowaga	

C □ □ □ □ □ □ □ □

Supervisor's Comments

Councilmember's Comments

Public Comments

M □ □ □ □ □ □ □ □

V		M		S		R		F		R	
Y	A	N	N	A	A	A	A	A	A	A	A
□	Adopted	Dennis Gabryszak	□oter	□	□	□	□	□	□	□	□
□	Defeated	Patricia □aworowicz	□oter	□	□	□	□	□	□	□	□
□	□ithdrawn	Thomas □ohnson □r.	□oter	□	□	□	□	□	□	□	□
		□eff Swiatek	□oter	□	□	□	□	□	□	□	□
		□ames □ankowiak	□oter	□	□	□	□	□	□	□	□
		Alice Magierski	Initiator	□	□	□	□	□	□	□	□
		□ames Rogowski	Seconder	□	□	□	□	□	□	□	□

S □ □ □ □ □ □ □ □ □ □ **R** □ □ □ □

2006-132 Federal Express Negative Declaration/Site Plan Approval
 SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

□ HEREAS, 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

□ HEREAS, 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 Jones Development Company, LLC representing Federal Express for the rezoning of 0.32 acres of vacant land west of 1289 Walden Avenue from M1- Light Manufacturing to M2- General Manufacturing for the construction of a 22,000 square foot building addition to an existing mail distribution facility and the construction of a 3,200 square foot vehicle maintenance building, AND

WHEREAS, the subject land is currently owned by the Town of Cheektowaga, and has previously been authorized by this board to be sold to the applicants, AND

WHEREAS, the Town of Cheektowaga Environmental Advisory Committee is recommending a determination of non significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the rezoning request and site plan at their meeting of January 12, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is approved subject to :

1. The Town Engineer approving the site grading and drainage.
2. Replacement trees are provided for all trees which have died and/or failed to thrive.

UN VOTED RESOLUTIONS 2006 1 2			Y	A	N	I	A	A
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. Withdrawn	Dennis Gabryszak	Motion	p					
	Patricia Laworowicz	Motion	p					
	Thomas Johnson Jr.	Initiator	p					
	Jeff Swiatek	Motion	p					
	James Rankowiak	Motion						p
	Alice Magierski	Secunder	p					
	James Rogowski	Motion	p					

2006-133 Rezone Vacant Land 1289 Walden Avenue
 SPONSORED BY: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, Jones Development Company petitioned for a rezoning from M1-Light Manufacturing District to M2-General Manufacturing District for property owned by the Town of

Cheektowaga and being a portion of property located west of 1289 Walden Avenue, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 20th day of February, 2006 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 Jones Development Company for the rezoning from M1-Right Manufacturing District to M2-General Manufacturing Services District of the property described in the attached legal description be and the same is hereby approved, and BE IT FURTHER

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

TOWN OF CHEEKTOWAGA BOARD OF SUPERVISORS 2006 1			Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Moderator	p					
Adopted as Amended	Patricia Jaworowicz	Moderator	p					
Defeated	Thomas Johnson Jr.	Initiator	p					
Tabled	Jeff Swiatek	Moderator	p					
Withdrawn	James Rankowiak	Moderator						p
	Alice Magierski	Second	p					
	James Rogowski	Moderator	p					

2006-134 Approve Relocation of Construction Personnel Group Into Buffalo's Empire Zone
 SPONSORED BY: Supervisor Gabryszak, Councilmember Magierski

WHEREAS, Construction Personnel Group, Inc. is a personnel company located at 305 Genesee Street in the Town of Cheektowaga for its business, and

WHEREAS, Construction Personnel Group, Inc. has stated that the building space in Cheektowaga is inadequate to accommodate its present and future needs, and has been unable to identify property in Cheektowaga to accommodate its future growth plans, and

WHEREAS, Construction Personnel Group, Inc. is prepared to sign a lease for a facility in Buffalo's Empire Zone, an economic development zone created in the City of Buffalo, which will result in the retention of existing jobs in the Buffalo-Niagara region, and

WHEREAS, Construction Personnel Group, Inc. wishes to avail itself of other tax breaks and incentives for operating within an economic development zone, and

WHEREAS, Article 18-B and Section 959(a)(iii) of the General Municipal Law allow for the certification of a business enterprise that has shifted its operation from an area within the State into an economic development zone, and

WHEREAS, a public hearing was held on February 6, 2006 at 6:05 P.M. in the Town of Cheektowaga Town Hall for the purpose of soliciting comments from the public concerning this shift of operations of Construction Personnel Group, Inc., and

WHEREAS, at such public hearing, representatives from Construction Personnel Group, Inc. stated that extraordinary circumstances exist to warrant the relocation of Construction Personnel Group, Inc. to the City of Buffalo Empire Zone, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, based on the testimony given at the public hearing and the extraordinary circumstances stated by Construction Personnel Group, Inc., and in the spirit of regionalism, hereby consents to the relocation of Construction Personnel Group, Inc. from the Town of Cheektowaga to the City of Buffalo Empire Zone.

TOWN OF CHEEKTOWAGA BOARD OF SUPERVISORS 2006 1			Y	A	N	N	A	A
p Adopted .. Adopted as Amended ... Defeated ... Tabled ... Withdrawn	Dennis Gabryszak	Initiator	p					
	Patricia Laworowicz	Other	p					
	Thomas Johnson Jr.	Other			p			
	Jeff Swiatek	Other	p					
	James Rankowiak	Other						p
	Alice Magierski	Seconder	p					
	James Rogowski	Other			p			

TOWN OF CHEEKTOWAGA BOARD OF SUPERVISORS 2006 1			Y	A	N	N	A	A
p Adopted .. Defeated ... Withdrawn	Dennis Gabryszak	Initiator	p					
	Patricia Laworowicz	Seconder	p					
	Thomas Johnson Jr.	Other	p					
	Jeff Swiatek	Other	p					
	James Rankowiak	Other						p
	Alice Magierski	Other	p					
	James Rogowski	Other	p					

In Memory of Deborah Stachowski, Wife of Michael Stachowski and Edward Gajewski, a 50 Year Member of Rescue Hose Fire District.



Town of Cheektowaga
 3301 Broadway
 Cheektowaga, NY 11520

Mary F. Holtz
 Telephone: (616) 686-3131

**Town Board Meeting March 20, 2006
 Cheektowaga, NY**

6:05 PM Meeting called to order on March 20, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

A	N	O	T	S	A
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	6:05 PM	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	6:05 PM	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	6:05 PM	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	6:05 PM	
James Jankowski	Town of Cheektowaga	Councilmember	Present	6:05 PM	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	6:05 PM	
James Rogowski	Town of Cheektowaga	Councilmember	Present	6:05 PM	
Christine Ciemba	Town of Cheektowaga	Chief of Police	Present		
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present		
John Jankowski	Town of Cheektowaga	General Crew Chief	Present		
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present		
Thomas Adamczak	Town of Cheektowaga	Supervising Building and Plumbing Inspector	Present		
William Pugh	Town of Cheektowaga	Town Engineer	Present		

11:00 AM

Rev. Chris Wicher - St. Luke Lutheran Church

11:00 AM

11:00 AM

2006-146 Appointment to Planning Board
 SPONSORED BY: Jankowski, Magierski, Gabryszak, Swiatek

□ HEREAS, there is a vacancy in the position of Member to the Cheektowaga Planning Board as a result of the appointment of Anthony Sisti to serve as Chairman of the Planning Board, and

□ HEREAS, Claire Ferrucci has applied for such position, and meets the requirements for such position, NO□ , THEREFORE, BE IT

RESO□□ED, that Claire Ferrucci of Cheektowaga, New York be and hereby is appointed to the position of Member of the Cheektowaga Planning Board, effective immediately and terminating on December 31, 2009.

Ú V □ R □ □ □ R □ □ □ □ □ 2006 1 □ 6			Y □ A □	N □ N □	A □ □ □ □	A □ □ □ □
□ Adopted	Dennis Gabryszak	Seconder	□			
□ Adopted as Amended	Patricia Jaworowicz	□oter		□		
□ Defeated	Thomas Johnson Jr.	□oter		□		
□ Tabled	□eff Swiatek	Seconder	□			
□ ithdrawn	□ames Rankowiak	Initiator	□			
	Alice Magierski	Seconder				
	□ames Rogowski	□oter	□			

R □ □ □ □ □ □ □ □ □ □

2006-151 Transfer of Funds
 SPONSORED BY: Supervisor Gabryszak, Councilmember Jaworowicz

BE IT RESOLVED, that the following transfers are herby approved and made a part herof:

200□

General Fund

From: 100-1110-2655	Justice Misc. Revenues	\$ 13,210.00
100-7410-4439	Heating & Air Conditioning	5,585.00
100-9010-8141	Employee Health Insurance	251,946.11
100-1420-4014	Misc. Filing & Legal Fees	202.00
100-1625-4021	Maintenance Supplies	1,363.00
100-1625-4071	Uniform Replacements	707.00
100-1625-4432	Repairs & Maintenance	17,622.00
100-1640-2502	Pool Cars	130.00
100-1640-4001	Office Supp lies	324.00
100-1640-4021	Maintenance Supplies	1,857.00
100-1640-4165	Gasoline Allocated	25,854.00
100-1640-4167	Diesel Allocated	39,703.00
100-1640-4447	Collision Repairs	390.00
100-1910-4261	Postage	2,250.00
100-5132-4211	Electric Highway Garage	3,969.00
100-5132-4231	Water Highway	315.00
100-5132-4431	Radio Repair Highway	961.00
100-5132-4432	Repairs & Maintenance	1,335.00

	100-7110-2304	Park Equipment	174.00
	100-7110-4088	Travel, Training, & Conference	750.00
	100-7110-4431	Equipment Maintenance	948.00
	100-7110-4454	Portable Toilets	797.89
	100-3120-2207	Jag Grant	63,531.52
To:	100-1110-4592	Contracted Clerical	\$ 13,210.00
	100-7410-1971	PT Regular	5,585.00
	100-7110-4090	Deer Reduction Program	2,575.00
	100-7110-4106	Wildlife Maintenance Costs	12,455.00
	100-7110-4211	Electric Parks	12,941.00
	100-5132-4221	Gas Highway Garage	20,459.00
	100-3020-2513	Communication Equipment	34,182.00
	100-1910-2200	Property Purchases	1,000.00
	100-9010-4083	Mileage	2,250.00
	100-1640-4449	Senior Citizens Repair	331.00
	100-1640-4446	Maint. & Repair Motor Equip.	5,232.00
	100-1640-4445	Parks Equipment Repair	1,359.00
	100-1640-4443	Equipment Repair Sanitation	40,854.00
	100-1640-4442	Equipment Repair Sewer	1,639.00
	100-1640-4441	Equipment Repairs Police	25,231.00
	100-1640-4163	Diesel Purchases	55,695.00
	100-1640-4161	Gasoline Central Garage	69,938.00
	100-1640-4072	Uniform Cleaning	2,510.00
	100-1625-4217	Utilities Building Maint.	49,213.00
	100-1625-4202	Telephone Townwide	13,532.00
	100-1420-4501	Contracted Legal Services	202.00
	100-3120-3820	State Aid Police	63,531.52

Special Districts Fund

From:	150-8160-4021	Maintenance Supplies	\$ 1,075.00
	150-8160-4211	Electric	5,251.00
	150-8160-4453	Building Repairs	5,231.00
	150-8160-4188	Equipment Rental	1,400.00
	150-8160-4469	Landfill Costs	2,524.00
	255-8125-4217	Utilities	16,434.00
	255-8125-4543	Contracted Sewer Repair	4,711.00
	255-8125-4581	Consulting Engineers	25,223.00
	255-8125-4545	Telemetry	593.00
	255-8125-4453	Building Repairs	638.00
	255-8125-4438	Equipment Maintenance	567.00
	255-8125-4431	Equipment Repairs	949.00
	255-8125-8141	Employee Medical Insurance	15,291.00
To:	150-8160-4160	Diesel Fuel	\$ 1,075.00
	150-8160-4221	Gas	14,406.00
	255-8125-4163	Gas, Oil, & Grease	3,498.00
	255-8125-4702	Buffalo Sewer Charges	4,260.00
	255-8125-4353	Erie County Sewer Dist. #4	56,648.00

Ú V R 2006 1 1			Y A	N N	A	A	
p	Adopted	Dennis Gabryszak	Initiator	p			
..	Adopted as Amended	Patricia Laworowicz	Secunder	p			
..	Defeated	Thomas Johnson Jr.	oter	p			
..	Tabled	Jeff Swiatek	oter	p			
..	Withdrawn	James Jankowiak	oter	p			
		Alice Magierski	oter	p			
		James Rogowski	oter	p			

2006-152 Warrant

SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to March 1, 2006 are hereby approved and made part hereof:

General Fund	3,35,056.20
Risk Retention Fund	131,083.20
Debt Service Fund	111,593.5
HUD Rehabilitation Fund	8,181.66
Special Districts Fund	86,131.5
Highway Fund	35,131.88
Capital Fund	2,500.00
Trust Agency Fund	6,588.6
HUD CDBG Fund	2,681.61
Part Town Fund	102,151.06
NYS Affordable Housing Fund	1,811.25
	<u>5,08,159.16</u>

Ú V R 2006 1 2			Y A	N N	A	A	
p	Adopted	Dennis Gabryszak	Initiator	p			
..	Adopted as Amended	Patricia Laworowicz	oter	p			
..	Defeated	Thomas Johnson Jr.	oter	p			
..	Tabled	Jeff Swiatek	oter	p			
..	Withdrawn	James Jankowiak	Secunder	p			
		Alice Magierski	oter	p			
		James Rogowski	oter	p			

2006-153 Change Candlelight Lane to R. V. Derenda Lane

SPONSORED BY: Magierski, Jankowiak, Johnson Jr.

HEREAS, Candlelight Lane is a Town highway which runs between Harlem Road and Girard Avenue in the southwest section of Town, and

HEREAS, Robert J. Derenda, a native of the Town of Cheektowaga, was a Sergeant

in the United States Army and a member of the 98th Division, and

WHEREAS, Sergeant Derenda was killed while serving his country in the Iraq War on August 5, 2005, when a civilian fuel truck pulled out in front of his vehicle causing the vehicle to explode and roll over, and

WHEREAS, as a fitting tribute to Robert J. Derenda, this Town Board feels it is fitting to re-name Candlelight Lane to R. J. Derenda Lane in his memory, and

WHEREAS, the Cheektowaga Police Department and Cheektowaga Traffic Safety Commission have no objection to changing the name of this Town highway, and

WHEREAS, pursuant to Section 6(9) of the Town Law of the State of New York, this Town Board is authorized to change street names, house numbers, etc., NOW, THEREFORE, BE IT

RESOLVED, that Candlelight Lane be and hereby is re-named R. J. Derenda Lane, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to, within 10 days of the passage of this resolution, notify the Town Assessor, Town Planning Board, Erie County Clerk, Erie County Department of Public Works, Division of Highways, and the U.S. Postal Service of this street name change.

TOWN OF CHEEKTOWAGA BOARD OF SUPERVISORS 2006 1			Y	A	N	N	A	A
␣	Adopted	Dennis Gabryszak	␣oter	␣				
⋮	Adopted as Amended	Patricia Jaworowicz	␣oter	␣				
⋮	Defeated	Thomas Johnson Jr.	Secunder	␣				
⋮	Tabled	Jeff Swiatek	␣oter	␣				
⋮	Withdrawn	James Jankowiak	Secunder	␣				
		Alice Magierski	Initiator	␣				
		James Rogowski	␣oter	␣				

2006-154 Agreement with Cheektowaga Central
 SPONSORED BY: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, the Department of Parks, Recreation & Youth Services has requested use of the Pine Hill Primary Center playground for the summer of 2006, and

WHEREAS, the Cheektowaga Central School District requires proof of insurance coverage and an agreement indemnifying the school district against any loss, liability, or damage that may occur as a result of such use by the Town, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized and directed to execute an indemnification agreement subject, however, to approval by the Town Attorney's office, and

provide any proof of insurance that may be required by the Cheektowaga Central School District by reason of the use of its facilities as aforesaid.

2006 1		Y	A	N	N	A	A
Adopted	Dennis Gabryszak	Initiator					
Adopted as Amended	Patricia Laworowicz	Mover					
Defeated	Thomas Johnson Jr.	Mover					
Tabled	Jeff Swiatek	Mover					
Withdrawn	James Rankowiak	Second					
	Alice Magierski	Mover					
	James Rogowski	Mover					

2006-155 Authorize Purchase of Land From Norfolk Southern Railway for Rails to Historic Trails Pathway
 SPONSORED BY: Councilmember Thomas Johnson Jr.

WHEREAS, the Town of Cheektowaga received Federal grants to construct The Cheektowaga Rails to Historic Trails Pathway Project in the Town of Cheektowaga (PIN 5055.08), and

WHEREAS, the Town of Cheektowaga has been proceeding with land and easement acquisitions in order to construct this multi-use recreation path, and

WHEREAS, by resolution dated February 28, 2005, this Town Board approved a lease with Norfolk Southern Corporation for a portion of the pathway, and

WHEREAS, in order to further advance the construction of this project, the New York State Department of Transportation stated that, instead of the lease with Norfolk Southern Corporation, it is necessary for the Town to purchase 1.3 acres of railroad right-of-way from Norfolk Southern Corporation that extends approximately 1.3 miles, beginning at William Street at the southwest to the New York State Thruway, and

WHEREAS, by resolution dated October 1, 2005, this Town Board retained GAR Associates, Inc. to prepare an appraisal of this property so that the Town could negotiate with Norfolk Southern Corporation, and

WHEREAS, said appraisal was completed and the Town Attorney negotiated the purchase of this property with representatives of Norfolk Southern Corporation, NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby formally offers Norfolk Southern Corporation the sum of \$130,000 for the aforementioned property, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute a contract with Norfolk Southern Corporation for the purchase of this property for \$130,000, the terms of such contract to be subject to the approval of the Town Attorney, and BE IT FURTHER

RESOLVED, that the approval of this contract is further subject to the approval of a supplemental grant agreement by the New York State Department of Transportation and the

Greater Buffalo Niagara Regional Traffic Committee, and BE IT FURTHER

RESO□□ED, that the Supervisor be and hereby is also authorized and directed to execute a Supplemental agreement with the New York State Department of Transportation incorporating this purchase, and BE IT FURTHER

RESO□□ED, that funding for the purchase of this property shall be appropriated from the Federal funding being provided for this project.

Ú V □ R □ □ □ R □ □ □ □ □ □ 2006 1 □		Y □ A □	N □ N □	A □ □ □ □	A □ □ □ □
..	Adopted	Dennis Gabryszak			
..	Adopted as Amended	Patricia Jaworowicz			
..	Defeated	Thomas Johnson Jr.			
..	Tabled	Jeff Swiatek			
p	□ ithdrawn	James Rankowiak			
		Alice Magierski			
		James Rogowski			

2006-156 Approve Cultural Agreement with Garden Club
 SPONSORED BY: Councilmember Rogowski, Councilmember Jaworowicz

□ HERERAS, the Town, in its 2006 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

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

□ HERERAS, the organization(s) listed below have completed and returned signed agreement(s) and their accounting report(s) from the 2005 funding to the Town, NO□, THEREFORE, BE IT

RESO□□ED, 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

RESO□□ED, 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):

Cultural/Not-For-Profit Organization	Funding Approved
Cheektowaga Garden Club	□500.00

and BE IT FURTHER

RESO□□ED, 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 2006 Town budget, subject to audit and approval of a properly signed Town voucher.

Ú V R 2006 1 6			Y A	N N	A	A
␣ Adopted	Dennis Gabryszak	␣oter	␣			
⋮ Adopted as Amended	Patricia Jaworowicz	Secunder	␣			
⋮ Defeated	Thomas Johnson Jr.	␣oter	␣			
⋮ Tabled	Jeff Swiatek	␣oter	␣			
⋮ ␣ithdrawn	James Rankowiak	␣oter	␣			
	Alice Magierski	␣oter	␣			
	James Rogowski	Initiator	␣			

2006-157 Grant for Polish Festival
 SPONSORED BY: Supervisor Gabryszak, Councilmember Jaworowicz

␣ HEREAS, the Town of Cheektowaga seeks grant monies from the New York State Council on the Arts to fund cultural components of the annual Polish-American Festival, NO␣ , THEREFORE BE IT

RESO␣␣ED, 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 New York State Council on the Arts for the purpose of securing this grant, and BE IT FURTHER

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

Ú V R 2006 1			Y A	N N	A	A
␣ Adopted	Dennis Gabryszak	Initiator	␣			
⋮ Adopted as Amended	Patricia Jaworowicz	Secunder	␣			
⋮ Defeated	Thomas Johnson Jr.	␣oter	␣			
⋮ Tabled	Jeff Swiatek	␣oter	␣			
⋮ ␣ithdrawn	James Rankowiak	␣oter	␣			
	Alice Magierski	␣oter	␣			
	James Rogowski	␣oter	␣			

2006-158 Transfer Computer Equipment to Village of Sloan
 SPONSORED BY: Councilmember Magierski, Councilmember Rogowski

␣ HEREAS, the Town of Cheektowaga has certain computers and computer equipment which are no longer be used by the Town, and are surplus tour needs, and

␣ HEREAS, the Village of Sloan has requested any unused Town computer equipment for its use, and

␣ HEREAS, the New York State Constitution authorizes one local government to give

property to another local government at no cost, and

WHEREAS, the Town's Management Information Systems Department has prepared the attached list of computers and computer equipment that we can dispose of, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the transfer of the computers and computer equipment listed on the attached sheet to the Village of Sloan, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any documentation necessary to effectuate the transfer of the computers and computer equipment listed on the attached sheet.

UNION RESOLUTIONS 2006 1		Y	A	N	N	A	A
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. Withdrawn	Dennis Gabryszak	Other	p				
	Patricia Laworowicz	Other	p				
	Thomas Johnson Jr.	Other	p				
	Jeff Swiatek	Other	p				
	James Rankowiak	Other	p				
	Alice Magierski	Initiator	p				
	James Rogowski	Secunder	p				

2006-159 Reappointment to Youth Board

SPONSORED BY: Councilmember Jankowiak, Councilmember Magierski

WHEREAS the Constitution and By-Laws of the Cheektowaga Youth Board allow for up to three (3) one-year re-appointments for members and

WHEREAS Lisa Melin has expressed an interest in continuing to serve on the voluntary board NOW, THEREFORE, BE IT

RESOLVED that Lisa Melin be and, hereby, is re-appointed to the Cheektowaga Youth Board, for an additional one-year term with an expiration date of March 19, 2007.

UNION RESOLUTIONS 2006 1		Y	A	N	N	A	A
p Adopted .. Adopted as Amended .. Defeated .. Tabled .. Withdrawn	Dennis Gabryszak	Other	p				
	Patricia Laworowicz	Other	p				
	Thomas Johnson Jr.	Other	p				
	Jeff Swiatek	Other	p				
	James Rankowiak	Initiator	p				
	Alice Magierski	Secunder	p				
	James Rogowski	Other	p				

2006-160 Hiring/Termination of Part-Time/Seasonal Employees

SPONSORED BY: Councilmember Jankowiak, Supervisor Gabryszak

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

POLICE DEPARTMENT
 Sign Maintenance Division
 Laborer \$15.50 per hour effective 3/21/06
 Sean Trapper, Cheektowaga, New York

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

RECORDS MANAGEMENT
 Effective 1/22/06
 Amanda Burgett

UNION RESOLUTIONS 2006 160			Y	A	N	N	A	A
Ⓟ	Adopted	Dennis Gabryszak	Seconder	Ⓟ				
Ⓟ	Adopted as Amended	Patricia Laworowicz	Moderator	Ⓟ				
Ⓟ	Defeated	Thomas Johnson Jr.	Moderator	Ⓟ				
Ⓟ	Tabled	Jeff Swiatek	Moderator	Ⓟ				
Ⓟ	Withdrawn	James Jankowiak	Initiator	Ⓟ				
		Alice Magierski	Moderator	Ⓟ				
		James Rogowski	Moderator	Ⓟ				

2006-161 Travel Authorization - Police Department (Police Officer Michael McDonough) New York State Truck and Safety Education Conference

SPONSORED BY: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, the New York State Truck and Safety Education Conference is scheduled to be held April 11-12, 2006 in Syracuse, New York AND

WHEREAS, Police Officer Michael McDonough has requested authorization to attend said conference AND

WHEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$59 AND

☐ HEREAS, these expenses have been budgeted by the Police Department☐NO☐ , THEREFORE, BE IT

RESO☐☐ED, that Police Officer Michael McDonough be and hereby is authorized to attend the New York State Truck and Safety Education Conference scheduled to be held April 11-12, 2006 in Syracuse, New York.

Ú V ☐ R ☐☐☐☐ R ☐☐☐☐☐☐☐ 2006 161			Y ☐ A ☐	N ☐ N ☐	A ☐☐☐☐☐	A ☐☐☐☐
☐ Adopted	Dennis Gabryszak	Seconder	☐			
☐ Adopted as Amended	Patricia Jaworowicz	☐oter	☐			
☐ Defeated	Thomas Johnson Jr.	☐oter	☐			
☐ Tabled	Jeff Swiatek	☐oter	☐			
☐ ithdrawn	James Jankowiak	Initiator	☐			
	Alice Magierski	☐oter	☐			
	James Rogowski	☐oter	☐			

2006-162 Travel Authorization - Police Department (Detective Donald Strozyk) New York State Police Sex Offense Seminar
 SPONSORED BY: Councilmember Jankowiak, Supervisor Gabryszak

☐ HEREAS, the New York State Police Sex Offense Seminar will be held from May 22-26, 2006 in Albany, New York☐AND

☐ HEREAS, Detective Donald Strozyk has requested authorization to attend said seminar☐AND

☐ HEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner☐AND

☐ HEREAS, the total cost to the Town shall not exceed \$598☐AND

☐ HEREAS, these expenses have been budgeted by the Police Department☐NO☐ , THEREFORE, BE IT

RESO☐☐ED, that Detective Donald Strozyk be and hereby is authorized to attend the New York State Police Sex Offense Seminar being held from May 22-26, 2006 in Albany, New York.

Ú V R 2006 162			Y A	N N	A	A
Adopted	Dennis Gabryszak	Seconder	p			
Adopted as Amended	Patricia Laworowicz	oter	p			
Defeated	Thomas Johnson Jr.	oter	p			
Tabled	Jeff Swiatek	oter	p			
Withdrawn	James Rankowiak	Initiator	p			
	Alice Magierski	oter	p			
	James Rogowski	oter	p			

2006-163 Travel Authorization - Sign Maintenance Division (John Rogowski)
 SPONSORED BY: Councilmember Jankowiak, Supervisor Gabryszak

HEREAS, the York One Traffic Control Safety Training will be offered on April 2, 2006 in Burlington, Ontario AND

HEREAS, General Mechanic John Rogowski of the Sign Maintenance Division of the Police Department has requested authorization to attend said training AND

HEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$3 AND

HEREAS, these expenses have been budgeted by the Police Department NO , THEREFORE, BE IT

RESOLVED, that General Mechanic John Rogowski be and hereby is authorized to attend the York One Traffic Control Safety Training being offered on April 2, 2006 in Burlington, Ontario.

Ú V R 2006 163			Y A	N N	A	A
Adopted	Dennis Gabryszak	Seconder	p			
Adopted as Amended	Patricia Laworowicz	oter	p			
Defeated	Thomas Johnson Jr.	oter	p			
Tabled	Jeff Swiatek	oter	p			
Withdrawn	James Rankowiak	Initiator	p			
	Alice Magierski	oter	p			
	James Rogowski	oter			p	

C

Departmental Communications

S	D
Minutes - Planning Board Meeting - December	

8, 2005	
Minutes - Planning Board Meeting - February 9, 2006	
Minutes - Town Environmental Advisory Committee - March 8, 2006	
Minutes - Cheektowaga Conservation Advisory Council - March 2, 2006	

General Communications

S □ □ □ □ □ □	D □ □ □ □ □ □
Notice of Claim: Mark Craft □s. Town of Cheektowaga	
Notice of Claim: Keith H. Crawford □s. Town of Cheektowaga	
Notice of Claim: James Genson □s. Town of Cheektowaga	
Notice of Claim: Metlife Auto □ Home As Subrogee of Lester □ Margaret Dickson □s. Town of Cheektowaga	
Notice of Claim: Christina Mills □s. Town of Cheektowaga	
Notice of Claim: Chris □ itkowski □s. Town of Cheektowaga	
Notice of Claim: Victoria Street □s. Town of Cheektowaga	

C □ □ □ □ □ □

Supervisor's Comments

Councilmember's Comments

Public Comments

M □ □ □ □ □ □

		Y	A	N	N	A	A
p Adopted .. Defeated □ ithdrawn	Dennis Gabryszak	□oter	p				
	Patricia Laworowicz	□oter	p				
	Thomas Johnson Jr.	Initiator	p				
	Jeff Swiatek	□oter	p				
	James Rankowiak	□oter	p				
	Alice Magierski	□oter	p				
	James Rogowski	Seconder	p				

S R

2006-164 Approve Relocation of Robinson Home Products Into City of Buffalo Empire Zone

SPONSORED BY: Supervisor Gabryszak, Councilmember Rogowski

☐ HEREAS, Robinson Home Products, a manufacturing company, utilized space at 2615 Alden Avenue in the Town of Cheektowaga for its business, and

☐ HEREAS, Robinson Home Products has stated that the building space in Cheektowaga is inadequate to accommodate its present and future needs, and has been unable to identify property in Cheektowaga to accommodate its future growth plans, and

☐ HEREAS, Robinson Home Products signed a lease for a facility in Buffalo's Empire Zone, an economic development zone created in the City of Buffalo, and relocated into the City of Buffalo Empire Zone, and

☐ HEREAS, this action resulted in the retention of existing jobs in the Buffalo-Niagara region, and

☐ HEREAS, Robinson Home Products wishes to avail itself of other tax breaks and incentives for operating within an economic development zone, and

☐ HEREAS, Article 18-B and Section 959(a)(iii) of the General Municipal Law allow for the certification of a business enterprise that has shifted its operation from an area within the State into an economic development zone, and

☐ HEREAS, a public hearing was held on February 6, 2006 at 6:05 P.M. in the Town of Cheektowaga Town Hall for the purpose of soliciting comments from the public concerning this shift of operations of Robinson Home Products, and

☐ HEREAS, at such public hearing, representatives from Robinson Home Products stated that extraordinary circumstances exist to warrant the relocation of Robinson Home Products to the City of Buffalo Empire Zone, **NO**, THEREFORE, BE IT

RESOLVED, that this Town Board, based on the testimony given at the public hearing and the extraordinary circumstances stated by Robinson Home Products, and in the spirit of regionalism, hereby consents to the relocation of Robinson Home Products from the Town of Cheektowaga to the City of Buffalo Empire Zone.

Ú V R R 2006 16			Y A	N N	A	A
☐ Adopted	Dennis Gabryszak	Initiator	☐			
☐ Adopted as Amended	Patricia Laworowicz	☐oter	☐			
☐ Defeated	Thomas Johnson Jr.	☐oter	☐			
☐ Tabled	Jeff Swiatek	☐oter	☐			
☐ Withdrawn	James Rankowiak	☐oter	☐			
	Alice Magierski	☐oter	☐			
	James Rogowski	Secondar	☐			

M I E S

		Y	A	N	N	A	A
p Adopted .. Defeated .. Withdrawn	Dennis Gabryszak	Initiator	p				
	Patricia Laworowicz	oter	p				
	Thomas Johnson Jr.	Seconder	p				
	Jeff Swiatek	oter	p				
	James Rankowiak	oter	p				
	Alice Magierski	oter	p				
	James Rogowski	oter	p				



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Regular Meeting

~ Minutes ~

Mary F. Holtz
(716) 686-3434

Monday, April, 17, 2006

6:45 PM

Council Chambers

I. Public Hearings

Public Hearing # 1

CALL FOR PUBLIC HEARING SPECIAL USE PERMIT REQUEST/OMNIPOINT COMMUNICATIONS, INC.

✓ Vote Record - Public Hearing #1						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Adjourned <input checked="" type="checkbox"/> Closed	Dennis Gabryszak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Thomas Johnson Jr.	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Jeff Swiatek	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Jankowiak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

II. Call to Order

6:45 PM Meeting called to order on April 17, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Arrived
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Jankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present	
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present	
Thomas Adamczak	Town of Cheektowaga	Supervising Building & Plumbing Inspector	Present	
Anthony Romano	Town of Cheektowaga	Coordinator of Employee Relations	Present	
Christine Ziamba	Town of Cheektowaga	Chief of Police	Present	
Brian Hess	Town of	Assessor	Present	

	Cheektowaga			
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III. Invocation

A. Pastor Paul Fingerlow, New Hope Baptist Church

IV. Public Comment Period

V. Resolutions



RESOLUTION 2006-196

DOC ID: 1282

Transfer of Funds - 2005

Sponsored By: Supervisor Gabryszak, Councilmember Jaworowicz

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

2005

GENERAL FUND

FROM:	100-9501-9211	Bond Interest	\$ 200,000.00
TO:	100-9950-8729	Transfer to Capital Fund	\$ 200,000.00

RISK RETENTION FUND

FROM:	101-1936-4703	Catastrophe Reserve	\$ 150,000.00
	101-1910-2798	Appropriated Fund Balance	110,933.33
	101-1910-2401	Interest Earnings	44,798.94
	101-1910-2701	Refund of Prior Years Expense	78,115.00
	101-1931-4703	Unemployment Claims	37,407.65
TO:	101-1930-4703	Workers Compensation	\$ 8,670.55
	101-1932-4703	General Liability	373,913.38
	101-1937-4703	Dental Claims	38,670.99

HIGHWAY FUND

FROM:	300-5141-1731	Highway Labor	\$ 130,382.54
	300-5130-1701	Highway Machinery	15,816.43
	300-5140-1379	Brush & Weed	24,798.17
	300-5140-1701	Brush & Weed	30,332.81
	300-5142-1701	Snow Removal	151,916.78
	300-5148-1701	Highway Services	11,717.81
	300-5150-1701	Highway Improvements	57,529.36
TO:	300-5110-1701	General Repairs	\$ 130,382.54
	300-5141-1733	Labor Allocation	15,816.43
	300-5141-1734	Labor Brush & Weed	55,130.98
	300-5141-1735	Labor Snow	151,916.78
	300-5141-1736	Labor Other Governments	11,717.81
	300-5141-1737	Labor Improvements	57,529.36

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-197**

DOC ID: 1283

Transfer of Funds - 2006**Sponsored By:** Supervisor Gabryszak, Councilmember Jaworowicz

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

2006GENERAL FUND

FROM:	100-1910-3088	Miscellaneous State Aid	\$ 8,863.20
TO:	100-1680-4321	Software Licensing	\$ 8,863.20

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-198

DOC ID: 1281

Warrant

Sponsored By: Supervisor Gabryszak, Councilmember Jankowiak

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to April 14, 2006 are hereby approved and made part hereof;

General Fund	\$ 305,204.48
Risk Retention Fund	77,310.47
Debt Service Fund	1,757.00
Hud Housing Rehabilitation Fund	775.00
Special Districts Fund	1,167,376.86
Highway Fund	24,431.52
Capital Fund	15,566.25
Trust & Agency Fund	841.75
Hud CDBG Fund	3,066.94
Part Town Fund	270.50
	<u>\$ 1,596,600.77</u>

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-199

DOC ID: 1232

Award of Bid - Pool Maintenance Chemicals

Sponsored By: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, sealed bids were received for Pool Maintenance Chemicals on April 12, 2006 at a meeting held for said purpose, AND

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

RESOLVED, that the Cheektowaga Town Board hereby awards said Bid for Pool Maintenance Chemicals to:

Bison Laboratories
100 Leslie Street
Buffalo, NY 14211

FOR

Category I - Bromine - \$2.34 per lb.

Category II - Diatomaceous Earth - \$.28 per lb.

Amrex Chemical Co., Inc.
117 E. Frederick Street
P. O. Box 642
Binghamton, NY 13902

FOR

Category III - Sodium Bicarbonate - \$.1930 per lb.

Category IV - Soda Ash - \$.20 per lb.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-200**

DOC ID: 1233

Award of Bid - Athletic White Stripe

Sponsored By: Supervisor Gabryszak, Councilmember Jankowiak

WHEREAS, sealed bids were received for Athletic White Stripe on April 12, 2006 at a meeting held for said purpose, AND

WHEREAS, said bids have been reviewed for in compliance under the terms of the specifications, NOW THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board hereby award said Bid for Athletic white Stripe to:

Allied/Keystone Builders Supply
4388 Broadway
Depew, New York 14043

Athletic White Stripe at \$.075 per lb.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-201

DOC ID: 1288

Notice to Bidders Reroofing Maryvale Community Center

Sponsored By: Councilmember Jankowiak, Councilmember Johnson Jr.

WHEREAS, the roof on the Maryvale Community Center is in need of immediate replacement, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of labor, materials, tools and equipment for said roof replacement to the Maryvale Community Center, 3409 Genesee Street, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 3rd day of May, 2006 at 11:00 A.M., Local Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 3rd day of May, 2006 at 11:00 A.M., Local Time, in the Town Hall, Town of Cheektowaga, New York, for furnishing all labor, tools, equipment, materials and incidentals required for the Reroofing of the Maryvale Community Center, 3409 Genesee Street, complete, in place, and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by the Town of Cheektowaga Engineering Department for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 275 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be secured at the Office of the Town Clerk in the Town Hall, Town of Cheektowaga, Union Road @ Broadway, Cheektowaga, New York.

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227, and marked as "Reroofing of the Maryvale Community Center".

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

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

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

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

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

Attention of the bidders is further called to Section 103-d of the General Municipal Law which requires a bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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

The work shall be completed within 60 consecutive calendar days, to begin five (5) days after the "Order to Commence Work" has been issued.

BY ORDER OF
THE TOWN OF CHEEKTOWAGA

Mary Holtz
Town Clerk

DATED: April 17, 2006

PUBLISHED: April 20, 2006

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-202

DOC ID: 1291

New/Renewal Ambulance Driver/Attendant Licenses

Sponsored By: Councilmember Jankowiak, 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 list below 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

Name	Expiration Date
Bernas, Mark D	2/28/2008
Bienias, Gregory R	9/30/2008
Caldwell, Derek J	1/31/2008
Catanesi, Raymond	3/31/2009
Cozza, James E	1/31/2009
Cuillo, Denise M	10/31/2008
Haynes, Janine M	7/31/2008
Heick, Mary E	9/30/2008
Hurd, Sarah M	7/31/2008
Kleparek, Barbara A	3/31/2009
LaBella, Rachel E	9/30/2008
Lavango, Joseph L	1/31/2009
Lee, Shannon K	1/31/2009
Liguori, Frank L	1/31/2009
Lindquist, Allen L	10/31/2008
Mergi, Michael C	11/30/2008
Meyers, Brian C	2/28/2009
Miller, Matthew D	7/31/2008
Moore, Ann-Marie	9/30/2008
Nanni, Michele	2/28/2009
Obradovic, Zoran P	7/31/2007
Page, Donald R	2/29/2008
Peters, Brandon J	7/31/2008
Pollard, Steven J	10/31/2008
Ross, Ronald D	1/31/2008
Salt, Curt L	4/30/2008
Schimmel, John R	6/30/2008

Sellers, Paul M	9/30/2008
Shayder, Stacey L	1/31/2009
Stano, Douglas J	7/31/2008
Stiner, Jeffrey M	6/30/2008
Szczepaniak, Tim K	11/30/2008
Walsh, Andrea R	6/30/2008
Walsh, Jessica L	9/30/2008
Whiting, Matthew	6/30/2007

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-203**

DOC ID: 1295

New Freedom of Information Application

Sponsored By: Councilmember Magierski, Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga, pursuant to the Freedom of Information Law, adopted rules and regulations setting forth procedures for the public inspection and copying of records, and

WHEREAS, the Town's present "Application to Inspect Town Records" has proved to be inadequate in that with the increase in the number of applications accepted, it fails to provide enough information for the Records Management Department to make a thorough evaluation and follow through of a request for records, and

WHEREAS, it is expected that the number of requests for information will continue to increase, and

WHEREAS, the Records Manager has prepared a new "Application for Access to Municipal Information" NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby approves and adopts the attached new "Application for Access to Municipal Information" as prepared by the Records Management Department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Jankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-204**

DOC ID: 1277

**Request Elimination of Toll Barriers on Niagara Section of
New York State Thruway**

Sponsored By: Jaworowicz, Rogowski, Johnson Jr.

WHEREAS, the New York State Thruway Authority ("NYSTA") operates toll barriers along the Niagara section of the Thruway in Buffalo at Ogden Street and at Black Rock/Breckenridge Street, and

WHEREAS, these are the only interstate commuter toll barriers in upstate New York, and

WHEREAS, other interstate highways (i.e., I-290; I-390, I-490; I-590; I-900; I-81; I-690; I-481; I-790; I-88; I-86; I-890; I-787) do not have tolls, and

WHEREAS, these tolls amount to a tax on those commuting from the suburbs into the City of Buffalo, and

WHEREAS, in addition to the cost involved (\$100-\$200 per year per commuter), these toll barriers cause delays in people getting to work and into Buffalo for events; and they also affect highway safety since many people take other longer routes to travel into Buffalo in order to avoid the tolls, and

WHEREAS, over 30,000 people have signed a petition urging the removal of these toll barriers, and

WHEREAS, bills have been introduced in the State Legislature seeking removal of the tolls or some type of commuter pass program, and

WHEREAS, U.S. Congressman Brian Higgins has also threatened to withhold federal aid from the NYSTA unless these toll barriers are removed, and

WHEREAS, this Town Board feels that Town residents are negatively impacted by the existence of the toll barriers especially at the Ogden Street site, and

WHEREAS, this Town Board feels that it is time to remove these toll barriers for the benefit of taxpayers in the Town of Cheektowaga, City of Buffalo and all of Western New York,
NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NYSTA, State Assembly, State Senate and Governor to take all necessary action to remove the Ogden Street and Black Rock/Breckenridge Street toll barriers as quickly as possible, and BE IT FURTHER

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

RESULT: **ADOPTED [UNANIMOUS]**
MOVER: Patricia Jaworowicz, James Rogowski
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski,
Rogowski

**RESOLUTION 2006-205**

DOC ID: 1292

Grant for Justice Court Equipment

Sponsored By: Supervisor Gabryszak, Councilmember Rogowski

WHEREAS, grant monies are available from the New York State Unified Court System, Justice Court Assistance Program to assist with the operation of municipal Justice Courts, and

WHEREAS, the Town of Cheektowaga Justice Court seeks grant monies to purchase various equipment necessary to improve the operation of the Court; 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 Unified Court System for the purpose of securing this grant, and BE IT FURTHER

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-206**

DOC ID: 1293

Grant for Police for STEP Program

Sponsored By: Councilmember Johnson Jr., Councilmember Magierski

WHEREAS, the New York State Department of Motor Vehicles Governor's Traffic Safety Committee, has made National Highway Safety Administration funds available through the County of Erie for the 2006-2007 year to fund a Selective Traffic Enforcement Program ("STEP") grant to aid aggressive driving enforcement; and

WHEREAS, the Town of Cheektowaga Police Department has applied for such funding in the sum of \$13,800.00 to conduct this program in the Town of Cheektowaga; NOW THEREFORE, BE IT

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

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-207**

DOC ID: 1294

Grant for Buckle Up New York Program

Sponsored By: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, the Town of Cheektowaga seeks grant monies from the State of New York Governor's Traffic Safety Committee via the Buckle Up New York Program ("BUNY") in the approximate amount of \$7,360.00 to improve enforcement of seat belt use, and

WHEREAS, grant monies will be used to support overtime police patrols targeting motorists who fail to use seat belts; 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 State of New York Governor's Traffic Safety Committee 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.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-208

DOC ID: 1278

Approve Agreement with Cultural Society

Sponsored By: Rogowski, Magierski, Johnson Jr.

WHEREAS, the Town, in its 2006 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 2005 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):

Cultural/Not-For-Profit Organization	Funding Approved
Cheektowaga Cultural Society	\$2,150.00

and BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization(s) out of the respective cultural group budget line item(s) in the 2006 Town budget, subject to audit and approval of a properly signed Town voucher.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Rogowski, Councilmember
SECONDER:	Thomas Johnson Jr., Alice Magierski
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-209

DOC ID: 1279

Special Event for War of 1812/Flag Day Parade and Commemoration Activities

Sponsored By: Councilmember Johnson Jr., Councilmember Rogowski

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

WHEREAS, the War of 1812 Cemetery Board of Trustees and Cheektowaga Patriotic Commission have made application to hold a War of 1812 Cemetery/Flag Day parade and commemoration ceremony on Sunday, June 11, 2006 beginning at 11:30 A.M. as follows:

1. Parade will assemble at the corner of Aero Drive and Wehrle Drive, and proceed down Aero Drive to the War of 1812 Cemetery, where the ceremonies will be held
 2. Commemoration and fireworks display at Cheektowaga Town Park in the evening.
- and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the War of 1812 Cemetery Board of Trustees and the Cheektowaga Patriotic Commission for the aforementioned parade and commemoration ceremony to be held on June 11, 2006, and BE IT FURTHER

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-210

DOC ID: 1280

Special Event for Southline Little League Parade

Sponsored By: Jankowiak, Rogowski, Johnson Jr.

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

WHEREAS, the Southline Little League has made application to hold its annual Memorial Day Parade on Monday, May 29, 2006, commencing at 9:30 A.M.; said parade route to start at the Garden Village Plaza, then down French Road to Towers Boulevard, then to North Seine Drive, and ending at the Southline Little League baseball diamonds; and

WHEREAS, this Board has reviewed the aforementioned application, which application has been approved by the Town Board on behalf of the Department of Parks, Recreation & Youth Services and the Police Department, and has no objection to same; and

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the application of Southline Little League for the aforementioned Parade, to be held on Monday, May 29, 2006; and BE IT FURTHER

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Thomas Johnson Jr., James Rogowski
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-211**

DOC ID: 1284 B

Part-Time Hire/Terminations

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SENIOR SERVICES Recreation Attendant \$7.75/hour
Beverly Hess, Depew, New York
Effective 4/17/06

TOWN CLERKS OFFICE Clerk \$8.00/hour
Tracy Bolognese, Depew, New York
Effective 5/08/06

PARKS DIVISION Laborer \$7.25/hour
Stephen Kryst, Cheektowaga, New York
Effective 4/18/06

Paul Taylor, Depew, New York
Effective 4/18/06

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

PARKS DIVISION Laborer \$7.25/hour
Joseph Volino, Cheektowaga, New York
Effective 4/18/06

Kenneth N. Kopacz, Depew, New York
Effective 4/23/06

Thomas Owczarczak, Cheektowaga, New York
Effective 5/29/06

SANITATION DEPARTMENT Laborer \$7.50/hour effective 4/17/06
Darren Kazmierczak, Cheektowaga, New York
Gene Raczka, Cheektowaga, New York
Paul Herr, Depew, New York
Thomas Manley, Depew, New York
Bryan Kazmierczak, Cheektowaga, New York
Gene Willard, Cheektowaga, New York

Jesse Herr, Depew, New York
Andrew Westchak, Cheektowaga, New York

BE IT FURTHER RESOLVED, that the following seasonal employee's effective date of hire be amended as follows:

PARKS DIVISION Laborer \$7.75/hour
Robert Giardini, Cheektowaga, New York
Amend from 4/09/06 to 5/23/06

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

PERSONNEL DEPARTMENT
Jamie Holtz
Effective 4/21/06

RECORDS CENTER (SARA Grant)
Tracy Bolognese
Effective 5/07/06

PARKS DIVISION
Pawel Laskowski
Effective 4/17/06

SENIOR SERVICES
Norbert Czerniak
Effective 4/17/06

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-212**

DOC ID: 1285

Amend Clerk Typist Neighborhood Preservation (Kathleen Butsch) Effective Date

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, this Town Board appointed Kathleen Butsch to the permanent title of Clerk Typist in the Office of Neighborhood Preservation at the April 3, 2006 Town Board Meeting;
AND

WHEREAS, said appointment date was erroneously listed as April 1, 2005; BE IT

RESOLVED, Kathleen Butsch be and hereby is appointed to the permanent title of Clerk Typist in the Office of Neighborhood Preservation effective April 1, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-213

DOC ID: 1286

Travel Authorization - Building Inspectors - Updates to NYS Codes, Hamburg, New York on May 3, 2006

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, the Updates to New York State Codes will be held on May 3, 2006 in Hamburg, New York; AND

WHEREAS, the Supervising Code Enforcement Officer Thomas Adamczak, has requested authorization for all Town Inspectors to attend said conference; AND

WHEREAS, Mr. Adamczak has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$560; AND

WHEREAS, these expenses have been budgeted by the Town; NOW, THEREFORE, BE IT

RESOLVED, that the following Town employees, be and hereby are authorized to attend the Updates to New York State Association Codes on May 3, 2006 in Hamburg, New York:

Thomas Adamczak	Gary Parks
Ron Stepnick	Richard Coburn
Gail Milburth	Gregory Magnuszewski
Donald O'Neill	Lawrence Kensy
Mark Radecki	Donald Wartinger
Gerald Sprada	Lawrence Rokitka
Gerald Gill	Edward Saternus
Daniel Ulatowski	

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-214**

DOC ID: 1287

**Travel Authorization - Police Department - New York
Association of Hostage Negotiators Seminar In Rochester,
New York on May 24-26, 2006**

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, the New York Association of Hostage Negotiators Seminar is being held from May 24-26, 2006 in Rochester, New York; AND

WHEREAS, the Chief of Police has requested authorization for several Police Department employees to attend said seminar; AND

WHEREAS, Chief Christine Ziemba has submitted a request for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$2,427.18; AND

WHEREAS, these expenses have been budgeted by the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Sergeant Scott Pilat, Detective Robert Mullen, Police Officers Joseph Bauman, Kevin Schmitt, and David Filipski, be and hereby are authorized to attend the New York Association of Hostage Negotiators Seminar being held from May 24-26, 2006 in Rochester, New York.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-215**

DOC ID: 1289

Travel Authorization - Evidence Photography - Police Department - Lieutenant David Zack and Detective Robert Mullen

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, an Evidence Photography seminar is being held in West Haven, Connecticut from June 19-23, 2006; AND

WHEREAS, Lieutenant David Zack and Detective Robert Mullen have expressed an interest in attending said seminar; AND

WHEREAS, Police Chief Christine Ziemba has submitted for travel authorization along with the proper paperwork in a timely manner; AND

WHEREAS, the total cost to the Town shall not exceed \$3,402.04 AND

WHEREAS, these expenses have been budgeted by the Police Department; NOW, THEREFORE, BE IT

RESOLVED, that Lieutenant David Zack and Detective Robert Mullen be and hereby are authorized to attend an Evidence Photography seminar being held in West Haven, Connecticut from June 19-23, 2006.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

VI. Communications***A. Departmental Communications***

1. Cheektowaga Traffic Safety Commission Minutes - March 21, 2006
2. Town Environmental Advisory Committee Minutes - March 29, 2006
3. Town of Cheektowaga Emergency Services Quarterly Report January to March 2006

B. General Communications

1. Notice of Claim: Norman Barnekow Vs. Town of Cheektowaga

2. Notice of Claim: Kathleen J. Gruenthaner for Anna Marie Gruenthaner, Daughter Vs. Town of Cheektowaga
3. Notice of Claim: Sheryl Ann Kupiec Vs. Town of Cheektowaga
4. Notice of Claim: Joseph T. Maher Vs. Town of Cheektowaga
5. Notice of Claim: Bryan McPartland Vs. Town of Cheektowaga
6. Notice of Claim: Christine Wojtkiw Vs. Town of Cheektowaga
7. Summons: Financial Freedom Senior Funding Corp. Vs. Lucille Tanski, Town of Cheektowaga Etal

VII. Comments

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. Suspension of Rules



RESOLUTION 2006-216

DOC ID: 1207 A

Sign PILOT Agreement Re Maryvale East

Sponsored By: Councilmember Johnson Jr., Councilmember Jaworowicz

WHEREAS, the Town Board of the Town of Cheektowaga (the "Town Board") has previously approved a Project, as defined below, to be developed on behalf of the Moorman Drive Redevelopment Company LLC (the "Developer") by and through its affiliates Maryvale East Housing Development Fund Corporation (the "HDFC") and 100-120 Moorman Drive Associates, L.P. (the "Partnership"); and

WHEREAS, the Project consists of the rehabilitation of an 172-unit apartment complex on an approximately 9.1 acre site located at 100-120 Moorman Drive in the Town of Cheektowaga, utilizing funding obtained through bonds issued by the Village of Kenmore Housing Authority (the "Authority"), and

WHEREAS, the Public Housing Finance Law ("PHFL") authorizes the Town Board to exempt the real property in the Project from real property taxes; and

WHEREAS, the Partnership and the HDFC are willing to enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the Town as set forth in the PILOT Agreement presented to this Town Board for approval; and

WHEREAS, to make the Project economically feasible, the Town Board is willing to grant the Project an exemption from real property taxes for a period of 15 years to the extent authorized by the PHFL, subject to the execution and delivery of the PILOT Agreement; NOW, THEREFORE, BE IT

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

Section 1. The Town Board hereby exempts the Land and the Project from real property taxes to the extent authorized by the PHFL for a period of 15 years commencing with the first tax year following completion of the Project, and approves the proposed PILOT Agreement between the Town of Cheektowaga, the Partnership and the HDFC, in substantially the form presented at this meeting, providing for annual payments as set forth in said agreement;

Section 2. The Supervisor of the Town of Cheektowaga is hereby authorized to execute and deliver the foregoing PILOT Agreement on behalf of the Town of Cheektowaga; and

Section 3. This resolution shall take effect immediately.

AMENDED

WHEREAS, the Town Board of the Town of Cheektowaga (the "Town Board") has previously approved a Project, as defined below, to be developed on behalf of the Moorman Drive Redevelopment Company LLC (the "Developer") by and through its affiliates Maryvale East Housing Development Fund Corporation (the "HDFC") and 100-120 Moorman Drive Associates, L.P. (the "Partnership"); and

WHEREAS, the Project consists of the rehabilitation of an 172-unit apartment complex on an approximately 9.1 acre site located at 100-120 Moorman Drive in the Town of Cheektowaga, utilizing funding obtained through bonds issued by the Village of Kenmore Housing Authority (the "Authority"), and

WHEREAS, the Public Housing Finance Law ("PHFL") authorizes the Town Board to exempt the real property in the Project from real property taxes; and

WHEREAS, the Partnership and the HDFC are willing to enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the Town as set forth in the PILOT Agreement presented to this Town Board for approval; and

WHEREAS, to make the Project economically feasible, the Town Board is willing to grant the Project an exemption from real property taxes for a period of 15 years to the extent authorized by the PHFL, subject to the execution and delivery of the PILOT Agreement; NOW, THEREFORE, BE IT

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

Section 1. The Town Board hereby exempts the Land and the Project from real property taxes to the extent authorized by the PHFL for a period of 15 years commencing with the first tax year following completion of the Project, and approves the proposed PILOT Agreement between the Town of Cheektowaga, the Partnership and the HDFC, in substantially the form presented at this meeting, providing for annual payments as set forth in said agreement;

Section 2. The Supervisor of the Town of Cheektowaga is hereby authorized to execute and deliver the foregoing PILOT Agreement on behalf of the Town of Cheektowaga; and subject to the final approval of the Town Attorney.

Section 3. This resolution shall take effect immediately.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

**RESOLUTION 2006-217**

DOC ID: 1208

Approval of 100-120 Moorman Dr Project

Sponsored By: Councilmember Johnson Jr., Councilmember Jaworowicz

WHEREAS, the Village of Kenmore Housing Authority (the "Authority") was established pursuant to Article III of the New York Public Housing Law (the "Enabling Act") which Enabling Act grants and defines the powers and purposes of municipal housing authorities in the State of New York (the "State"), and Chapter 428 of the 1970 Laws of New York, as amended, constituting Section 525 of the New York Public Housing Law (collectively with the Enabling Act, the "Act"), an

WHEREAS, the Authority is authorized and empowered by the Act to promote the providing of adequate, safe and sanitary low-rent housing accommodations for persons who qualify for such accommodations under the Act, and

WHEREAS, to accomplish its stated purposes, the Authority is authorized and empowered under the Act to issue its revenue bonds to finance the cost of the acquisition of one or more "projects" (as defined in the Act), and

WHEREAS, to accomplish the provision and preservation of a significant number of safe, sanitary and affordable dwelling units for persons and families who qualify for such units under the Act in the Town of Cheektowaga (the "Town"), 100-120 Moorman Drive Associates, L.P. (the "Company") has made application to the Authority requesting that the Authority undertake a project (the "Project") consisting of the following: (A) the acquisition by the Authority of a leasehold interest (the "Leasehold") in an approximately 9.1 acre parcel of land located at 100-120 Moorman Drive in the Town of Cheektowaga, Erie County, New York (the "Land"), together with certain residential buildings and related improvements (collectively, the "Facility") to be rehabilitated by the Company on the Land, and the acquisition of certain equipment and other personal property related thereto (the "Equipment") (the Land, the Facility and the Equipment hereinafter collectively referred to as the "Project Facility"), all of the foregoing to constitute an approximately 172-unit apartment complex for lease to persons having moderate and low income; (B) the financing of all or a portion of the costs of the foregoing by issuance of tax-exempt private activity bonds of the Authority in one or more issues or series in an aggregate principal amount sufficient to pay the cost of undertaking the Project, together with necessary incidental costs in connection therewith, then estimated to be approximately \$6,500,000 (the "housing bonds"); (C) the granting of certain exemptions with respect to the foregoing, including potential exemptions from real estate transfer taxes, sales taxes and mortgage recording taxes; and (D) the sublease of the Project Facility to the Company, and

WHEREAS, the Authority was created for the benefit of the Village of Kenmore (the "Village"), and

WHEREAS, the Project is to be located in the Town, and the Town does not have a housing authority created under the Enabling Act to serve the citizens of the Town, and

WHEREAS, although Section 31 of the Act provides that the jurisdiction of the Authority is normally limited to the territorial limits of the Village, Section 37(1)(aa) of the Act allows the Authority to undertake a project for the benefit of the Town if the Town and the Authority enter

into an agreement of cooperation whereby the Authority agrees to assist the Town in the construction, maintenance, operation or management of such project, and

WHEREAS, by resolution adopted by the Town Board of the Town on April 17, 2006 (the "Town Invitation Resolution"), the Town (A) requested that the Authority act as issuer of the Bonds for purpose of financing the costs of the Project, (B) requested that the Authority assist in the acquisition, maintenance, operation and management of the Project Facility, and (C) authorized the Town Supervisor to enter into an agreement of cooperation (the "Cooperation Agreement") by and among the Town, the Authority and the Company, and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law of the State of New York, as amended (the "SEQR Act"), and the regulations of the New York State Department of Environmental Conservation promulgated thereunder (the "DEC Regulations"), and collectively with the SEQR Act, "SEQR"), the Authority has determined and the Town agrees that the Project involves a Type II action under Section 617.5(c)(2) of the SEQR Regulations, and therefore that the action is not subject to review under SEQRA and that an environmental impact statement need not be prepared with respect to the Project, and

WHEREAS, Section 39 of the Act may require that the Town approve the Project, and

WHEREAS, the Town Board has been advised by the Authority that the Authority proposes to issue, subsequent to the adoption of this resolution, the Bonds from time to time in a principal amount sufficient to fund all or a portion of the cost of acquiring the Project Facility together with incidental costs in connection therewith, which principal amount is presently estimated to be approximately \$7,000,000, and

WHEREAS, the Company has requested that interest on the Bonds be treated by the federal government as excludable from gross income for federal income tax purposes pursuant to Section 145(a) of the Internal Revenue Code, as amended (the "Code"), and

WHEREAS, pursuant to Section 147(f) of the Code, interest on the bonds will not be excludable from gross income for federal income tax purposes unless the issuance of the Bonds shall be approved by this Town Board after the Authority has conducted a public hearing thereon following reasonable public notice, and

WHEREAS, pursuant to Section 147(f) of the Code, on April 6, 2006, the Authority held a public hearing to consider both the issuance of the proposed Bonds and the nature and location of the proposed Project, and a report of said public hearing has been made available to each member of the Town Board prior to this meeting, and

WHEREAS, pursuant to Section 147(f) of the Code, the Town Board desires to allow the interest on the Bonds to be treated as excludable from gross income for federal income tax purposes;

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA AS FOLLOWS:

Section 1. For the sole purpose of complying with the requirements of Section 39 of the Act, the Town Board hereby approves the Project.

Section 2. For the sole purpose of qualifying the interest payable on the Bonds for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the Town Board, as the elected legislative body of the Town of

Cheektowaga, New York, hereby approves the issuance by the Authority of the Bonds, provided that the Bonds, and the premium (if any) and interest thereon, shall be special obligations of the Authority and shall never be a debt of the State of New York, the Town of Cheektowaga, New York or any political subdivision thereof (other than the Authority), and neither the State of New York, the Town of Cheektowaga, New York nor any political subdivision thereof (other than the Authority) shall be liable thereon.

Section 3. This resolution shall take effect immediately.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-218

DOC ID: 1209

Authorize Agreement of Cooperation Re 100-120 Moorman Dr

Sponsored By: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, Moorman Drive Redevelopment Company LLC (the "Developer"), through its affiliates, Maryvale East Housing Development Fund Corp. (the "HDFC") and 100-120 Moorman Drive Associates, L.P. (the "Partnership") (the Partnership and the HDFC are collectively referred to herein as the "Owner") are proposing to rehabilitate an 172-unit apartment complex (the "Project") on an approximately 9.1 acre site located at 100-120 Moorman Drive (the "Site") in the Town of Cheektowaga (the "Town"), and

WHEREAS, the Developer and the Owner have advised the Town that the financing of the Project would be facilitated by the issuance of \$6.3 to \$6.6 million of tax-exempt multi-family housing bonds (the "Bond") by a "public housing agency" (or agency or instrumentality thereof) pursuant to Section 41 of the New York Public Housing Law ("PHFL"), and

WHEREAS, under Section 55 of the Public Housing Law, the Town is permitted to assist the Developer and the Owner in procuring such financial assistance, and

WHEREAS, the Village of Kenmore Housing Authority (the "Authority") has expressed a willingness to assist the Town, the Developer and the Owner by issuing the Bonds, and

WHEREAS, such assistance is permitted under Section 37(1)(aa) of the New York Public Housing Law, as no public housing authority or agency is affiliated with, or located within, the jurisdiction of the Town, and

WHEREAS, the Town wishes to formally request such assistance,

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA AS FOLLOWS:

Section 1. As permitted by Section 37(1)(aa) of the New York Public Housing Law, the Town hereby requests that the Authority act as issuer of the Bonds for the purpose of financing the costs of the Project.

Section 2. The Supervisor, upon consultation with the Town Attorney, enter into an Agreement of Cooperation with the Authority and the Owner, containing such terms and conditions as the Supervisor may deem necessary or advisable in order to facilitate the construction of the Project.

Section 3. This resolution shall take effect immediately.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski



RESOLUTION 2006-219

DOC ID: 1296

Appointment of Acting Detective In Police Department (Joseph Bauman)

Sponsored By: Councilmember Jankowiak, Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Detective in the Police Department; AND

WHEREAS, Police Officers assigned to the Detective Bureau must fulfill a six (6) month probationary period and complete an Intern Program; NOW, THEREFORE BE IT

RESOLVED, that Joseph Bauman of Cheektowaga, New York, be and hereby is assigned to the rank of Acting Detective in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Police Club effective April 17, 2006.

RESULT: ADOPTED [UNANIMOUS]
MOVER: James Jankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

9. Adjourn the Meeting in Memory of Michael Papero.

✓ Vote Record - Adjourn the Meeting in Memory of Michael Papero.			Yes/Aye	No/Nay	Abstain	Absent	
		Dennis Gabryszak	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Adopted	Patricia Jaworowicz	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Thomas Johnson Jr.	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Withdrawn	Jeff Swiatek	Secunder	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Jankowiak	Initiator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Alice Magierski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		James Rogowski	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



Town of Cheektowaga

Executive Session

Meeting

3301 Broadway
Cheektowaga, NY 14227

Mary F. Holtz
(716) 686-3434

Tuesday, April, 25, 2006

6:00 PM

Council Office

1. Council

6:00 PM Meeting called to order on April 25, 2006 at Council Office, Conference Room, Cheektowaga, NY.

Attendance	Office	Title	Status	Action
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Absent	
Patricia Jaworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Absent	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Absent	
James Rogowski	Town of Cheektowaga	Councilmember	Present	
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present	
Anthony Romano	Town of Cheektowaga	Coordinator of Employee Relations	Present	
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present	

2. Executive Session

Motion by Councilmember Johnson, seconded by Councilmember Rogowski and the voting went as follows: Unanimous, to enter into Executive Session, with Discussion on litigation regarding Buffalo Crushed Stone issue.

There was also discussion on Empire One.

Motion by Councilmember Rogowski, seconded by Councilmember Johnson to exit the Executive Session at 6:15 pm. Unanimous.

At 6:35 pm, motion by Councilmember Rankowiak, seconded by Councilmember Johnson to return to Executive Session. Vote was unanimous.

Discussion was on Personnel Issues



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Rosemary M...

M...

Mary F. Holtz
(716) 686-3434

Monday, May 1, 2006

6:45 PM

Council Chambers

I. Council

6:45 PM Meeting called to order on May 1, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

A	N	O	T	S	A
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present		
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present		
Thomas Johnson	Town of Cheektowaga	Councilmember	Present		
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present		
James Rankowiak	Town of Cheektowaga	Councilmember	Present		
Alice Magierski	Town of Cheektowaga	Councilmember	Present		
James Rogowski	Town of Cheektowaga	Councilmember	Present		
Bill Pugh	Town of Cheektowaga	Town Engineer	Present		
Jerome Gabryszak	Town of Cheektowaga	Community Development Director	Present		
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present		
Mike Gorlewski	Town of Cheektowaga	Foreman, Central Garage	Present		
Pat Wojcik	Town of Cheektowaga	Director of Senior Services	Present		
Tom Adamczak	Town of Cheektowaga	Supervising Building Inspector	Present		
Brian Krause	Town of Cheektowaga	Supervising Accountant	Present		

II. I

A. Sister Mary Ambrose, Villa Maria

III. C

IV. R



RESOLUTION 2006-220

DOC ID: 1309

T F

S B: Supervisor Gabryszak, Councilmember aworowicz

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

GENERAL FUND

FROM:	100-1625-4202	Telephone - Townwide	\$ 474.80
TO:	100-1625-4205	Telephone System Maintenance	\$ 474.80

RESULT: ADO TED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia aworowicz, Councilmember
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-221

DOC ID: 1307

WHEREAS

SECTION 1: Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following vouchers and warrants Submitted to the Town of Cheektowaga prior to April 28, 2006 are hereby approved and made a part hereof

GENERAL FUND	\$ 1,909,217.07
RISK RETENTION FUND	62,781.79
HUD HOUSING REHABILITATION FUND	5,550.00
SPECIAL DISTRICTS FUND	489,385.63
HIGHWAY FUND	311,680.21
CAPITAL FUND	11,853.82
HUD CDBG FUND	35,468.31
PART TOWN FUND	89,481.70
NYS AFFORDABLE HOUSING	325.00
	\$ 2,915,743.53

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski



RESOLUTION 2006-222

DOC ID: 1318

A B B

S B: Councilmember ankowiak, Supervisor Gabryszak

HEREAS, in accordance with the policies and procedures adopted by the Cheektowaga Town Board for the procurement of goods and services, the Department of Parks, Recreation Youth Services solicited proposals for transportation for its 2006 summer camp programs, AND

HEREAS, proposals were received for the provision of said bus transportation services, AND

HEREAS, aidlaw Transit has submitted the lowest responsible quotation for the provision of bus transportation services, NO , THEREFORE, BE IT

RESOED that this Town Board hereby awards the contract for the provision of bus transportation at a cost of \$930.00 for the Department of Parks, Recreation Youth Services day camp programs to:

--aidlaw Transit
5 Anderson Road
Cheektowaga, New York 1225

Line Item Nos.: 10.51
10.518
310.691

RESULT: ADOPTED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-223

DOC ID: 1316

N **SE** **R D** **00 C** **B**

S **B**: Councilmember Johnson r., Councilmember Magierski

HEREAS, 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

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

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

HEREAS, an application was submitted by Omnipoint Communications, Inc. for a special permit to alter an existing cellular communications tower at 500 Como Park Boulevard , AND

HEREAS, the applicant desires to extend the existing 100 foot tall communications tower by an additional 12 feet in height for a total height of 152 feet, to accommodate a new cellular communications provider, AND

HEREAS, the Environmental Advisory Committee at its meetings held on March 8, 2006 recommended a determination of non-significance as shown on the attached memorandum dated March 9, 2006, AND

HEREAS, the Town of Cheektowaga Planning Board recommended approval of the of the special permit and site plan at their meeting of March 9, 2006, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee, and the Planning Board, NO , 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 BE IT

FURTHER RESOLVED, the proposed site plan is found to be acceptable.

A **:**

EAC-March 8, 2006 minutes

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson r., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-224

DOC ID: 1321

NEGATIVE DECLARATION FOR THE CONSTRUCTION OF A DRIVE-THRU RESTAURANT AND A RETAIL BUILDING

SUBJECT: Councilmember Johnson et al., Councilmember Magierski

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 Bauer - Manguso Associates for the construction of a 2,196 square foot drive-thru restaurant and a proposed 3,000 square foot retail building at 393501 Union Road, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on March 29, 2006 recommended a determination of non-significance as shown on the attached memorandum dated March 31, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of April 13, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The preservation of (5) existing trees not impacted by construction, to the maximum extent practicable.
2. The addition of Colorado spruce trees along the south yard to screen the service doors and mechanicals of the proposed retail building.
3. The Town Engineer approving the grading and drainage plan.
4. Submission of final civil plans to the Building Department for approval.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-225

DOC ID: 1302

CHEEKTOWAGA HONORABLE FIDELITY

SUPERVISOR B: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, the Town of Cheektowaga will be sponsoring the Polish-American Arts Festival from July 1-16, 2006 in Cheektowaga Town Park, and

HEREAS, caterers have been chosen to provide food and non-alcoholic beverages at such event, and

HEREAS, proposed license agreements authorizing the following named caterers to supply food and beverages at such festival have been prepared by the Town and are acceptable to such caterers:

Nowak Catering
Ray's Catering

and

HEREAS, Section 6 of the Town Law of the State of New York requires that a public hearing be held on the granting of concessions/licenses by a Town Board prior to the granting of same, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing on the proposal for the Town to enter into concession/license agreements with the afore-named caterers for the 2006 Polish-American Arts Festival shall be held on the 15th day of May, 2006 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to publish the attached Notice of Hearing in the Cheektowaga Times.

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Cheektowaga will hold a public hearing at the Town Hall, 3301 Broadway, Cheektowaga, New York, on the 15th day of May, 2006 at 7:00 P.M. to consider the advisability of entering into concession/license agreements with the following named caterers for the 2006 Polish-American Arts Festival, which runs from July 14- 16, 2006 in Cheektowaga Town Park:

1. Nowak Catering
2. Rays Catering

All parties in interest and citizens shall have an opportunity to be heard at such hearing.

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

Dated: May 1, 2006

MARY F. HORTON
Town Clerk

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-226

DOC ID: 1306

RESOLVED, That the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purpose of purchase of Three (3), New and Unused, 2007 Model, Single Drive Axle, and One (1), New and Unused 2007 Tandem Drive Axle, Heavy Duty Dump Trucks with Snow Plowing Equipment by Cheektowaga Highway Department.

WHEREAS, Councilmember Jaworowicz, Councilmember Johnson.

Information for bidders specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York, Between the hour of 9:00 AM and 3:30 PM, Monday through Friday, NO THEREFORE, BE IT

RESOLVED, That the Town Clerk is hereby designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, May 17, 2006, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.

TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT
LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of Three (3), New and Unused, 2007 Model, Single Drive Axle, and One (1), New and Unused 2007 Tandem Drive Axle, Heavy Duty Dump Trucks with Snow Plowing Equipment for use by the Highway Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on May 17, 2006 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Mary Holtz, Town Clerk at her office located at Town Hall, Cheektowaga NY. Bids must be enclosed in an opaque envelope plainly marked "BID FOR THREE (3), NEW AND UNUSED, 2007 MODEL, SINGLE DRIVE AXLE, AND ONE (1) NEW AND UNUSED 2007 TANDEM DRIVE AXLE, HEAVY DUTY DUMP TRUCKS WITH SNOW PLOWING EQUIPMENT. Non-Collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

MARY HOLTZ, TOWN CLERK

RESULT: ADOPTED UNANIMOUS
MOVER: Patricia Laworowicz, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-227

DOC ID: 1319

S... .. C... .. B... ..

S... .. B: Councilmember Magierski, Councilmember Johnson.

HEREAS, Omnipoint Communications, Inc. applied for a Special Permit and site plan approval to increase the height of an existing 100 foot cellular communications towers at 500 Como Park Boulevard, Cheektowaga, New York by an additional 12 feet on property owned by Buffalo Crushed Stone, Inc. pursuant to Sections 260- and 260-8 of the Code of the Town of Cheektowaga (Zoning Law), and

HEREAS, a public hearing was held before the Cheektowaga Town Board on the 14th day of April, 2006 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

HEREAS, the Cheektowaga Planning Board has recommended approval of this Special Permit, and

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

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

--

LEGAL DESCRIPTION

THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being more particularly bounded and described as follows:

Commencing at a point in the centerline of Como Park Boulevard said point being 818 feet easterly from the centerline of Center Avenue, at intersection with the extension of the division line between two parcels of land owned by Buffalo Crushed Stone, Tax Map No. 11-05-2-1 on the west and Tax Map No. 11-05-2-2 on the east thence N 00 degrees -3 E 80 feet to the point of beginning thence through the parcel of land owned by Buffalo Crushed Stone, Tax Map No. 11-05-2-1 the following three (3) courses and distances

1. N 89 degrees-23' a distance of 100 feet to a point thence
2. N 00 degrees-3 E a distance of 100 feet to a point thence
3. S 89 degrees-23' a distance of 100 feet to a point in the Aforementioned division line thence course 100 feet to a point

In the aforementioned division line thence, S 00 degrees-3 a distance of 100 feet to the point of beginning, containing an area of 0.230 acres (10,000 Sq. ft.) more or less.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-228

DOC ID: 1324

S **A** **16** **A**

S: Councilmember Magierski, Councilmember Johnson.

HEREAS, 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

HEREAS, 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

HEREAS, a development review application and site plan was submitted by Lucille Phillips of Aleida Health for minor site improvements which includes a child play area at 165 Kensington Avenue, AND

HEREAS, the Town of Cheektowaga Planning Board at its meeting of April 13, 2006 is recommending the approval of the site plan, AND

HEREAS, the Town of Cheektowaga Zoning Board of Appeals on April 19, 2006 has approved an area variance to permit the location of the play area and fence enclosure, AND

HEREAS, this Town Board has reviewed the development review application, the recommendation made by the Planning Board and resolution approved by the Zoning Board of Appeals, NO THEREFORE, BE IT

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-229

DOC ID: 1297

2006 C... D... B... G... A...

S... B: Gabryszak, Rogowski, Johnson r.

HEREAS, the Town has submitted a Consolidated Plan and Annual Action Plan to the Department of Housing & Urban Development for Community Development Block Grant funding for the 2006 Program Year, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Grant Agreement with the Department of Housing and Urban Development for the 2006 Community Development Block Grant Program Year.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Thomas Johnson r., James Rogowski
AYES: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-230

DOC ID: 1299

A **S** **E** **CDBG S**
A **V**

S **B**: Gabryszak, Rogowski, Johnson r.

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

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

HEREAS, Community Development Block Grant funds have been allocated in the 2006 program year budget for the villages of Depew and Sloan, NO, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute Subrecipient Agreements for Community Development Block Grant funding with the villages of Depew and Sloan for the 2006 program Year.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Thomas Johnson r., James Rogowski
AYES: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-231

DOC ID: 1300

A _____ **S** _____ **E** _____ **S** _____
A _____ **C** _____ **E** _____ **D** _____
C _____

S _____ **B**: Supervisor Gabryszak, Councilmember Rogowski

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

□ HEREAS, in accordance with these goals, the Cheektowaga Economic Development Corporation was created for the purpose of assisting and encouraging new business development and growth in the Town, and

□ HEREAS, use of Community Development Block Grant funds may be used for economic development activities, **NO**, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a subrecipient agreement with the Cheektowaga Economic Development Corporation authorizing the use and expenditure of Community Development Block Grant funds for the 2006 Program Year.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-232

DOC ID: 1308

A... S... E... S...
A...

S... B: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, the Town of Cheektowaga has previously provided Housing Rehabilitation loans to the owners of the property at 1 Alaska Street, Cheektowaga, New York 1206, AND

HEREAS, the owners of said property have applied for a home equity mortgage loan from M&T Bank, which has conditioned its mortgage approval on the subordination of the Town's mortgage to its mortgage, AND

HEREAS, the Director of Community Development has recommended approval of the subordination request, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute Subordination Agreements with Manufacturers and Traders Trust Company, One M&T Center, Buffalo, New York 1203 pertaining to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 1 Alaska Street, Cheektowaga, New York 1206.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-233

DOC ID: 1314

A... H... R... L... M... S...
H... C...

S... B: Gabryszak, Johnson Jr., Rogowski

HEREAS, the Town has received a request for housing rehabilitation loan assistance from 100-120 Moorman Drive Associates LP., owners and operators of the Maryvale Senior Housing Complex on Moorman Drive, for needed repairs and improvements, AND

HEREAS, said funds would be used in conjunction with New York State Low Income Housing Tax Credit and bond funding to make substantial improvements to said senior citizen housing complex, AND

HEREAS, Community Development Block Grant funds are available for such a project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and is hereby authorized to enter into an agreement with 100-120 Moorman Drive Associates LP. to provide housing rehabilitation loan funds in an amount not to exceed \$200,000 for rehabilitation work at the Maryvale Senior Housing Complex located on Moorman Drive, Cheektowaga, New York.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Thomas Johnson Jr., James Rogowski
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-234

DOC ID: 1298

A **S** **E** **A**
E **H** **T** **S**

S: Supervisor Gabryszak, Councilmember Johnson.

HEREAS, an agreement was executed with Stohl Environmental LLC as of April 1, 2005 for lead hazard testing and consulting services for the Town's housing rehabilitation programs for a one-year period, AND

HEREAS, the Director of Community Development has recommended extending said Agreement for one additional year at the same terms and conditions as contained in the original agreement, AND

HEREAS, the Director of Community Development has also recommended modifying said agreement to include asbestos and mold testing services for the Town's housing rehabilitation programs, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized and directed to execute an agreement for an amount not to exceed \$35,000 with Stohl Environmental LLC, 169 Allendale Parkway, Suite 100, Blasdell, New York 14219 to perform lead hazard, asbestos and mold testing services for the Town of Cheektowaga housing rehabilitation programs pursuant to said company's proposal dated April 5, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-235

DOC ID: 1323

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE BY THE NYS DEPARTMENT OF ENVIRONMENTAL CONSERVATION RECORDS DIVISION. HEREIN IS UNCLASSIFIED DATE 08/11/2009 BY SP-10/BJD

SE: Councilmember Johnson Jr., Councilmember Rogowski

WHEREAS, in August of 2002, the Cheektowaga Town Board established the Honorine Drive Water District to provide public water to residents located on the portion of Honorine Drive south of Como Park Boulevard, AND

WHEREAS, in order to create said water district, this Town Board bonded \$10,000, and residents within such water district were required to pay off such bonds over time, AND

WHEREAS, a grant was received from New York State Assemblyman Paul A. Tokasz and used to offset costs associated with the installation of the water line, AND

WHEREAS, the New York State Department of Environmental Conservation owns the Reinstein Woods Nature Preserve on the east side of Honorine Drive and, in order to construct its educational center on such property, has requested permission to tap into the water line on Honorine Drive and to relocate a fire hydrant on Honorine Drive, AND

WHEREAS, the Erie County Water Authority, which maintains and controls this water line, and the Town Engineer have reviewed the proposed plans of the New York State Department of Environmental Conservation, and have no objection to same, AND

WHEREAS, the New York State Department of Environmental Conservation, in exchange for being given permission to tap into the water line and relocate the fire hydrant, have agreed to reimburse the Town \$32,299.02 for the remaining costs associated with installing this water line and has prepared and submitted a proposed agreement to memorialize the terms of this payment, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned agreement between the New York State Department of Environmental Conservation and Town of Cheektowaga on behalf of the Town.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-236

DOC ID: 1305

D **T** **A**

S **B**: Rogowski, Johnson Cr., Laworowicz

HEREAS, Mr. Papero spent countless hours volunteering with local organizations to preserve woods and wetlands in the Town of Cheektowaga, AND

HEREAS, Mr. Papero helped establish Friends of the Woods, Inc., an organization devoted to preserving the Reinstein Woods as a nature preserve, and to preserve Stiglmeier Park, AND

HEREAS, Mr. Papero, as a seasonal worker for the Town of Cheektowaga Parks Division, spent numerous hours watering new trees in Town parks and playgrounds and in rights-of-way to ensure that they survived and flourished, AND

HEREAS, Mr. Papero turned a vacant triangular-shaped parcel of land bordered by Como Park Boulevard, Bellevue Avenue and Park Street into a little park memorializing Cheektowaga law enforcement officers who died in the line of duty, AND

HEREAS, Michael A. Papero passed away on April 1, 2006, NO, THEREFORE,

IN RECOGNITION OF THE TIRELESS ACTIONS OF MICHAEL A. PAPEROPERSON SERVICING THE TOWN OF CHEEKTOWAGA, THIS TOWN BOARD HEREBY NAMES THE TRIANGLE (PARCEL) BORDERED BY COMO PARK BOULEVARD, BELLEVUE AVENUE AND PARK STREET, AS

PAPEROPERSON PLACE

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Laworowicz, Thomas Johnson Cr.
AYES:	Gabryszak, Laworowicz, Johnson Cr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-237

DOC ID: 1304

A A V L

S B: Councilmember ankowiak, Supervisor Gabryszak

HEREAS, on the th day of May, 198, this Town Board adopted an Ambulance Ordinance. The EMS Board, which was created at that time, has completed a review and evaluation of new/renewal license applications for ambulances and has recommended that the Town Board license such ambulance(s), NO, THEREFORE, BE IT

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

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

<u>VEHICLE MAKE YEAR</u>	<u>LICENSE NO.</u>	<u>CAR NO.</u>
199 Ford	166ET	256
1998 Ford	1063ET	511
1999 Ford	10662ET	513
199 Ford	1631ET	519
1995 Ford	10661ET	520
1999 Ford	10658ET	521
1998 Ford	168ET	52
1999 Ford	10663ET	536
199 Ford	1623ET	53
1999 Ford	10625ET	59
1999 Ford	10626ET	550
199 Ford	1656ET	55
199 Ford	16ET	55
199 Ford	1065ET	560
199 Ford	165ET	565
199 Ford	1638ET	568
199 Ford	168ET	583
1998 Ford	1650ET	586
2000 Ford	10600ET	58
1998 Ford	10603ET	590
2003 Ford	1060ET	56
1995 Ford	10652ET	500
2003 Ford	10608ET	5
2003 Ford	10653ET	58
2005 Ford	10629ET	50
2005 Ford	10628ET	51
2005 Ford	10639ET	52
2005 Ford	1062ET	53
2006 Ford	1061ET	5

2006 Ford	10613ET	505
1995 Ford	10651ET	509
1996 Ford	10630ET	580
1995 Ford	16060ET	512
1998 Ford	16032ET	518
1999 Ford	16065ET	255
1998 Ford	16068ET	250
1995 Ford	16063ET	258
1999 Ford	16061ET	351
2005 Ford	590090T	501
2000 Ford	10630ET	510
1998 Ford	16036ET	510
1990 Ford	16035ET	515
2001 Ford	10601ET	589
1990 Ford	16030ET	516
1999 Ford	16033ET	510
1999 Ford	16028ET	522
1996 Ford	10656ET	523
1995 Ford	16000ET	525
1999 Ford	16006ET	526
1995 Ford	16005ET	520
1990 Ford	10631ET	529
1999 Ford	16001ET	531
1998 Ford	16000ET	532
1990 Ford	16069ET	533
1996 Ford	10650ET	535
1990 Ford	10655ET	539
1995 Ford	16019ET	501
1998 Ford	16010ET	503
1999 Ford	10609ET	500
1995 Ford	16058ET	505
2001 Ford	10600ET	552
1996 Ford	10659ET	555
1990 Ford	10650ET	562
1995 Ford	16000ET	563
1999 Ford	16055ET	560
1996 Ford	10632ET	566
1998 Ford	16053ET	560
1996 Ford	10633ET	585
2001 Ford	10602ET	588
2002 Ford	C2D1820	MEDIC-1
1996 Chevrolet	A0G3601	MEDIC-2
1990 Jeep	A003158	MEDIC-3
1993 Chevrolet	BDS1006	MEDIC-0
1990 Ford	CBC8513	MEDIC-5
1995 GMC	C0 D2000	MEDIC-8
2000 Ford	CG01659	MEDIC-9
2005 Chevrolet	DDG8519	MEDIC-10
2005 Chevrolet	DDG8510	MEDIC-11
2005 Chevrolet	DDG8520	MEDIC-12
2005 Chevrolet	DDG8518	MEDIC-13

2005 Chevrolet
2003 Chevrolet

DDG8521
DN1293

MEDIC-1
MEDIC-I

RESULT: ADO TED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-238

DOC ID: 1301

SPECIAL SECTIONS

SECTION B: Gabryszak, Rogowski, Johnson Tr.

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

WHEREAS, South Cheektowaga Baseball Association has made application to hold its League Picnic in Stiglmeier Park on August 5, 2006, and

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

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

- Submittal of plan for sanitary facilities
Submittal of site plan
Submittal of Security Plan
Submittal of Fire Prevention/Emergency Services Plan

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of South Cheektowaga Baseball Association for the aforementioned League Picnic event to be held in Stiglmeier Park on August 5, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Thomas Johnson Tr., James Rogowski
AYES: Gabryszak, Laworowicz, Johnson Tr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-239

DOC ID: 1303

SPECIAL COUNCIL MEETING

SPECIAL B: Councilmember Rogowski, Councilmember Johnson r.

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

WHEREAS, Cleve Hill Baseball, Inc. has made application to hold a parade on Saturday, May 20, 2006 beginning at 10:00 A.M. as follows: Parade will assemble at the Cleveland Hill School parking lot, exit onto Gilmore Road to Mapleview Road then proceed down Mapleview Road to Cleveland Drive, then proceed west on Cleveland Drive, then south on Harlem Road to Huth Road, and back to Cleveland Hill School grounds by the tennis courts, AND

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

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

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

NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Cleve Hill Baseball, Inc. for the aforementioned parade to be held on May 20, 2006, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Thomas Johnson r., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-240

DOC ID: 1310

T S H T

S: Councilmember Rankowiak, Supervisor Gabryszak

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

PART TIME Laborer \$8.50/hour
Donald Markman, Cheektowaga, NY
Effective 5/02/06

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

PARTS DIVISION Laborer \$12.25/hour
Joseph Boccio, Cheektowaga, NY
Effective 5/1/06

PARTS DIVISION Laborer \$11.25/hour
Jeffrey McGill, Cheektowaga, NY
Effective 5/06/06

Daniel Mysiak, Cheektowaga, NY
Effective 5/1/06

Michael Beyer, Cheektowaga, NY
Effective 5/22/06

Justin Henzler, Cheektowaga, NY
Effective 5/16/06

Charles Eich, Cheektowaga, NY
Effective 5/29/06

Robert Rudescher, Cheektowaga, NY
Effective 5/03/06

SEWER MAINTENANCE Laborer \$12.25/hour
Christopher Buczek, Cheektowaga, NY
Effective 6/05/06

Jeremy Buczek, Cheektowaga, NY

Effective 5/15/06

Brandon Hill, Cheektowaga, NY
Effective 5/15/06

John Lockhart, Cheektowaga, NY
Effective 5/22/06

Joseph Martin, Cheektowaga, NY
Effective 5/15/06

Justin Nowak, Depew, NY
June 26, 2006

Michael O'Sullivan, Cheektowaga, NY
Effective 6/05/06

William Olewniczak, Cheektowaga, NY
Effective 5/15/06

Sean Ross, Cheektowaga, NY
Effective 6/26/06

BE IT FURTHER RESOLVED, that the following employee's status be amended as follows:

PARIS DIVISION - Part-Time to Seasonal Status
Stephan Kryst, Cheektowaga, NY
Effective 7/1/06

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

PARIS DIVISION
Joseph Molino
Effective 7/18/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-241

DOC ID: 1320

T

S: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effective immediately:

--Dave Pocobella
--Paul Crissy

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-242

DOC ID: 1317

C **E** **I** **M** **S**
A **T** **S** **S** **A**
E **1 BOCES**

S **B**: Councilmember Magierski, Councilmember [ankowiak

HEREAS, Erie 1 BOCES has established a Career Education Internship Program to provide an opportunity for students to put skills to practical application at a job site AND

HEREAS, Matthew Sanscrainte, a student at Cheektowaga Central Schools, is a participant in said program and is interested in an internship in the Records Center, beginning May 1, 2006 and ending May 19, 2006, for a total of thirty hours of on-the-job, non-paid internship experience AND

HEREAS, the Municipal Records Manager has interviewed Mr. Sanscrainte and is desirous of participating in said program NO THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute the Memorandum of Agreement with Erie 1 BOCES, allowing Matthew Sanscrainte to participate in the Career Education Internship Program, under the terms and conditions of said Agreement.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James [ankowiak, Councilmember
AYES:	Gabryszak, [aworowicz, [ohnson r., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-243

DOC ID: 1322

RYS F

S: Councilmember **B**: Supervisor Gabryszak

FEE IN (\$0.00) DENOTE 2005 FEES

RESIDENT DISCOUNT CARDS

CHILDREN (0 - 15 YEARS OF AGE)	\$5.00 (\$5)
ADULT (16 - 59 YEARS OF AGE)	\$1.00 (\$1)
SENIORS (60 YEARS OF AGE AND OLDER)	FREE (FREE)

CAMP DART OOD

	RESIDENT	NON-RESIDENT
SUMMER		
PER CHILD A 6 EE S	\$52 (\$51)	\$625 (\$613)
PER CHILD EE Y	\$96 (\$90)	\$115 (\$112)
SECOND CHILD A 6 EE S	\$510 (\$500)	\$610 (\$599)
SECOND CHILD EE Y	\$90 (\$92)	\$109 (\$106)
THREE (3) DAYS PER EE	\$82 (\$80)	UNAVAILABLE

CAMP F AMINGO

	RESIDENT	NON-RESIDENT
SUMMER		
PER CHILD A 6 EE S	\$52 (\$51)	\$625 (\$613)
PER CHILD EE Y	\$96 (\$90)	\$115 (\$112)
SECOND CHILD A 6 EE S	\$510 (\$500)	\$610 (\$582)
SECOND CHILD EE Y	\$90 (\$92)	\$109 (\$106)
THREE (3) DAYS PER EE	\$82 (\$80)	UNAVAILABLE

CAMP I-DO-AH-GAH

	RESIDENT	NON-RESIDENT
SUMMER		
PER CHILD A 6 EE S	\$512 (\$499)	\$625 (\$613)
PER CHILD EE Y	\$96 (\$90)	\$115 (\$112)
SECOND CHILD A 6 EE S	\$95 (\$80)	\$610 (\$599)
SECOND CHILD EE Y	\$90 (\$92)	\$109 (\$106)
THREE (3) DAYS PER EE	\$82 (\$80)	UNAVAILABLE

CAMP CRABAPPLE

	RESIDENT	NON-RESIDENT
SUMMER		
PER CHILD A 6 EE S	\$50 (\$40)	\$625 (\$613)
PER CHILD EE Y	\$96 (\$90)	\$115 (\$112)
SECOND CHILD A 6 EE S	\$30 (\$20)	\$610 (\$599)
SECOND CHILD EE Y	\$90 (\$92)	\$109 (\$106)

THREE (3) DAYS PER WEEK	82 (80)	UNAVAILABLE
ADAPTED RECREATION PROGRAM		
OCTOBER - APRIL	RESIDENT 19	NON-RESIDENT 180
TINY TOTS		
SUMMER	RESIDENT	NON-RESIDENT
PER CHILD	3 (38)	53 (8)
SECOND CHILD	38 (35)	8 (5)
THREE TO GET READY		
SUMMER	RESIDENT	NON-RESIDENT
PER CHILD	39 (3)	9 (0)
SECOND CHILD	3 (31)	(1)
TUMBLE TIME		
	RESIDENT	NON-RESIDENT
	3 (29)	(39)
	2 (2)	3 (3)
SUBJECT TO CHANGE		
GYMNASTICS		
SUMMER 2 DAY (M/W)	RESIDENT	NON-RESIDENT
PER CHILD	60 (0)	0 (5)
SECOND CHILD	55 (2)	65 (52)
SUMMER 2 DAY (T-TH)		
PER CHILD	60 (51)	0 (61)
SECOND CHILD	55 (6)	65 (56)
TINY TUMBLERS		
SUMMER 3/YR OLD 1 DAY	RESIDENT	NON-RESIDENT
PER CHILD	25 (25)	35 (35)
SECOND CHILD	20 (20)	30 (30)
FRIDAY GYMNASTICS		
SUMMER	RESIDENT	NON-RESIDENT
PER CHILD	25 (23)	35 (33)
SECOND CHILD	20 (18)	30 (28)
ADVANCED I GYMNASTICS		
SUMMER	RESIDENT	NON-RESIDENT
PER CHILD	0 (55)	80 (65)
SECOND CHILD	65 (50)	5 (60)
ADVANCED II GYMNASTICS		
SUMMER	RESIDENT	NON-RESIDENT
PER CHILD	0 (63)	80 (3)
SECOND CHILD	65 (58)	5 (68)
INTRO TO ADVANCED GYMNASTICS		
PER CHILD	0 (55)	80 (65)

SECOND CHILD	65 (50)	5 (60)
AEROBICS YEAR ROUND		
PER CLASS	RESIDENT 2 (2)	NON-RESIDENT 3 (3)
ADULT EXERCISE	100 -	-
SWIMMING		
SUMMER	RESIDENT	NON-RESIDENT
YOUTH	32 (2)	2 (3)
SECOND CHILD	29 (2)	39 (33)
PARENT/INFANT	22 -	32 -
SECOND CHILD	19 -	29 -
TODDLER	22 (1)	32 (2)
SECOND CHILD	19 (1)	29 (2)
WATER AEROBIC	2 (19)	3 (29)
ADULT	29 (2)	39 (3)
2nd ADULT	26	36
WATER SLIDE/ ANIMALS	1 (1)	1 (1)
DAIRY USER FEE (Maryvale/ Dingens)	1 (1)	2 (2)
DAIRY USER FEE (Town Pool)	2	
FAMILY INTER		
YOUTH	32 (23)	2 (33)
SECOND CHILD	29 (19)	39 (29)
OPEN FAMILY (LESS DAYS)	32 (2)	2 (1)
LIFEGUARD TRAINING	13	1
INSTRUCTIONAL TENNIS		
SUMMER	RESIDENT	NON-RESIDENT
YOUTH	25 (31)	35 (1)
ADULT	25 (31)	35 (1)
ICE THREE-TWO ICE THE FUN		
FAMILY INTER/SPRING	RESIDENT	NON-RESIDENT
PER CHILD	25	295
SECOND CHILD	250	20

TEA TIME FOR T O		
FA / INTER	RESIDENT	NON-RESIDENT
PER CHILD	60 (6)	0 (56)
SECOND CHILD	55 (1)	65 (51)

PRE		
200-2005 SEPT-MAY	RESIDENT	NON-RESIDENT
THREE DAYS		
PAID IN FULL AT REGISTRATION	511 (3)	51 (528)
MONTHLY INSTANTMENTS	531 (26.50)	591 (2)
2ND CHILD	91	551

T O DAY 2 - HRS		
PAID IN FULL AT REGISTRATION	2 (399)	92 (9)
MONTHLY INSTANTMENTS	62 (209.50)	512 (23.50)
2ND CHILD	22	2

PUBLIC STATE		
FA / INTER	RESIDENT	NON-RESIDENT
GENERAL ADMISSION		() (3)

/ RESIDENT DISCOUNT CARD

CHILDREN 3 AND UNDER	FREE	(FREE)
CHILDREN TO 15	2	(2)1
ADULTS 16 AND UP	3	(3)2
SENIOR CITIZENS	2	(2)1

STATE RENTAL	2	(2)
--------------	---	-----

BIRTHDAY PARTIES	1.50 PER PERSON	(6)
SCHOOL TIME STATES	1.00 PER PERSON	(3)

EARN TO STATE		
FA / INTER	RESIDENT	NON-RESIDENT
PER INDIVIDUAL	9 (8)	69 (68)6 (3)
66 (63)		

ICE HOCKEY

STATE AND SHOOT				
FA / INTER	RESIDENT		NON-RESIDENT	
	HOUSE	TRAIL	HOUSE	TRAIL
NO ICE	283(283)	N/A	58(58)	N/A
MITE	323(323)	38(38)	508(508)	623(623)
SUIRT	33(33)	88(88)	558(558)	63(63)
PEE EE	23(23)	538(538)	608(608)	23(23)
BANTAM	3(3)	588(588)	658(658)	3(3)
MIDGET	53(53)	3(3)	08(08)	628(628)
GENERAL ADMISSION			()	
ADMISSION / RESIDENT CARD	5		(5)	
FIRST 2 GOALS	FREE		(FREE)	

--AD COACHES RECEIVE A 30.00 REDUCTION FOR ONE CHILD
 --SECOND CHILD ENROLLED FROM A FAMILY 30.00 REDUCTION

--THIRD CHILD ENROLLED FROM A FAMILY \$0.00 REDUCTION
 --2006 - 2007 TRAFFIC TRY-OUT FEE \$0.00 EACH TRY OUT
 --THERE WILL BE A \$50.00 RATE FEE FOR ANYONE NOT PAID IN FULL BY
 10/15/06

ICE RENTALS

FAHRENHEIT / INTER			
PER HOUR	PRIME TIME	\$139	(\$120 (\$121) 5:00pm-11:00pm M-F All day Sat and Sun
	NON-PRIME	\$119	(\$103 (\$100) 8:00am- 5:00pm M-F

SPORT COURT RENTALS

PER HOUR	\$65	(\$55)	(\$50)
PER HOUR AND HALF	\$85	(\$75)	(\$70)
PER 2 HOURS	\$100	(\$90)	(\$85)

INDOOR HOCKEY

SUMMER	RESIDENT	NON-RESIDENT
YOUTH PARTICIPANT	\$ 89 (\$89)	\$119 (\$119)

ADULT / MIDGET TEAM \$80 EACH NON-RESIDENT \$15 ADDITIONAL

ADULT / MIDGET INDOOR HOCKEY TEAMS ARE RESPONSIBLE FOR PAYMENT OF REFEREES PRIOR TO THE START OF EACH GAME

FLOOR HOCKEY

	RESIDENT	NON-RESIDENT
YOUTH PARTICIPANT	\$ 55	\$ 0

ADULT/ MIDGET TEAM \$ 550 EACH NON-RESIDENT \$15 ADDITIONAL

ADULT/MIDGET FLOOR HOCKEY TEAMS ARE RESPONSIBLE FOR PAYMENT OF REFEREES PRIOR TO THE START OF EACH GAME

YOUTH SOCCER

SUMMER	RESIDENT	NON-RESIDENT
CHILD	\$ 53 (\$51)	\$69 (\$65)

ADULT, JUNIORS, MIDGET \$50 PER TEAM
 EACH NON RESIDENT PAYS \$15 ADDITIONAL

(ADULT, JUNIORS AND MIDGET TEAMS PAY THE REFEREE FEES PRIOR TO THE START OF THE GAME)

A STAR-A SPORTS	30 (30)	0 (0)
START SMART SOCCER	3 (3)	58 (58)
START SMART BASEBALL	8 (8)	58 (58)
START SMART BASKETBALL	8 (8)	58 (58)
YOUTH BASKETBALL		
FA / INTER	RESIDENT	NON-RESIDENT
PER PARTICIPANT	30 (28)	0 (38)
ADULT BASKETBALL		
PER TEAM	5 (5)	
HIGH SCHOOL BASKETBALL (summer)	50 (50)	
OCEYBALL (teams pay referee fees each week)		
FA / INTER	200 PER TEAM	
INDOOR	SATURDAYS	
	THURSDAY AND FRIDAY	
MINI-SESSION		12 SEPT-DEC
INDOOR	5 (5)	18 JAN-APRIL
	NON-RESIDENTS AFTER - PER TEAM	10.00 EACH
SUMMER		
OUTDOOR	5 (5)	

DIAMOND PERMITS		
SUMMER (per 2 hour time block)	RESIDENT	NON-RESIDENT
NO LIGHTS	50 (5)	0 (65)
LIGHTS	80 (5)	95 (90)
13 WEEK SERIES		
NO LIGHTS	50 (25)	65 (650)
LIGHTS	50 (25)	925 (900)
Additional games added to 13-week series are charged at the regular 2-hour block rate		

SOCCER / FOOTBALL FIELD RENTAL		
PER TWO HOUR TIME BLOCK	RESIDENT	NON-RESIDENT
	60 (60)	5 (5)

OCEYBALL COURT RENTAL		
1 COURT PER TWO HOUR BLOCK	RESIDENT	NON-RESIDENT
	(50)	(0)

ADULT SOFTBALL LEAGUES		
SUMMER	LEAGUE	FRANCHISE FEE
	COED	315 (315)
	WOMEN'S	315 (315)
	MEN'S LEISURE	315 (315)
	MEN'S OVER 40	315 (310)
	OPEN MEN'S	315 (90)

ALL NON-RESIDENTS MUST PAY 20.00 ADDITIONAL

ALL BUSINESS TEAMS (BUSINESSES WITHIN THE TOWNSHIP), ALL PLAYERS MUST REGISTER FOR THAT BUSINESS, \$305 (\$355). THIS INCLUDES THE FIRST 11 ON THE ROSTER. NON-RESIDENTS AFTER 11 MUST PAY \$20 EACH.
 ALL TEAMS ARE RESPONSIBLE FOR PAYING THE UMPIRES EACH WEEK
 THE \$15 AS A FEE WILL BE INCLUDED WITH THE REGISTRATION FEE

INLINE HOCKEY

SUMMER	RESIDENT	NON-RESIDENT
YOUTH PARTICIPANT	\$ 85 (\$83)	\$120 (\$116)

ADULT TEAM \$810 EACH NON-RESIDENT \$15 ADDITIONAL

ADULT INLINE TEAMS ARE RESPONSIBLE FOR PAYMENT OF REFEREES PRIOR TO THE START OF EACH GAME

ICE HOCKEY

FAALL / INTER	HOUSE	RESIDENT	NON-RESIDENT
TRAFFIC		TRAFFIC	HOUSE
NOVICE	\$203 (\$263)	N/A	\$38 (\$28) N/A
MITE	\$313 (\$303)	\$28 (\$18)	\$88 (\$8) \$603 (\$593)
SQUIRT	\$363 (\$353)	\$8 (\$68)	\$538 (\$528) \$653 (\$603)
PEE PEE	\$13 (\$03)	\$528 (\$518)	\$588 (\$508) \$03 (\$693)
BANTAM	\$63 (\$53)	\$508 (\$568)	\$638 (\$628) \$53 (\$03)
MIDGET	\$533 (\$523)	\$33 (\$23)	\$08 (\$698) \$608 (\$598)

- ALL HEAD COACHES WILL RECEIVE A \$30.00 REDUCTION FOR ONE CHILD
- SECOND CHILD ENROLLED FROM A FAMILY \$30.00 REDUCTION
- THIRD CHILD ENROLLED FROM A FAMILY \$0.00 REDUCTION
- 2003 - 2004 TRAFFIC TRY-OUT FEE \$0.00 EACH TRY OUT

SUMMER TEEN PROGRAM

WEEKLY	RESIDENTS	NON-RESIDENTS
ONE CHILD	\$101 (\$95)	\$120 (\$109)
SECOND CHILD	\$96 (\$90)	\$116 (\$100)

6 WEEKS	RESIDENTS	NON-RESIDENTS
ONE CHILD	\$601 (\$500)	\$15 (\$630)
SECOND CHILD	\$501 (\$500)	\$91 (\$600)

FIRST WEEK ONLY - one child	\$90	\$113
	89	109

CULTURAL CENTER (BAND SHELL) LOCATED IN TOWNSHIP PARISH

THE RENTAL FEE IS FOR FOUR HOURS ANY TIME PRIOR TO OR AFTER THE SPECIFIED RENTAL TIME. THE RENTER IS RESPONSIBLE FOR THE COSTS OF KEEPING STAFF ON

RESIDENTS

00 for a four hour period Additional hours before or after the specified rental time will be billed at 125 per hour.

NON-RESIDENTS

800 for a four hour period Additional hours before or after the specified rental time will be billed at 195 per hour.

3-DAY EE

RESULT: WITHDRAWN



RESOLUTION 2006-244

DOC ID: 1311

A **C** **T** **I** **S** **M** **D**
B

S: Councilmember [ankowiak, Supervisor Gabryszak

HEREAS, a vacancy exists in the position of Clerk Typist in the Sewer Maintenance Division AND

HEREAS, 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

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

HEREAS, Dawn Burgio, currently employed as an Clerk Typist in the Justice Court, bid on said vacancy and meets the necessary qualifications NO, THEREFORE, BE IT

RESOLVED, that Dawn Burgio of Cheektowaga, New York, be and hereby is appointed to the position of Clerk Typist in the Sewer Maintenance Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective May 22, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James [ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, [aworowicz, [ohnson r., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-245

DOC ID: 1312 A

A **M** **E** **O** **A** **S**
M **D** **G** **R**

S: **B**: ankowiak, Gabryszak, ohnson .

HEREAS, a vacancy exists in the title of Motor Equipment Operator-A in the Sewer Maintenance Division AND

HEREAS, 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

HEREAS, George Ross, currently employed as a Senior Sewer Maintenance orker in the Sewer Maintenance Division, bid on said vacancy, and meets the necessary qualifications NO , THEREFORE BE IT

RESO ED, that George Ross of Cheektowaga, New York, be and hereby is appointed to the position of Motor Equipment Operator-A in the Sewer Maintenance in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective May 1, 2006.

RESULT:	ADO <input type="checkbox"/> TED <input type="checkbox"/> UNANIMOUS <input type="checkbox"/>
MOVER:	<input type="checkbox"/> ames <input type="checkbox"/> ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Thomas <input type="checkbox"/> ohnson <input type="checkbox"/> .
AYES:	Gabryszak, <input type="checkbox"/> aworowicz, <input type="checkbox"/> ohnson <input type="checkbox"/> r., Swiatek, <input type="checkbox"/> ankowiak, Magierski, Rogowski



RESOLUTION 2006-246

DOC ID: 1313

A **S** **M** **W** **2** **I** **S**
M **D** **M** **A** **L** **T**
M

S: Councilmember **B**: Councilmember Frankowiak, Supervisor Gabryszak

HEREAS, two (2) vacancies exist in the title of Sewer Maintenance Worker in the Sewer Maintenance Division, AND

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

HEREAS, Thomas Marten, currently employed as a temporary Sewer Maintenance Worker, bid on said position and meets the necessary qualifications AND

HEREAS, Michael A. Lewandowski, currently employed as a Motor Equipment Operator-A in the Highway Department, bid on said position and meets the necessary qualifications NO, THEREFORE BE IT

RESOLVED, that Thomas Marten of Cheektowaga, New York, and Michael A. Lewandowski of Depew, New York, be and hereby are appointed to the position of Sewer Maintenance Worker in the Sewer Maintenance Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective May 2, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-247

DOC ID: 1315

TOWNSHIP OF CHEEKTOWAGA 1 T A A H
T S D D

S B: Councilmember Rankowiak, Supervisor Gabryszak

HEREAS, the 13th Annual Advanced Handler and Tactics Seminar is being held in Binghamton, New York from June 5-9, 2006 AND

HEREAS, 9 Officer John Duskocz, has requested authorization to attend said seminar AND

HEREAS, Police Chief Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$1,008 AND

HEREAS, these expenses have been budgeted by the Police Department NO , THEREFORE, BE IT

RESOLVED, that 9 Officer John Duskocz, be and hereby is authorized to attend the 13th Annual Advanced Handler and Tactics Seminar being held in Binghamton, New York from June 5-9, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

V. S R

Motion by Councilmember Magierski, seconded by Councilmember Rogowski to suspend the rules to include the following seven (7) resolutions, and the motion passed with a unanimous vote.



RESOLUTION 2006-248

DOC ID: 1325

G R A N T S C O R R I D O R E N F O R C E M E N T

S P O N S O R E D B Y: Councilmember Thomas Johnson Jr.

WHEREAS, the New York State Governor's Traffic Safety Committee has made Traffic Safety Corridor Enforcement funds available through counties for the 2006 year to fund a grant to target speeding and aggressive driving in high-crash locations throughout the State and

WHEREAS, the New York State Police and the New York State Department of Transportation have identified the Kensington Expressway as a target location for this project and

WHEREAS, the Town of Cheektowaga Police Department wishes to apply for funding in the amount of \$9,915.00 for this purpose, and the Chief of Police has recommended that the Town apply for such funding **NOW THEREFORE, BE IT**

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

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-249

DOC ID: 1326

A **A** **D**

S **B** : Councilmember ankowiak, Supervisor Gabryszak

HEREAS, Brian Hansen, Recreation Specialist, aka Pool Director for the Town of Cheektowaga Parks, Recreation Youth Services will be unavailable to perform his duties for an indefinite period of time, and

HEREAS, the department is at the point of reviewing applications, hiring and staffing our pools for the summer months, as well as preparing the facilities for opening, that includes interacting with other governmental agencies for inspection purposes, and

HEREAS, it is in the best interest of the department to appoint an Acting Director, BE IT

RESO **ED** that Cathy Giles, Recreation Instructor, aka Assistant Pool Director, is elevated to the position of Recreation Specialist, aka Acting Director, effective May 1 with the rate of pay of 16.33 per hour, and will continue to serve in this position until Mr. Hansen is able to re-assume his duties, upon which Ms. Giles will revert to her position of Assistant Director.

RESULT:	ADO <input type="checkbox"/> TED <input type="checkbox"/> UNANIMOUS <input type="checkbox"/>
MOVER:	<input type="checkbox"/> ames <input type="checkbox"/> ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, <input type="checkbox"/> aworowicz, <input type="checkbox"/> ohnson <input type="checkbox"/> r., Swiatek, <input type="checkbox"/> ankowiak, Magierski, Rogowski



RESOLUTION 2006-250

DOC ID: 1327

A **A** **M** **A** **E** **W** **C**

S: Supervisor Dennis Gabryszak

WHEREAS, the property purchased from the Department of Housing & Urban Development, located at 87E Windwood Court has been found to contain asbestos, which must be abated pursuant to applicable New York State law, AND

WHEREAS, air quality monitoring must also be conducted during the asbestos removal process, AND

WHEREAS, proposals for said air quality monitoring services at said location were also solicited by the Office of Community Development pursuant to procurement guidelines adopted by the Town Board and federal regulations governing the Community Development Block Grant Program, AND

WHEREAS, the Director of Community Development has recommended that a contract for professional air quality monitoring services at 87E Windwood Court be awarded to Stohl Environmental, LLC, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor is hereby authorized to execute a contract with Stohl Environmental, LLC, 4169 Allendale Parkway, Suite 100, Blasdell, New York 14219 to perform necessary air quality monitoring services at 87E Windwood Court, Cheektowaga, New York, for a fee not to exceed \$660.00, said cost to be charged to the Community Development Block Grant Program.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-252

DOC ID: 1329

MAYOR DENNIS GABRYSZAK SUPERVISOR EDWARD L. SWIATEK, SUPERVISOR LAWOROWICZ, SUPERVISOR JOHNSON JR., SUPERVISOR SWIATEK, SUPERVISOR BANKOWIAK, SUPERVISOR MAGIERSKI, SUPERVISOR ROGOWSKI

SUPERVISOR BANKOWIAK B: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Bankowiak, Magierski, Rogowski

WHEREAS, New York State Senator Dale Polker has sponsored Senate Bill No. 2003 to amend the Public Health Law to require at least two (2) qualified individuals to be present to supervise a public or school pool when instructional activity is taking place, and

WHEREAS, under such bill, said qualified individuals must be at least supervision level III, and

WHEREAS, this law was being proposed because, since 1984, five drownings have occurred at school pools in New York State, and these drownings appeared to have occurred when supervision was by only one instructor who was distracted by other responsibilities, and

WHEREAS, this Board feels that this proposed legislation is desirable to avoid any further tragedies, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the State Senate, Assembly and Governor to enact Senate Bill No. 2003 into law, and BE IT FURTHER

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

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Laworowicz, Johnson Jr., Swiatek, Bankowiak, Magierski, Rogowski
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Bankowiak, Magierski, Rogowski



RESOLUTION 2006-253

DOC ID: 1330

R... D... C... R...
R... B... F...

S... B: Councilmember Magierski, Councilmember Rankowski

WHEREAS, the United States government has determined that the H5N1 Avian Flu virus is likely to reach the United States within the next 6-12 months, and

WHEREAS, in the event of the transmission of bird flu to humans, the transmission of which is presently estimated to be in the 50th percentile according to prominent epidemiologists, and in the event of such transmission, a 2% - 10% mortality rate in the United States population can be reasonably expected, and

WHEREAS, the Town of Cheektowaga has previously adopted an Emergency Management Plan to provide for the continuation of Town services in the event of an emergency, and

WHEREAS, the sufficiency of the Town of Cheektowaga's Emergency Management Plan should be analyzed given the data presently available concerning the H5N1 virus, NOW, THEREFORE, BE IT

RESOLVED, that the Cheektowaga Town Board hereby directs the Town of Cheektowaga Coordinator of Town Emergency Services to submit to this Board on or before June 15, 2006 a detailed and comprehensive written report as to the presently estimated effects of such an infection, given the assumptions set forth above, upon the operation of all of the Town's services, including, but not limited to, its public safety and emergency services, under the Town of Cheektowaga's Emergency Plan presently in existence, including in such report any deficiencies or inadequacies in such Plan and a detailed timetable for the implementation of any proposed modifications of such Plan.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-254

DOC ID: 1331

S **S** **R** **FTC** **I** **C**
O

S: Councilmember Magierski, Councilmember Rankowiak

WHEREAS, gasoline prices have been steadily increasing in the couple of months, and

WHEREAS, the national average price of regular gas is over \$3.00 per gallon, and is expected to increase, and

WHEREAS, it appears that oil companies have reported record profits at the expense of the public, and

WHEREAS, it has been suggested that oil companies could be intentionally driving prices up for the summer driving season by keeping some of their refineries offline while they switch to summer fuel blends, and

WHEREAS, United States Senator Charles Schumer, in April, sent a letter to the Federal Trade Commission urging it to closely monitor refining capacity and prices, to ensure that oil companies use their maximum refining capacity so that prices don't continue to rise before the summer driving season begins, and

WHEREAS, Senator Schumer also called for an investigation to ensure that refining capacity is not being manipulated, and

WHEREAS, the increase in oil and gas prices is costing the Town of Cheektowaga and its taxpayers, and is negatively affecting the economy, **NOW, THEREFORE, BE IT**

RESOLVED, that this Town Board joins Senator Charles Schumer in calling for an investigation into the profits made by the oil companies and the potential manipulation of gas prices in the United States, and **BE IT FURTHER**

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Senator Charles Schumer, Senator Hillary Clinton, Congressman Brian Higgins, President George Bush and the Federal Trade Commission.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski

VI. Council

A. Departmental Communications

- 1. **Supervisor's Comments**
- 2. **Board of Trustees - April 2006**
- 3. **Trustees' Comments - April 12, 2006**
- 4. **Councilmember's Comments - April 6, 2006 Meeting**

VII. Council

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. Adjournment

Motion by Councilmember Johnson, seconded by Councilmember Swiatek to adjourn the meeting.



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Rosemary

Mary F. Holtz

Mary F. Holtz
(716) 686-3434

Monday, May 15, 2006

6:45 PM

Council Chambers

Item 1

6:45 PM Meeting called to order on May 15, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendees	Organization	Title	Status	Notes
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	
Anthony Romano	Town of Cheektowaga	Coordinator of Employee Relations	Present	
John Broszewski	Town of Cheektowaga	General Crew Chief	Present	
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present	
Thomas Adamczak	Town of Cheektowaga	Supervising Building Plumbing Inspector	Present	
William Pugh	Town of Cheektowaga	Town Engineer	Present	
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present	

II. I □ □ □ □ □ □ □ □ □ □

A. Rev. Ken Lombardo, Resurrection Life Fellowship

III. C □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □

IV. H □ □ □ □ □ □ □ □ □ □ □ □ □ □ **M**

Public Hearing □ 1

PUBLIC HEARING FOR POLISH FESTIVAL CATERERS

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.

V. R		H		Y	A	N	N	A	A
.. p	Adjourned	Dennis Gabryszak	Initiator	p	..	..	..	..	..
	Closed	Patricia Laworowicz	oter	p	..	..	..	..	..
		Thomas Johnson Jr.	oter	p	..	..	..	..	..
		Jeff Swiatek	oter	p	..	..	..	..	..
		James Rankowiak	oter	p	..	..	..	..	..
		Alice Magierski	oter	p	..	..	..	..	..
		James Rogowski	Seconder	p	..	..	..	..	..

V. R □ □ □ □ □ □ □ □ □ □



RESOLUTION 2006-255

DOC ID: 1339

T F

S B: Supervisor Gabryszak, Councilmember aworowicz

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

SPECIAL DISTRICTS FUND

FROM:	255-8135-1951	Seasonal Wages	\$ 9,880.00
TO:	255-8135-1971	Part Time Wages	\$ 9,880.00

RESULT: ADO TED UNANIMOUS

MOVER: Dennis Gabryszak, Supervisor

SECONDER: Patricia aworowicz, Councilmember

AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-256

DOC ID: 1338

W

S: Supervisor Gabryszak, Councilmember Rankowski

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to May 12, 2006 are hereby approved and made a part hereof

GENERAL FUND	\$ 586,537.94
RISK RETENTION FUND	48,272.12
HUD HOUSING REHABILITATION FUND	7,010.00
SPECIAL DISTRICTS FUND	297,225.00
HIGHWAY FUND	95,098.17
CAPITAL FUND	59,750.12
TRUST & AGENCY FUND	8,668.04
HUD CDBG FUND	1,911.56
NYS AFFORDABLE HOUSING FUND	6,785.00
PART TOWN FUND	20,391.08
	\$ 1,131,649.03

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-257

DOC ID: 1340

A [] [] [] [] B [] [] [] [] [] [] [] [] [] [] C [] [] []

S [] [] [] [] [] [] [] [] B: Councilmember []ankowiak, Supervisor Gabryszak

[] HEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of seven ([]) New and Unused 2006 Ford Crown []ictoria Police Interceptor - Marked []ehicles, for the Police Department and, which bids were duly received and opened at a public bid opening called for that purpose, AND,

[] HEREAS, said bid was referred to the Police Department for analysis and tabulation, NO [] , THEREFORE, BE IT

RESO [] [] ED, that the contract for the furnishing of seven ([]) New ad Unused 2006 Ford Crown []ictoria Police []ehicles be awarded to Delacy Ford, 3061 Transit Road, Elma, New York 1 []059 []said vendor meeting all set bidding conditions of the specifications, AND, BE IT FURTHER

RESO [] [] ED, that funds are available in Account 100-3120-2303.

RESULT: ADO [] [] TED [] UNANIMOUS []
MOVER: []ames []ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, []aworowicz, []ohnson []r., Swiatek, []ankowiak, Magierski, Rogowski



RESOLUTION 2006-258

DOC ID: 1351

A **B** **R** **R** **M** **C**
C

S: Supervisor Gabryszak, Councilmember Magierski

HEREAS, a Notice to Bidders was published for the receipt of bids for the Roof Replacement to the Maryvale Community Center, which bids were duly received and opened on May 3, 2006 at 11:00 A.M., by the Town Clerk, AND

HEREAS, said bids were referred to the Town Engineer for analysis and tabulation, NO , THEREFORE, BE IT

RESOLVED, that after said analysis and tabulation it has been recommended that the bid for the Roof Replacement to the Maryvale Community Center be and hereby is awarded to Murray Roofing Company, Inc., 600 Cayuga Creek Road, Cheektowaga, New York 14224 for the total bid price of \$32,688.00, being the lowest bid meeting the requirements of the specifications and drawings, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Murray Roofing Company, Inc. for the aforesaid project, AND, BE IT FURTHER

RESOLVED, that funding for said project shall be funded and referenced to Account No. 110-51

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-259

DOC ID: 1355

CHEEKTOWAGA HALL AT 8:00 P.M. SUNDAY WELCOME

SECONDED BY: Councilmember Magierski, Councilmember Johnson

WHEREAS, by local law No. 5 of the Year 1992, the Cheektowaga Town Board enacted a Solid Waste Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), and

WHEREAS, by local law No. 2 of the Year 2005, this Town Board amended the Chapter 206 of the Town Code to require the use of plastic/vinyl garbage containers or galvanized metal garbage containers and to prohibit the use of plastic bags outside of these containers and

WHEREAS, the Town needs to enact a procedure to enable the Sanitation Department to enforce this law, and

WHEREAS, local law Intro No. 2006-3 of the Year 2006 was drafted to so amend Chapter 206 of the Town Code, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 5th day of June, 2006, at 8:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of local law Intro No. 2006-3 of the Year 2005, entitled "A local law to amend the Solid Waste Law of the Town of Cheektowaga" and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-260

DOC ID: 1350 A

CHEEKTOWAGA HONORABLE BOARD OF SUPERVISORS

SPECIAL ORDER: Councilmember Magierski, Councilmember Johnson

WHEREAS, NOCO Energy Corp. has made application and requested the rezoning of 590 Genesee Street from M1- Light Manufacturing to MS - Motor Services for a motor fuel dispensing facility with an accessory retail/restaurant, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on June 5, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 5th day of June, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

NOCO ENERGY CORPORATION

for the rezoning of 590 Genesee Street from M1- Light Manufacturing to MS - Motor Services for a motor fuel dispensing facility with an accessory retail/restaurant.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

AS TO THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot 11, township 11, range 1 of the Holland and Company's Survey described as follows:

Beginning at a point in the present east line of Holtz Road, being also the east line of lands acquired by the County of Erie by instrument recorded in the Erie County Clerk's Office in liber 3558 of Deeds at page 6 at the northwest corner of lands conveyed to Northeast Stations Services, Inc. by deed recorded in the Erie County Clerk's Office in liber 923 of deeds at page 32 thence southerly and along the present east line of Holtz Road, 123 feet to an angle point thence southeasterly and along the easterly line of lands acquired by the State of New York by instrument recorded in the Erie County Clerk's Office in liber 550 of deeds at page 1,

being parcel 2, map 26, 2. feet or more or less to an angle point thence continuing southeasterly and along said lands acquired by the State of New York by instrument recorded in liber 550 of deeds at page 1, 61.9 feet more or less to a point in the present north line of Genesee Street thence northeasterly along the present north line of Genesee Street, being also the north line of lands acquired by the State of New York by instrument recorded in liber 550 of deeds at page 1. 129.90 feet to a point, which point is also the southeast corner of conveyed to Northeast Stations Services, Inc. by deed recorded in liber 923 of deeds at page 32 thence northerly and along the east line of lands conveyed to Northeast Stations Services, Inc. by the aforesaid deed thence westerly and along the north line of lands conveyed to Northeast Services, Inc. by the aforesaid deed 193.51 feet more or less to the present east line of Holtz Road, being the point or place of beginning.

Excepting therefrom lands acquired by the People of the State of New York by Map No. 25 Parcel 31

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Sr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Sr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-261

DOC ID: 1352 A

CHEEKTOWAGA HONORABLE URBAN

SEB: Councilmember Magierski, Councilmember Johnson

WHEREAS, Benderson Development Co., LLC has made application and requested the rezoning of 3385 Union road from M1- Light Manufacturing to C-Retail Business for the conversion of an abandoned non conforming retail building to a retail plaza, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on June 5, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 5th day of June, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

BENDERSON DEVELOPMENT CO., LLC

for the rezoning of 3385 Union Road from M1- Light Manufacturing to C-Retail Business for the conversion of an abandoned non conforming retail building to a retail plaza.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGATION DESCRIPTION

All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 11, Township 11, Range 4 of the Holland Land and Company's survey and according to a map filed in the Erie County Clerk's Office under cover No. 293 is known as subdivision lot numbers 9 to 18 inclusive, 111 to 112 inclusive, 139 to 150 inclusive, a portion of land more particularly described as a parcel of land 20 feet deep and 135.8 feet wide, being formerly a portion of Paul Avenue, the southerly line of said parcel being the northerly line of subdivision lot 16, and the northerly line of said parcel being the southerly line of subdivision lot 11 as shown on map cover 293, a portion of land more particularly described as a parcel 20 feet deep and 60 feet wide, being formerly one-half of Paul Avenue, the southerly line of said parcel being the northerly line of subdivision lot 113 and 114 as shown on map cover 293, a

portion of land more particularly described as a parcel 100 feet deep and 120 feet wide, the southerly line of said parcel being the northerly line of subdivision lot 139, 140, 141 and 142 and the northerly line of said parcel being the southerly line of subdivision 111, 112, 113 and 114. This portion of Paulsel Avenue was abandoned as per section 205 of the New York State Highway Law by a Cheektowaga Town Board Resolution dated December 19, 1998.

Excepting and reserving therefrom that part of the premises lying within the bounds of Union Road as now laid out.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-262

DOC ID: 1354

N O T I C E S E R V I C E 1 W A R N I N G

S P O N S O R E D B Y: Councilmember Johnson Jr., Councilmember Magierski

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., LLC for the construction of a 5,109 square foot restaurant building at 185 Alden Avenue, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on May 10, 2006 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of March 9, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

- The Town Engineer approving the drainage plan and confirming sufficient sanitary sewer capacity to allow connection to Town Sanitary facilities.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-263

DOC ID: 1361

N O T I C E S E R V I C E O F T H E T O W N O F C H E E K T O W A G A

S E R V I C E B Y : Councilmember Johnson, Councilmember Magierski

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 Bauer-Manguso Associates for the conversion of an existing warehouse to a food processing facility with an accessory retail restaurant with drive-thru window at 3650 Broadway, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on May 10, 2006 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of April 13, 2006, AND

WHEREAS, the property owner has acknowledged the Town's desire to establish public water supplies along Ellicott Road, which fronts the north property line of the project site, AND

WHEREAS, the town has previously initiated a water improvement district along Ellicott Road to improve public safety and provide necessary water supplies for fire fighting purposes, AND

WHEREAS, pursuant to correspondence received from the owner dated May 3, 2006, the owner is in agreement to participate in a water improvement district at such future point in time when notified by the Town, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving the grading and drainage plan.
2. The addition of a curbed island along the southerly yard to prevent vehicular obstructions to the public walk.

3. The Building Inspections Office reviewing and approving the final civil plans.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Tankowiak, Magierski, Rogowski



RESOLUTION 2006-264

DOC ID: 1360 A

S... A... 00100 G... S...

S... B: Councilmember Magierski, Councilmember Johnson.

HEREAS, 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

HEREAS, 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

HEREAS, a development review application and site plan was submitted by P Development, Inc. for the modification of a previously approved site plan at 5090-5100 Genesee Street for a motor fuel dispensing facility with an accessory convenience store/carwash, AND

HEREAS, the applicant revised site plan now includes a stand alone 3,000 square foot retail restaurant, which replaces the proposed accessory car wash, AND

HEREAS, the Town of Cheektowaga zoning Board of Appeals on March 16, 2006 made an interpretation permitting the stand alone restaurant within a Motor Services zoning district, AND

HEREAS, the Town of Cheektowaga Planning Board at its meeting of April 13, 2006 is recommending the approval of the revised site plan, AND

HEREAS, this Town Board on July 1, 2002 previously issued a negative declaration pursuant to the provisions of the State Environmental Quality Review Act (SEQR), AND

HEREAS, The Town of Cheektowaga Environmental Advisory Committee at its meeting of May 10, 2006 is recommending a reaffirmation of said previous negative SEQR declaration, AND

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

RESOLVED, that this Town Board reaffirms the negative SEQR declaration previously issued and determines that the revised project site plan is acceptable subject to :

- 1. The Town Engineer approving the drainage and grading plan.
2. Modifications being made to the site plan to include shade trees along the perimeter of the site and foundation plantings along the proposed buildings.
3. The Building Inspections Office reviewing and approving the final civil plans.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-265

DOC ID: 1366

S A

S B: Councilmember Magierski, Councilmember Johnson

HEREAS, 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

HEREAS, 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

HEREAS, a development review application and site plan was submitted by Uniland Development Company for a re-approval of an expired site plan for a three story, 108,000 square foot office building at 300 Airborne Parkway, AND

HEREAS, this Town Board on December 20, 200 previously approved the site plan for the subject project , AND

HEREAS, pursuant to Chapter 260, Article II, Section 260-53B of the zoning law the Town Board approval of said site plan expired due to the developer's failure to commence construction within one year from the date of said site plan approval, AND

HEREAS, the Town of Cheektowaga Planning Board at its meeting of April 13, 2006 recommended its re-approval of the site plan, AND

HEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board, NO THEREFORE, BE IT

RESOED, that this Town Board re-approves the project site plan subject to:

- 1. The Town Engineer approving the grading and drainage plan.
2. Modifications to the plan to provide for pedestrian mobility as originally recommended by the Town Traffic Safety Commission and as required by section 1100 of the NYS Building Code.

RESULT: ADO TED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-266

DOC ID: 1337

F **N** **U** **2006 M**, **T** **M**, **S**
C, **V** **L** **L**

S **B**: Councilmember Laworowicz, Councilmember Johnson

HEREAS, The Town Clerk be and hereby is directed to publish a Notice to Bidders for the purpose of purchase of FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SEIF CONTAINED, ACUUM LEAF LOADERS by Cheektowaga Highway Department.

Information for bidders and specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York, between the hours of 9:00 AM and 3:30 PM, Monday through Friday, NO THEREFORE, BE IT

RESOLVED, That the Town Clerk is hereby designated as the Office to open bids on the aforesaid items at a public bid opening to be held on Wednesday, May 31, 2006, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.

TO TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT
REGARDING NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SEIF CONTAINED, ACUUM LEAF LOADERS, for use by the Highway Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on May 31, 2006 at 11:00 AM.

Information for bidders and specifications may be obtained from the office of Mary Holtz, Town Clerk at her office located at Town Hall, Cheektowaga NY. Bids must be enclosed in an opaque envelope plainly marked "BID FOR FIVE (5) NEW AND UNUSED 2006 MODEL, TRAILER MOUNTED, SEIF CONTAINED, ACUUM LEAF LOADERS."

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-267

DOC ID: 1348

NOTICE **B**IDDERS **F**URNISHING **I**NTEGRATED **S**IGNS WITH **E**LECTRONIC **M**ESSAGE **C**ENTERS

SUPERVISOR **B**: Supervisor Gabryszak, Councilmember Magierski

HEREAS, it is in order that bids be advertised for four (4) Identification Signs with Integrated Electronic Message Centers located at the Police Court Building, Cheektowaga Town Hall, Cheektowaga Town Park and Stiglmeier Park, AND

HEREAS, the Engineering Department has prepared plans and specifications for the aforesaid project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for four (4) Identification Signs with Integrated Electronic Message Centers at various locations within the Town, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 31st day of May, 2006 at 11:00 A.M., at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York on the 31st day of May, 2006 at 11:00 A.M., local Time, in the Town Hall, Town of Cheektowaga, New York, for the furnishing and installation of four (4) Identification Signs with Integrated Electronic Message Centers at various locations within the Town of Cheektowaga, complete, in place, and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc., prepared by the Town of Cheektowaga Engineering Department for said project, and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 25 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be secured at the Office of the Town Clerk in the Town Hall, Town of Cheektowaga, Union Road Broadway, Cheektowaga, New York.

All bids must be enclosed in a separate, sealed envelope and shall be addressed to

the Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14222 and marked as Bid for Four (4) Identification Signs with Integrated Electronic Message Centers.

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

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

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

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

Attention of the bidders is further called to Section 103-d of the General Municipal Law which requires a bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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

The work shall be completed within 120 consecutive calendar days (30 days per sign) to begin five (5) days after the Order to Commence work has been issued.

BY ORDER OF
THE TOWN OF CHEEKTOWAGA

Mary Holtz
Town Clerk

DATED: May 15, 2006

PUBLISHED: May 18, 2006

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-268

DOC ID: 1333

SECTION TITLE

SECTION B: Councilmember Rogowski, Councilmember Johnson.

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

WHEREAS, the Cheektowaga Patriotic Commission has made application to hold its Independence Day Celebration in Cheektowaga Town Park from July 3-4, 2006 and

WHEREAS, the Cheektowaga Patriotic Commission has also requested permission to conduct its Independence Day parade beginning at the Thruway Plaza (corner of Harlem Road and Walden Avenue) thence proceed west down Walden Avenue thence north on Harlem Road to Cheektowaga Town Park and

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

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

- Submittal of plan for sanitary facilities
- Submittal of site plan
- Submittal of Security Plan
- Submittal of Fire Prevention/Emergency Services Plan
- Certificate of Insurance from Cheektowaga Patriotic Commission

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Patriotic Commission for the aforementioned Independence Day celebration to be held on July 3-4, 2006, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-269

DOC ID: 1335

G **D**

S **B**: ankowiak, Rogowski, ohnson r.

HEREAS, the Town of Cheektowaga seeks grant monies to renovate Dingens Park, and

HEREAS, the New York State Office of Parks, Recreation, and Historic Preservation Park Development Program offers grant monies to pay 50% of the costs associated with specific park improvements **NO** , **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 Office of Parks, Recreation, and Historic Preservation for the purpose of securing this grant, and **BE IT FURTHER**

RESOLVED, that Dennis H. Gabryszak, as Supervisor, of the Town of Cheektowaga, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal and and ater Conservation Fund Act of 1965, in an amount not to exceed 100,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Cheektowaga for Dingens Park Improvements and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property, 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.

RESULT:	ADOPTED UNANIMOUS
MOVER:	<input type="checkbox"/> ames <input type="checkbox"/> ankowiak, Councilmember
SECONDER:	<input type="checkbox"/> ames Rogowski, Councilmember
AYES:	Gabryszak, <input type="checkbox"/> aworowicz, <input type="checkbox"/> ohnson <input type="checkbox"/> r., Swiatek, <input type="checkbox"/> ankowiak, Magierski, Rogowski



RESOLUTION 2006-270

DOC ID: 1364

G A W 1 12 C

S B: Councilmember Johnson r., Supervisor Gabryszak

HEREAS: The Town of Cheektowaga seeks grant monies to restore the fencing and signage at the ar of 1812 CemeteryNO , THEREFORE BE IT

RESOED, that Grantmakers Advantage, Inc., the Towns grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Office of Parks, Recreation, and Historic Preservation for the purpose of securing this grant, and BE IT FURTHER

RESOED, that Dennis H. Gabryszak, as Supervisor, of the Town of Cheektowaga, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 in an amount not to exceed \$33,000.00 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the ar of 1812 Cemetery Restoration Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson r., Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-271

DOC ID: 1365

A **112 C**

S: Councilmember Johnson, Supervisor Gabryszak

HEREAS: The Cheektowaga Town Board seeks to restore the ar of 1812 Cemetery to include replication of the original fencing and historical marker, AND

HEREAS: Restoration of this Nationally significant historical site will serve as a tribute to those who have their lives during times of war, AND

HEREAS: There is overwhelming community support for the installation of fencing and signage at the ar of 1812 Cemetery, AND

HEREAS: The ar of 1812 Cemetery Restoration Project is being initiated based on community support for the project **NO** THEREFORE BE IT

RESOLVED that the Cheektowaga Town Board hereby affirms public and community support for the project and, BE IT FURTHER

RESOLVED that the Cheektowaga Town Board hereby declares its approval/endorsement for the ar of 1812 Cemetery Restoration Project.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-272

DOC ID: 1336

A **M** **W** **12 C**

S: Councilmember Johnson, Councilmember Rogowski

HEREAS, the Town of Cheektowaga is the owner of the parcel of 1812 Cemetery located on Aero Drive in the Town of Cheektowaga, AND

HEREAS, the parcel of 1812 Cemetery was placed on the State and National Registers of Historic Places in 2002, AND

HEREAS, the Town of Cheektowaga maintains said cemetery and has certain long term plans for rehabilitation of the cemetery, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Cheektowaga hereby adopts the attached Management Plan for the parcel of 1812 Cemetery as our management plan for said cemetery.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-273

DOC ID: 1353

D... T... D... C... G...

S... B: Councilmember Magierski, Councilmember Rogowski

HEREAS, high oil and gas prices have severely impacted the Town of Cheektowaga and the provision of services to our residents... the price of gas used by the Town increased ... since April, 2005, which adversely affects the budgets for Police, Highway, Sanitation and Department of Parks, Recreation and Youth Services, and

HEREAS, this Town Board wishes to assure residents that the use of Town vehicles by Town employees is kept to a minimum and that efforts are made to save money by better planning, and undertaking conservation measures, NO , THEREFORE, BE IT

RESOLVED, that Town Department Heads be and hereby are directed to monitor the use of vehicles used by their respective departments to ensure that vehicles are used only when necessary and that vehicular trips be consolidated wherever practical, and BE IT FUTRHER

RESOLVED, that Town Department Heads be and hereby are also directed to identify and implement additional opportunities for fuel conservation within their departments, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to all Town of Cheektowaga department heads.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-274

DOC ID: 1358

A **S** **C** **H** **I**

S: Swiatek, ankowiak, Rogowski

WHEREAS, the Town of Cheektowaga negotiated new collective bargaining agreements with its collective bargaining units, and

WHEREAS, as part of these negotiations, in order to control costs to Town taxpayers, the parties agreed to utilize a single carrier for all employees' health insurance coverage, and

WHEREAS, Blue Cross Blue Shield of Western New York proposed the best overall single carrier health insurance plan to the Town of Cheektowaga, and

WHEREAS, this single health insurance plans would also cover all other eligible Town employees (i.e., employees covered under Personnel Policy for Exempt Employees), **NOW, THEREFORE, BE IT**

RESOLVED, that this Town Board hereby approves the contents of the two (2) year health insurance contract with Blue Cross Blue Shield as previously submitted, and **BE IT FURTHER**

RESOLVED, that this health insurance plan and contract shall be effective as of June 1, 2006, and **BE IT FURTHER**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the new health insurance contract with Blue Cross Blue Shield, and any and all other documents necessary to effectuate the insurance coverage called for under such contract.

Motion by Councilmember Swiatek Seconded by Councilmember Johnson to amend this resolution as follows:

Subject to the Approval of the Town Attorney.

RESULT: ADOPTED AS AMENDED UNANIMOUS
MOVER: Jeff Swiatek, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-275

DOC ID: 1343

A... B... A... T... B...
TCSU, TCEA, SDA, C... C...
L... A...

S... B: Councilmember ankowiak, Councilmember Swiatek

HEREAS, the collective bargaining agreements between the Town of Cheektowaga and respective Town collective bargaining units have expired or will expire as follows:

- Town of Cheektowaga Supervisory Unit - December 31, 2005
Town of Cheektowaga Public Safety Dispatchers Association - December 31, 2005
Town of Cheektowaga Employees Association - December 31, 2006
Town of Cheektowaga Police Club, Inc. - December 31, 2006
Town of Cheektowaga Police Captains Lieutenants Association - December 31, 2006, AND

HEREAS, the Town and the bargaining units have negotiated and have agreed upon successor agreements AND

HEREAS, the Town has received notice from each of the above-specified bargaining units that its unit members have ratified their unit's tentative agreement NO, THEREFORE, BE IT

RESOLVED, that the Town Board hereby accepts and approves the respective tentative agreements, as presented, for successor agreements with each of the Town's bargaining units as follows:

- Town of Cheektowaga Supervisory Unit - January 1, 2006 through December 31, 2008
Town of Cheektowaga Public Safety Dispatchers Association - January 1, 2006 through December 31, 2008
Town of Cheektowaga Employees Association - January 1, 2006 through December 31, 2009
Town of Cheektowaga Police Club, Inc. - January 1, 2006 through December 31, 2009
Town of Cheektowaga Police Captains Lieutenants Association - January 1, 2006 through December 31, 2009 AND, BE IT FURTHER

RESOLVED, that the Town Supervisor be and hereby is authorized to execute the respective collective bargaining agreements between the Town of Cheektowaga and the respective collective bargaining units.

RESULT: ADOPTED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Jeff Swiatek, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-276

DOC ID: 1362

A **C** **I** **S**

S **B**: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, Internet services are presently being provided to the Town of Cheektowaga, and

HEREAS, the Town of Cheektowaga needs to continue to utilize dedicated Internet services for use by all Town departments, and

HEREAS, TelCove Operations, Inc.("TelCove") has agreed to provided dedicated Internet Services to the Town of Cheektowaga as per the attached agreement, and

HEREAS, the services to be provided by TelCove are professional services where special or technical skills and expertise are required, and

HEREAS, TelCove is the successor to Adelphia Communications, which provided service to the Town in the past, and

HEREAS, TelCove's components and presently used by the Town of Cheektowaga and the new services to be provided by TelCove are integral to our operating system, and

HEREAS, the Town's Network Coordinator reviewed the proposed services agreement and has recommended that the Town of Cheektowaga enter into such agreement, **NO** , **THEEFORE, BE IT**

RESO **ED**, that the Supervisor be and hereby is authorized and directed to execute this Internet Services Agreement on behalf of the Town of Cheektowaga, and **BE IT FURTHER**

RESO **ED**, that funding for such services shall be appropriated from line item number 100-1625-202.

RESULT:	ADO <input type="checkbox"/> <input type="checkbox"/> TED <input type="checkbox"/> UNANIMOUS <input type="checkbox"/>
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	<input type="checkbox"/> ames Rogowski, Councilmember
AYES:	Gabryszak, <input type="checkbox"/> aworowicz, <input type="checkbox"/> ohnson <input type="checkbox"/> r., Swiatek, <input type="checkbox"/> ankowiak, Magierski, Rogowski



RESOLUTION 2006-277

DOC ID: 1363

A **C** **T** **L** **S**

S: Supervisor Gabryszak, Councilmember Rogowski

□ HEREAS, telephone line services between the Town Hall and the Alexander Community Center are presently being provided to the Town of Cheektowaga, and

□ HEREAS, the Town of Cheektowaga needs to continue to utilize telephone line services between the Town Hall and the Alexander Community Center, and

□ HEREAS, TelCove Operations, Inc. ("TelCove") has agreed to provided local private line/Ethernet services to the Town of Cheektowaga as per the attached agreement, and

□ HEREAS, the services to be provided by TelCove are professional services where special or technical skills and expertise are required, and

□ HEREAS, TelCove is the successor to Adelpia Communications, which provided service to the Town in the past, and

□ HEREAS, TelCove's components and presently used by the Town of Cheektowaga and the new services to be provided by TelCove are integral to our telephone operating system, and

□ HEREAS, the Town's Network Coordinator reviewed the proposed services agreement and has recommended that the Town of Cheektowaga enter into such agreement, **NO**, **THEEFORE, BE IT**

RESO, that the Supervisor be and hereby is authorized and directed to execute this **ocal Private ine Service Agreement** on behalf of the Town of Cheektowaga, and **BE IT FURTHER**

RESO, that funding for such services shall be appropriated from line item number 100-1625-202.

RESULT:	ADO TED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	ames Rogowski, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-278

DOC ID: 1357

NYSDEC YEARLY ANNUAL REPORT

SECTION B: Councilmember Johnson, Supervisor Gabryszak

WHEREAS, a SPDES General Permit for Stormwater Discharges from Municipal Separate Stormwater Sewer Systems (MS4s) was issued to the Town by the NYSDEC, which permit requires the development and implementation of a Stormwater Management Program designed to reduce the discharge of pollutants from storm sewer systems, and which program is required to be fully implemented by January 8, 2008, AND

WHEREAS, the Year 3 Annual Report of activities completed to achieve measurable goals is required to be submitted to the NYSDEC following the receipt of public comment not later than June 1, 2006, AND

WHEREAS, a draft Annual Report has been prepared by the Town Engineer and is available for review and comment in the offices of the Town Engineer and Town Clerk, NOW, THEREFORE, BE IT

RESOLVED, that public comment on the subject Annual Report shall be received until May 26, 2006 for inclusion in the final report to be filed with the NYSDEC, AND, BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute the Municipal Compliance Certification Form for submission to the NYSDEC with the Year 3 Annual Report.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-279

DOC ID: 1345

SUBJECT

SUBJECT: Councilmember Magierski, Councilmember Laworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 30 Bright Street, Cheektowaga, New York SB 113.01-09 that is a danger to the safety of others, and records kept by the Assessors Office identify Eilene Peters, 30 Bright Street, Cheektowaga, New York 1206, as the owner AND

WHEREAS, an inspection of such premises was conducted on 30 Bright Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-1A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-280

DOC ID: 1346

S U V E W C

S B: Supervisor Gabryszak, Councilmember Magierski

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 9 E Windwood Court, Cheektowaga, New York SB 91.1-2-6 that is a danger to the safety of others, and records kept by the Assessors Office identify Donato Ciminelli, 9 E Windwood Court, Cheektowaga, New York 1225, as the owner AND

HEREAS, an inspection of such premises was conducted on 9 E Windwood Court, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-281

DOC ID: 1347

S U N I V E R S I T Y 66 G S

S: Councilmember Magierski, Councilmember Johnson

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 366 Genesee Street, Cheektowaga, New York SB 91.16-1-20 that is a danger to the safety of others, and records kept by the Assessors Office identify The Doro Family Trust, LLC, PO Box 38, Ellicottville, New York 1431, as the owner AND

HEREAS, an inspection of such premises was conducted on 366 Genesee Street, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-282

DOC ID: 1342

C **L** **T** **S**
E **C** **C** **S** **I**

S: Councilmember [ankowiak, Supervisor Gabryszak

BE IT RESOLVED, the Town Board hereby creates five (5) lifeguard (Part-Time Seasonal) positions pursuant to Civil Service Laws and Rules effective May 16, 2006.

RESULT: **ADOPTED UNANIMOUS**
MOVER: James [ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, [aworowicz, [ohnson Jr., Swiatek, [ankowiak, Magierski, Rogowski

29. Give the Reading of Names for the Following Resolutions. No. 283, 289 and 290

		N. 2, 2 20					
		Y	A	N	N	A	A
p Adopted .. Defeated .. Withdrawn	Dennis Gabryszak	oter	p	..	..	..	..
	Patricia [aworowicz	oter	p	..	..	..	..
	Thomas [ohnson Jr.	oter	p	..	..	..	..
	[eff Swiatek	oter	p	..	..	..	..
	[ames [ankowiak	Initiator	p	..	..	..	..
	Alice Magierski	oter	p	..	..	..	..
	[ames Rogowski	Secunder	p	..	..	..	..



RESOLUTION 2006-283

DOC ID: 1341 B

T S H T

S B: Councilmember ankowiak, Supervisor Gabryszak

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

PARIS DIVISION - laborer - \$25/hour

yle Mackie, Cheektowaga, NY
Effective 5/25/06

Benjamin Philipps, Cheektowaga, NY
Effective 5/21/06

Steven oods, Sloan, NY
Effective 5/16/06

PARIS DIVISION - laborer - \$5/hour

arrett Sinclair, Cheektowaga, NY
Effective 6/01/06

MAIN PUMP STATION - laborer - \$25/hour

Bryan Sajeck, Cheektowaga, NY
Effective 5/16/06

oseph odowski, Cheektowaga, NY
Effective 6/05/06

ACCOUNTING DEPARTMENT Clerk \$25/hour

Matthew Adams, Cheektowaga, NY
Effective 5/20/06

SANITATION DEPARTMENT laborer \$50/hour - Effective 5/16/06

- Christopher Ahrens, Cheektowaga, NY
David Roma, Cheektowaga, NY
effrey Maslowski, Depew, NY
Robert esona, Depew, NY
evin Menchini, Cheektowaga, NY
David inci, Depew, NY
enneth Piatek, Cheektowaga, NY
ason yzykowski, Cheektowaga, NY
oseph Cendrowski, Sloan, NY

SANITATION DEPARTMENT Clerk \$50/hour - Effective 5/15/06

Angelica R. Poules, Cheektowaga, NY

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

RECORDS MANAGEMENT Clerk \$100/hour

Catherine Grzedzicki, Cheektowaga, NY
Effective 6/05/06

RESOLVED, that the following individuals be and hereby are as listed:

PARIS DIVISION

Kenneth N. Popacz
Effective 5/1/06

SANITATION DEPARTMENT

David Saskowski
Effective 5/29/06

Thomas Buil
Effective 6/03/06

John Polkowiecki
Effective 6/03/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-284

DOC ID: 1334

R **A** **B**

S **B**: Councilmember Magierski, Councilmember Johnson.

HEREAS, the Board of Plumbing and Drainage Examiners of the Town of Cheektowaga consists of five (5) members, including the Supervising Code Enforcement Officer, 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

HEREAS, the last two (2) 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, NO, THEREFORE, BE IT

RESOLVED, that the following persons be and hereby 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.

Louis Costrino
Todd Schmigel

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-285

DOC ID: 1344 A

A [redacted] [redacted] D [redacted] [redacted] [redacted] C [redacted] [redacted] E [redacted] [redacted]
D [redacted] [redacted] C [redacted] [redacted] [redacted]

S [redacted] B: Gabryszak, Rogowski, Johnson r.

HEREAS, the Town Board of the Town of Cheektowaga previously created the Cheektowaga Economic Development Corporation for the purpose of assisting and encouraging economic development within the Town, and

HEREAS, By Resolution dated February 1, 1983 this Town Board approved the By-laws of the Cheektowaga Economic Development Corporation which provide that the Directors of the Cheektowaga Economic Development Corporation be appointed by resolution of the Cheektowaga Town Board, and

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

RESOLVED, that the following individuals are hereby appointed to the Board of Directors of the Cheektowaga Economic Development Corporation, effective immediately for a term of three years, said term expiring at the time of reappointment to said Board of Directors positions but no later than May 31, 2009:

- Richard Cielinski
- Joseph Funk
- Ron Gallinger
- Nancy Gara
- John M. Redman, III
- Timothy S. Popielski

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-286

DOC ID: 1349

A... C... R...
A... T... D... G... A... O...

S... B: Councilmember Jankowski, Supervisor Gabryszak

HEREAS, this Town Board appointed Derrick Grube to the contingent permanent position of Real Property Appraisal Technician in the Office of the Town Assessor August 15, 2005 AND

HEREAS, former Real Property Appraisal Technician Dennis G. Kryzstofowicz was appointed to the permanent position of Real Property Appraiser upon approval of Erie County Civil Service effective August 9, 2005 AND

HEREAS, Derrick Grube is then available to be appointed to permanent status upon Mr. Kryzstofowicz's permanent appointment NO, THEREFORE BE IT

RESOLVED, Derrick Grube of Depew, New York, be and hereby is appointed to the permanent position of Real Property Appraisal Technician in the Office of the Town Assessor in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective September 1, 2005.

RESULT: ADOPTED UNANIMOUS
MOVER: James Jankowski, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Jankowski, Magierski, Rogowski

VI. S... R...

Motion by Councilmember Magierski; Seconded by Councilmember Jankowski to Suspend the Rules to include the following Resolutions, and the voting was as follows:

Unanimous.



RESOLUTION 2006-287

DOC ID: 1367

SUBJECT: APPROVED 2006 05 UNANIMOUS RESOLUTION

SUBJECT: Councilmember Magierski, 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 Tom Hattalla, P.E. for Strock Contracting, Inc. for the construction of a 2,000 square foot fabric warehouse building at 2095 Old Union Road, AND

WHEREAS, the Town of Cheektowaga Planning Board at its meeting of April 13, 2006 is recommending the approval of the site plan, 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 subject to :

- 1. The Town Engineer approving the grading and drainage plan.
2. The applicant obtain a variance from the Town of Cheektowaga Zoning Board of Appeals for the the use of a pavement surface other than concrete or bituminous macadam.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-288

DOC ID: 1368

A... O... C... C... S... 61... I... S...

S... B: Supervisor Dennis Gabryszak

HEREAS, Cub Scout Pack 618 has requested permission to conduct an overnight campout on Saturday, June 10, 2006 to Sunday, June 11, 2006 in John C. Stiglmeier Park, and

HEREAS, Section 1-1 of the Code of the Town Of Cheektowaga states that "all parks shall be closed between the hours of sunset and sunrise the following morning and no person shall remain inside any parks during the hours when so closed", NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby permits a waiver of Section 1-1 of the Code of the Town Of Cheektowaga and that said waiver shall be extended to Cub Scout Pack 618 for the use of John C. Stiglmeier Park on June 10-11, 2006, and BE IT FURTHER

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

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-289

DOC ID: 1356

RYS H

S: Councilmember **B**: Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Parks, Recreation & Youth Services, effective immediately:

C **C** **C** **CCC**

Laborers

(Participants) - 310.1816
(seasonal)

Level I - 6.15

- Michael Lewandowski 103
- Kevin Derry 1225
- Megan Panus 1225
- Alex Luck 122
- Jennifer Mongiovi 1225
- Monnesha Wilson 1225
- Jacob Bauer 122
- Moses Early 122
- Austin DelBello 1212
- Frank Bosa 1212
- Stephen Noworyta 122
- Stephanie McKay 122
- Stephen Pfalzer 103

Level II - 00.00

- Stephen Colbert 103
- Andrew Swiat 122
- Christopher Niedbala 1225
- Rob Symkowiak 122

Level 1 - 00.15

- Mark Puto 103

Supervisor Trainee - 8.00

- Matthew Machtel 1215

Level I - 6.15 - (Alternates)

- Matthew Rakowski 1211
- Sarah Swinarski 1225
- Ruben Cabrera 122
- Stefani Rysztofowicz 103
- Thomas Young 1225
- Erick Rysztofowicz 103
- Amiyah Abber 1225
- Stephen Gospodarski 1215

Jeffrey Spencer	1003
Phillip Kruse	10206
<u>Level II - 00.00 - (Alternates)</u>	
Leo Gibbons	10220
<u>Level III- 00.25 (Alternates)</u>	
Jennifer Serniuk	10220
<u>Youth Leaders - 310.1811 (seasonal)</u>	
<u>Level II - 09.10</u>	
Michael Orłowski	1003
Rachel Gabryszak	1003
John Kruse	10206
<u>Crew Supervisors - 310.1811 (seasonal)</u>	
<u>Level I - 11.25</u>	
Steven Klein	10220
<u>Level II - 11.85</u>	
Justin Klein	10220
<u>Level III - 12.10</u>	
Steven Saskowski	10225
<u>00000</u>	
<u>lifeguard - 180.1903 (seasonal)</u>	
<u>Level II - 00.91</u>	
Bridget Bauza	1003
Brittany Bauza	1003
Erin Bessing	10220
Corey Beszczyński	10212
Jennifer Chenu	10220
Becky Gworek	10220
Shawn Kaznica	10206
Charlene Kijanski	10220
Courtney Knoph	1003
Matthew Maciejewski	10220
Holly Podnieszinski	10220
Caitlin Rieck	10225
Jacob Sauer	10220
Hannah Welch	10225
<u>Level III - 08.00</u>	
Daniel Carter	10225
Julie Kujawinski	10220
Samantha Long	10220
<u>Level I - 08.23</u>	

Dominique Celotto 10225
 Lisa Chenu 10220
 Melsey Mamoyski 1003
 Leah Mamoyski 1003

Level I 000 SI - 08.00

Sarah Geiger 10086
 Jeffery Munkel 10225

Pool Supervisors - 0180.1902

Supervisor Town Park 1st - 010.30
 Aaron Grupka 10206

Supervisor - Dingens - 09.80
 Elizabeth Sinski 10206

Supervisor Town Park 2nd - 09.06
 Joshua Rutski 1003

Head Lifeguard - Town Park - 08.98
 Nicholas Gorzynski 1003

Head Lifeguard - Dingens 2nd - 08.68
 Ron Sinski 10206

Head Lifeguard - Maryvale 1st - 08.68
 Sean Munkel 10225

S 000 000 T 000 C 000 0000 10.1010

Recreation Attendant - 00.00
 Mackie Eckel 10225

G 00 000000 000 10.16 0

Recreation Attendant - 06.05
 Dominique Hill 10225
 Tiffany Gasiiecki 10225

T 0000 000 10.16 2

Recreation Attendant - 00.00
 Mary Elizabeth Mazir
 Jennifer Grzebinski

Recreation Aide - 06.05
 Brian Mayle (part-time)

0000000000

Sports Rotation - 010.1605

Recreation Attendant - 06.05

(seasonal)

Brandon Hoerner 10225

Steven Mach 10212

Recreation Attendant - 00.25

(seasonal)

Mickie Maslowski 10225

A000 C0000 R00000000010.1600

Recreation Aide - 06.05

(part-time)

Toni Caruso 10225

Ashley Grabiec 10225

R000

S000000010.1606

Recreation Attendant - 00.25

(seasonal)

Elise Menefee 10212

Christie Petre 10211

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Magierski, Rogowski



RESOLUTION 2006-290

DOC ID: 1359

S **U** **2006**

S: Councilmember **B**: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are transferred and/or upgraded, as indicated, in the Department of Parks, Recreation & Youth Services, effective immediately:

Gymnastics - \$10.1636

Recreation Aide to Recreation Attendant - \$0.00
Melsey Stempien

Recreation Attendant to Recreation Instructor - \$8.05
Susan Mayle

Supervisor - \$180.1902

Head Lifeguard - Town Park - 1st - \$9.51
Ron Miller

Lifeguard - \$180.1903

Level II - \$0.91
Scott Dunkel
Caitlyn Rutski
Nicole Stolarski
Christa Payne

Level III - \$8.00
Kevin Fischer
Lauren Fuest

Level I - \$8.23
Amy Burger

(regular part-time)
Recreation Specialist - \$16.05
Deborah Fleetwood

Recreation Instructor - \$9.25
Pam Szeffler

Recreation Instructor - \$8.50
Sean Dalton

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-291

DOC ID: 1369

NOTICE TO BIDDERS

S: Councilmember **B**: Councilmember **O**: Councilmember **1**: Councilmember **R**: Councilmember **B**:

HEREAS, the Sanitation Department is in need of one (1) Truck with a 32 Cubic Yard Refuse Packer Body, AND

HEREAS, the Engineering Department has been requested to prepare specifications, NO , THEREFORE, BE IT

RESOED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of said vehicle for the Sanitation Department, said notice to be published in the CHEE TO AGA TIMES, AND, BE IT FURTHER

RESOED, that sealed bids will be received on the 31st day of May, 2006 at 11:00 A.M., at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on May 31, 2006 at 11:00 A.M. at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new and unused 2006 Truck with Refuse Packer Body for the Sanitation Department.

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

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

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

Mary F. Holtz
Town Clerk

DATED: May 15, 2006

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-292

DOC ID: 1370

C **H** **R** **R** **R**

S: Supervisor Gabryszak, Councilmember Magierski

Call for Public Hearing for rezoning from R-Residential to RA-Residential Apartment 8.6 acres on north side of Rehm Rd. for 52 unit Patio Home development on Property owned by Samuel Tadio. June 5th at 6:30 pm

Councilmember Johnson objected, thus the resolution was not acted on.

RESULT: WITHDRAWN

VII. C

A. Departmental Communications

- 1. **M** **L** **B** **T** **C**
- 2. **M** **C** **C** **A** **C** **A** 1, 2006
- 3. **M** **C** **T** **S** **C** **A** 1, 2006

B. General Communications

- 1. **S** **C** **I** **H** **S** **V** **T** **C** **D** **T** **C**
- 2. **N** **C** **A** **W** **V** **T** **C**
- 3. **S** **W** **B** **V** **A** **H** **T** **C** **E**
- 4. **S** **W** **B** **V** **W** **E** **L** **T** **C** **E**
- 5. **S** **W** **B** **V** **H** **L** **L** **M** **T** **C** **E**
- 6. **S** **N** **Y** **O** **C** **A** **F** **R**

VIII. C □ □ □ □ □ □ □ □

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

IX. A □ □ □ □ □ □ □ □

This meeting is adjourned in Memory of Mike Gorlewski, a former Employee of Central Garage who passed away on May 4th, 2006.



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Regular Meeting

Monday, June 5, 2006

Mary F. Holtz
(716) 686-3434

Monday, June 5, 2006

6:45 PM

Council Chambers

I. Public Hearing

Public Hearing 1

PUBLIC HEARING 0 GENESEE STREET

Decision was reserved

Adjourned		Y	A	N	N	A	A
..	Adjourned	Dennis Gabryszak	..	..	..	..	..
..	Closed	Patricia Laworowicz	..	..	..	..	..
..		Thomas Johnson Jr.	..	..	..	..	..
..		Jeff Swiatek	..	..	..	..	..
..		James Rankowiak	..	..	..	..	..
..		Alice Magierski	..	..	..	..	..
..		James Rogowski	..	..	..	..	..

Public Hearing 2

PUBLIC HEARING UNION ROAD

Decision was reserved.

Adjourned		Y	A	N	N	A	A
..	Adjourned	Dennis Gabryszak	..	..	..	..	..
..	Closed	Patricia Laworowicz	..	..	..	..	..
..		Thomas Johnson Jr.	..	..	..	..	..
..		Jeff Swiatek	..	..	..	..	..
..		James Rankowiak	..	..	..	..	..
..		Alice Magierski	..	..	..	..	..
..		James Rogowski	..	..	..	..	..

II. Council

6:45 PM Meeting called to order on June 5, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Name	Address	Title	Status	Action
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	

James Jankowski	Town of Cheektowaga	Councilmember	Present
Alice Magierski	Town of Cheektowaga	Councilmember	Present
James Rogowski	Town of Cheektowaga	Councilmember	Present
Thomas Adamczak	Town of Cheektowaga	Supervising Building Inspector	Present
William Pugh	Town of Cheektowaga	Town Engineer	Present
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present
Brian Krause	Town of Cheektowaga	Supervising Accountant	Present
Patricia Wojcik	Town of Cheektowaga	Director of Senior	Present
Christine Ciemba	Town of Cheektowaga	Chief of Police	Present
Kenneth Kopacz	Town of Cheektowaga	Director of Parks, Recreation and Youth Services	Present
Anthony Romano	Town of Cheektowaga	Director of Employee Relations	Present
Christopher Rowal	Town of Cheektowaga	Highway Superintendent	Present

III. I

A. Rev. Ivan Crossno, Cheektowaga Community Baptist Church

IV. C

V. H 10:00 M CANCELLED

Public Hearing 1

PUBLIC HEARING TO AMEND SOLID WASTE LAW

V. R H 1		Y A	N N	A	A
Adjourned Closed	Dennis Gabryszak	..	..	..	..
	Patricia Laworowicz	..	..	..	..
	Thomas Johnson Jr.	..	..	..	..
	Jeff Swiatek	..	..	..	..
	James Jankowski	..	..	..	..
	Alice Magierski	..	..	..	..
	James Rogowski	..	..	..	..

VI. R

Motion by Councilmember Jankowski, seconded by Councilmember Rogowski to suspend the reading of the names on resolution numbers 314 through 317 and the motion was approved by unanimous vote.



RESOLUTION 2006-293

DOC ID: 1390

T F

S B: Supervisor Gabryszak, Councilmember aworowicz

BE IT RESOED, that the following transfers are hereby approved and made a part hereof

RISK RETENTION FUND

FROM: 101-1710-4101 Insurance Premiums \$ 4,576.00
TO: 101-1722-4519 Workers Comp Excess Ins. \$ 4,576.00

PART TOWN FUND

FROM: 800-1910-3088 Misc. State Aid \$ 27,000.00
TO: 800-3620-4561 Contracted Services \$ 27,000.00

RESULT: ADO TED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia aworowicz, Councilmember
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-294

DOC ID: 1387

WHEREAS

Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following vouchers and warrants submitted to Town of Cheektowaga prior to June 2, 2006 are hereby approved and made a part hereof

GENERAL FUND	\$ 2,556,513.78
RISK RETENTION FUND	142,465.34
DEBT SERVICE FUND	301,347.40
HUD HOUSING REHABILITATION FUND	30,161.00
SPECIAL DISTRICTS FUND	901,833.25
HIGHWAY FUND	655,700.92
CAPITAL FUND	194,979.98
TRUST & AGENCY FUND	17,576.43
HUD CDBG FUND	2,352.03
PART TOWN FUND	92,022.81
NYS AFFORDABLE HOUSING FUND	8,347.50
	\$ 4,903,300.44

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski



RESOLUTION 2006-295

DOC ID: 1385

A **B** **F** **N** **U** **2006 M**, **T**
M, **S** **C**, **V** **L** **L**

S **B**: Councilmember Laworowicz, Councilmember Johnson r.

HEREAS, bids were duly received and opened by the Town Clerk at a public bid opening held on May 31, 2006 for FIVE (5) NEW AND UNUSED 2006 MODEL TRAILER MOUNTED, SELF CONTAINED, ACUUM LEAF LOADERS for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, tabulation and reports, AND

HEREAS, such analysis, tabulation and report have been completed, NO THEREFORE, BE IT

RESOLVED, that the bid for FIVE (5) NEW AND UNUSED 2006 MODEL TRAILER MOUNTED, SELF CONTAINED, ACUUM LEAF LOADERS be awarded to Cyncon Equipment Inc., 9000 S. Henrietta Road, Rush, NY 14533, at a total bid price of \$88,300.00 said 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

RESOLVED, that monies be charged to line item 500-5130-200-5020

TABLE

TABULATION FOR
FIVE (5) NEW AND UNUSED 2006 MODEL TRAILER MOUNTED, SELF CONTAINED,
ACUUM LEAF LOADERS

Cynson Equipment Inc. \$10,660.00 ea. \$88,300.00 Total
9000 S Henrietta Road
Rush, New York 14533

The ODB company, Inc. \$18,590.00 ea. \$92,985.00 Total
5118 Glen Alden Drive
Richmond, Va. 23231

RESULT: ADOPTED UNANIMOUS
MOVER: Patricia Laworowicz, Councilmember
SECONDER: Thomas Johnson r., Councilmember
AYES: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-296

DOC ID: 1396

NEGATIVE DECLARATION

SUBJECT: Councilmember Johnson, Councilmember Magierski

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 James Soos of Pyramid Alden Company, P.C. for the construction of two new retail buildings totaling approximately 80,302 square feet in area, a new multilevel parking structure approximately 3,800 square feet in perimeter floor area and the redevelopment of approximately 260,000 square feet of existing retail mall floor area at the Alden Galleria Mall, One Galleria Drive, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on May 2, 2006 recommended a determination of non-significance as shown on the attached memorandum dated May 26, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of May 11, 2006, AND

WHEREAS, the Town of Cheektowaga Traffic Safety Commission has reviewed the subject project and is supporting the pedestrian and vehicular safety improvements proposed by the applicant for Galleria Drive, AND

WHEREAS, The Town of Cheektowaga Zoning Board of Appeals has received an area variance application for the subject project for consideration on relief from the maximum building height requirements and setbacks along Galleria Drive for the new parking structure, AND

WHEREAS, the Applicant has provided written commitments to mitigate for impacts associated with traffic, visual impacts and deficiencies in pedestrian mobility as shown on the attached correspondence dated May 22, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving all storm drainage plans and public infrastructure improvements affecting Town facilities.
2. Location and adequacy of fire protection water supplies/ infrastructure meets the needs of the local fire districts.
3. The Town of Cheektowaga Zoning Board of Appeals grants the necessary area variances pending.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-297

DOC ID: 1386

CHEEKTOWAGA H 11 H R

S B: Councilmember Magierski, Councilmember Johnson

HEREAS, Buffalo Conrail Federal Credit Union with permission of Edward and Alice Sobolewski has made application and requested the rezoning of 181 Harlem Road (SB No. 113.62-3-23) from R- Residence to C- Retail Business to expand an existing parking area which is accessory to an administrative office, NO, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the zoning law on June 19th 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 19th day of 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

BUFFALO CONRAIL FEDERAL CREDIT UNION

for the rezoning of 181 Harlem Road (SB No. 113.62-3-23) from R- Residence to C- Retail Business to expand an existing parking area which is accessory to an administrative office.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot 2, township 10, range of the Buffalo Creek Reservation and further distinguished as subdivision lots number (6) and () as shown on map of William Holland and Company filed in the Erie County Clerks Office under map cover 1506

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-298

DOC ID: 1389

CHEEKTOWAGA H.6A LOCAL ANTI-SUBDIVISION REZONING

Subject: Councilmember Magierski, Councilmember Frankowiak

WHEREAS, Genesee Engineering Planning & Surveying, P.C. with permission of Samuel Tadio and Mr. and Mrs. Raymond P. Marzec has made application and requested the rezoning of 8.6 acres of land along the north side of Rehm Road, west of Patsy Lane identified as SB Nos. 92.0-1-25, 26, 27, 28 & 30 from R- Residence to RA- Apartment District for the construction of (52) fifty two detached town homes (patio homes), NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on June 19th, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 19th day of June, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

GENESEEE ENGINEERING PLANNING & SURVEYING, P.C.

for the rezoning of of 8.6 acres of land along the north side of Rehm Road, west of Patsy Lane identified as SB Nos. 92.0-1-25, 26, 27, 28 & 30 from R- Residence to RA- Apartment District for the construction of (52) fifty two detached town homes (patio homes).

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot 6, township 11, range 6 of the Holland Land Company's Survey described as follows:

BEGINNING at a point in the centerline of Rehm Road with its intersection with the east line of lot number 6 thence S-89-31 degrees, a distance of 225 feet to a point

Thence N-00-09-22-E, a distance 21.15 feet to a point on the present right of way of Rehm Road and the PRINCIPAL POINT OF BEGINNING:

Thence, S-89-31-0000-E, a distance of 89.61 to a point

Thence, N-00-36-16-E, a distance of 312.00 feet to a point

Thence, S-89-31-00-E, a distance of 115.00 feet to a point

Thence, S-00-06-03-E, a distance of 312.00 feet to a point

Thence, S-89-31-0000-E, a distance of 213.19 feet to a point

Thence, N-00-09-22-E, a distance of 635.28 feet to a point

Thence, N-89-31-38-E a distance of 112.80 feet to a point

Thence, N-00-00-00-E a distance of 363.81 feet to a point

Thence, N-89-31-38-E, a distance of 362.10 feet to a point

Thence, S-00-09-22-E, a distance of 999.09 feet to the Principal point of beginning

Containing 8.19 acres of land, more or less.

RESULT:	ADOPTED 6 TO 1
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Swiatek, Rankowiak, Magierski, Rogowski
NAYS:	Thomas Johnson



RESOLUTION 2006-299

DOC ID: 1394

CHEEKTOWAGA H 10 B R

S B: Councilmember Magierski, Councilmember Johnson

WHEREAS, The Center for Hospice Palliative Care, Inc. as made application and requested the rezoning of 150 Bennett Road from R- Residence to CF - Community Facilities for the construction of an administrative office, NO, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on June 19th, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 19th day of June, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

THE CENTER FOR HOSPICE PALLIATIVE CARE, INC.

for the rezoning of 150 Bennett Road from R- Residence to CF - Community Facilities for a the construction of an administrative office.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot No. 10, Township 11, Range 1, of the Holland Land Company's Survey described as follows:

BEGINNING at a point in the center line of Bennett Road and its intersection with the west line of the middle third, of said Lot No. 10 running thence northerly on said west line of the middle third, of said Lot No. 10, 32 feet to the south line of land conveyed to Daniel F. Rust thence easterly at right angles 213.2 feet thence at right angles southerly 216.59 feet to the center line of Bennett Road thence southwesterly along the center of Bennett Road 239 feet to the point of beginning.

EXCEPTING THEREFROM that portion thereof conveyed to the County of Erie by Deed recorded in the Erie County Clerk's Office in Liber 333 of Deeds at page 211.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Tankowiak, Magierski, Rogowski



RESOLUTION 2006-300

DOC ID: 1388

N **B** **R** **S** **S** **F**

S: Councilmember Johnson, Councilmember Rankowiak

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

HEREAS, funds have been budgeted for the proposed sanitary sewer rehabilitation project, NO, THEREFORE, BE IT

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

RESOLVED, that sealed bids will be received on the 21st day of June, 2006 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on the 21st day of June, 2006 at 11:00 A.M., Local Time, in the Town of Cheektowaga, New York, for Sanitary Sewer System Rehabilitation and Related Work in the Consolidated Sanitary Sewer District, for furnishing all labor, materials, tools, equipment, sewer facilities, including, but not limited to: cleaning existing sanitary sewers, rehabilitation of sanitary sewers (inversion/curing resin impregnated tube), in place and ready for use in accordance with the Contract Documents, therefore, including Specifications, Instructions to Bidders, etc., prepared by the Cheektowaga Engineering Department and approved by the Town Board of the Town of Cheektowaga, New York, all of which are on file in the Town Hall, Broadway and Union Road, Cheektowaga, New York 14224.

Copies of the proposed Contract Documents, Specifications and Instructions to Bidders may be examined at the Office of the Town Engineer at the Alexander Community Center, 245 Alexander Avenue, Cheektowaga, New York 14211 and from the Town Clerk's Office, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York 14224 from which latter office copies may be secured.

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, New York, and marked as Proposal for

Sanitary Sewer System Rehabilitation and Related Work in the Consolidated Sanitary Sewer District. Submission of bids must be received prior to 11:00 A.M. on June 21, 2006.

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

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

No bidder may withdraw his bid within 30 days after the date set for the opening thereof, but may withdraw same any time prior to the scheduled date for the opening of bids.

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

Attention of the bidders is further called to Section 103-d of the General Municipal Law which requires a Bidder's Certificate of Non-Collusion. Such Certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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

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

Mary Holtz
Town Clerk
Town of Cheektowaga

DATED: June 5, 2006

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-301

DOC ID: 1397

N **B** **2006 T** **V** **H** **V**
S **C**

S: Councilmember Johnson, Councilmember Ankowiak

HEREAS, it is in order that bids be advertised for the furnishing of one (1) new and unused 2006 Truck with Vacuum/High Velocity Sewer Cleaner for the Sewer Maintenance Department, NO, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of one (1) new and unused 2006 Truck with Vacuum/High Velocity Sewer Cleaner, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received by the Town of Cheektowaga on June 21, 2006 at 11:00 a.m., local time, at the Town Hall, at which time they will be publicly opened and read.

XX

NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on June 21, 2006 at 11:00 A.M. at the Town Hall, corner of Broadway and Union Roads, for the purchase of one (1) new and unused 2006 Truck with Vacuum/High Velocity Sewer Cleaner for the Sewer Maintenance Department.

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

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

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

Mary F. Holtz
Town Clerk

DATED: June 5, 2006

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: James Rankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-302

DOC ID: 1377

E **A** **C** **L** **S**
H **I** **CHI S**

S: Councilmember Laworowicz, Councilmember Johnson.

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

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

HEREAS, a capital account must be established, moneys must be transferred into such account, and then money from such account will be spent, to be reimbursed later, **NO THEREFORE, BE IT**

RESOLVED, that the following accounts be and hereby are established:

CHIPS State Aid (Expense)-51-5132-0002-266,06.89

CHIPS State Aid (Revenue)-51-5132-3089-266,06.89

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-303

DOC ID: 1376

A **A** **F** **C**

S: Supervisor Gabryszak, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga will be sponsoring the **A** **F** from July 1st through 16th, 2006 in Cheektowaga Town Park and

WHEREAS, caterers will be needed to supply food and non-alcoholic beverages to the public at such festival and

WHEREAS, license agreements between the Town and two caterers, Ray's Lounge Catering Corp., 200 Clinton Street, Cheektowaga, New York, 14206, and Nowak Catering, 13 Patricia Lane, Cheektowaga, New York, 14224, have been prepared and approved by the caterers and

WHEREAS, Section 6() of the Town Law of the State of New York requires that a public hearing be held on the granting of concessions/licenses by a Town Board prior to the granting of same and

WHEREAS, a public hearing on the proposed license agreements with the aforementioned caterers for the Polish-American Arts Festival was held on the 15th day of May, 2006, at 8:00 P.M. at the Cheektowaga Town Hall, and

WHEREAS, this Board feels that it is in the public interest to approve the license agreements with the above named caterers **NOW, THEREFORE, BE IT**

RESOLVED, that this Town Board approves license agreements in the form attached hereto with Ray's Lounge Catering Corp. and Nowak Catering for the Polish-American Arts Festival and **BE IT FURTHER**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute such license agreements with these caterers.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-304

DOC ID: 1373

A **S** **S** **A** **A** **E**
C **W** **A** **R: R** **T**

S: Councilmember Johnson Jr., Councilmember Ankowiak

WHEREAS, by Amended Agreement dated November 16, 2004, the Erie County Water Authority authorized the conveyance of a narrow strip of land at the northerly edge of its property at 3030 Union Road to the Town of Cheektowaga for the Town’s Rails-to-Historic Trails Project, and

WHEREAS, pursuant to the terms of such agreement, the Town of Cheektowaga had to complete the construction of such bicycle pathway by November 1, 2006, and

WHEREAS, the deed dated December 16, 2004 from the Erie County Water Authority for this conveyance also required that this project be completed by November 1, 2006, and

WHEREAS, due to delays in the Rails-to-Historic Trails Project resulting from lack of County funding and revised Federal rules for this project, the projected completion date for this bicycle path may occur after November 1, 2006, and

WHEREAS, the Erie County Water Authority has agreed to extend the time frame for the completion of the Rails-to-Historic Trails project until November 1, 2007, and an amendment to the aforesaid agreement has been prepared, **NOW, THEREFORE, BE IT**

RESOLVED, that this Town Board hereby approves the attached Amendment No. 2 to the Agreement for Conveyance of Property, and **BE IT FURTHER**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreement and any other documents necessary to effectuate the terms of this agreement on behalf of the Town of Cheektowaga.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Magierski, Rogowski



RESOLUTION 2006-305

DOC ID: 1393 A

UNOFFICIAL COPY OF THE TOWN OF CHEEKTOWAGA BOARD OF SUPERVISORS

Subject: Councilmember Magierski, Councilmember Rogowski

WHEREAS, at the request of Councilmember Alice Magierski the Federal Bureau of Investigation has agreed to make a presentation to the parents of Cheektowaga school children on Internet Safety at Cheektowaga Central High School Auditorium on Monday, September 25, 2006 at 6:30 P.M., and

WHEREAS, in order to hold such presentation, Cheektowaga Central School District requires the Town to execute an "Cheektowaga School District Application for Use of District Facilities" form, and

WHEREAS, this Board is in support of this presentation for the benefit of our Town's youth, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Cheektowaga Central School District Application for Use of District Facilities form on behalf of the Town for this Internet Safety Presentation, and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga hereby agrees to indemnify the Cheektowaga Central School District under our self insurance program for this event.

Motion by Councilmember Magierski, seconded by Councilmember Johnson to amend the above resolution to change the time of the presentation to 7:00 PM and the resolution was amended.

AMENDED RESOLUTION

WHEREAS, at the request of Councilmember Alice Magierski the Federal Bureau of Investigation has agreed to make a presentation to the parents of Cheektowaga school children on Internet Safety at Cheektowaga Central High School Auditorium on Monday, September 25, 2006 at 7:00P.M., and

WHEREAS, in order to hold such presentation, Cheektowaga Central School District requires the Town to execute an "Cheektowaga School District Application for Use of District Facilities" form, and

WHEREAS, this Board is in support of this presentation for the benefit of our Town's youth, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the Cheektowaga Central School District Application for Use of District Facilities form on behalf of the Town for this Internet Safety Presentation, and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga hereby agrees to indemnify the

Cheektowaga Central School District under our self insurance program for this event.

Motion by Councilmember Magierski, seconded by Councilmember Johnson to amend the resolution by changing the time of the presentation to 4:00 PM

RESULT: ADOPTED AS AMENDED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-306

DOC ID: 1371

S **S** **O** **L** **M** **I** **F** **L**
S **O** **F** **R**

S **B**: Rogowski, Laworowicz, Johnson r.

WHEREAS, in New York State, sex offenders are required to register with the New York State Division of Criminal Justice Services, and, in turn, local communities are notified of the presence of certain sex offenders in their neighborhoods, and

WHEREAS, under the existing law in New York State, if a sex offender does not register, it is a misdemeanor, and

WHEREAS, State Assemblyman Paul A. Tokasz and State Senator Dean Skelos have introduced legislation (Assembly Bill No. 11518/Senate Bill No. 8047) that would make it a felony for Level 3 sex offenders who fail to register or report a change of address, and

WHEREAS, this bill would help to require that these sex offenders register so that they can be closely monitored to ensure that they do no harm to innocent citizens and children, and

WHEREAS, this Board feels that this proposed legislation is desirable, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby goes on record in support of this proposed legislation being sponsored by Assemblyman Paul A. Tokasz and Senator Dean Skelos, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-307

DOC ID: 1375

SPECIAL EVENTS COMMITTEE SPECIAL LEGAL COUNSEL

SENDER: Johnson Cr., Rogowski, Laworowicz

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

WHEREAS, the Cheektowaga Southside Little League has made application to hold its annual Opening Day Parade on Saturday, June 1, 2006, commencing at 1:00 P.M. said parade route to start at the Doyle 1 Fire Company parking lot on William and Alaska Streets thence east on William Street to Standard Parkway thence north on Standard Parkway, ending at ITT Standard Park and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the application of Cheektowaga Southside Little League for the aforementioned Parade, to be held on Saturday, June 1, 2006 at 1:00 P.M. BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Cr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Cr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-308

DOC ID: 1374

SECTION C ARTICLE A

SECTION B: Johnson Cr., Rogowski, Laworowicz

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

WHEREAS, the North Cheektowaga Amateur Athletic Association has made application to hold a parade on Saturday, June 3, 2006 (rain date June 4, 2006) beginning at 12:00 P.M. as follows:

- Parade will assemble at 1 Nagel Drive, then proceed south on Nagel Drive to George Urban Boulevard, then proceed west on George Urban Boulevard to the TOPS market parking lot

and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the North Cheektowaga Amateur Athletic Association for the aforementioned parade to be held on June 3, 2006 (rain date June 4, 2006), and BE IT FURTHER

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

Table with 2 columns: Field (RESULT, MOVER, SECONDER, AYES) and Value (ADOPTED UNANIMOUS, Thomas Johnson Cr., Councilmember, James Rogowski, Councilmember, Gabryszak, Laworowicz, Johnson Cr., Swiatek, Rankowiak, Magierski, Rogowski)



RESOLUTION 2006-309

DOC ID: 1372

SPECIAL ORDER

SPECIAL ORDER: Councilmember Rogowski, Councilmember Laworowicz

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

WHEREAS, the Federation of German-American Societies has made application to hold its annual German Fest in Cheektowaga Town Park from September 2-3, 2006; and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Federation of German-American Societies for the aforementioned German Festival to be held in Cheektowaga Town Park on September 2-3, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-310

DOC ID: 1391

SPECIALS **HSBC** **S** **T**

S: Councilmember Rogowski, Supervisor Gabryszak

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

WHEREAS, the HSBC Sports and Social Club has made application to hold its Co-Ed Softball Tournament in Stiglmeier Park on August 12, 2006, and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the HSBC Sports and Social Club for the aforementioned Co-Ed Softball Tourney to be held in Stiglmeier Park on August 12, 2006.

RESULT:	ADOPTED UNANIMOUSLY
MOVER:	James Rogowski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Tankowiak, Magierski, Rogowski



RESOLUTION 2006-311

DOC ID: 1392

SEFFECTIVE

SECTION B: Supervisor Gabryszak, Councilmember Laworowicz

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

WHEREAS, the Polish-American Arts Festival Committee has made application to hold its annual Polish-American Cultural Festival in Cheektowaga Town Park from July 1-16, 2006, and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Polish-American Arts Festival Committee for the aforementioned Polish-American Arts Festival to held in Cheektowaga Town Park from July 1- 16, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-312

DOC ID: 1384

S U S A H R

S B: Councilmember Magierski, Councilmember Laworowicz

HEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 95 Huth Road, Cheektowaga, New York SB 91.06-18-1 that is a danger to the safety of others, and records kept by the Assessors Office identify Marjorie Rickert, 95 Huth Road, Cheektowaga, New York 1225, as the owner AND

HEREAS, an inspection of such premises was conducted on 95 Huth Road, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-313

DOC ID: 1383

Councilmember James Frankowiak, Supervisor Dennis Gabryszak, Councilmember James Frankowiak, Councilmember Thomas Rogowski

Seconded by Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED, the Town Board hereby create the position of Director of Senior Services pursuant to Civil Service Laws and Rules effective June 6, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-314

DOC ID: 1395

██████ **T**██████████████

S██████████ **B**: Councilmember █████ankowiak, Supervisor Gabryszak

BE IT RESO███ED that the individuals listed below be and hereby are terminated in the Department of Parks, Recreation █ Youth Services, effective immediately:

- ████arl Smith 1██211
- Stephanie Minor 1██225
- ████elly Pflueger 1██22█

RESULT: ADO██ TED █ UNANIMOUS█

MOVER: █████ames █████ankowiak, Councilmember

SECONDER: Dennis Gabryszak, Supervisor

AYES: Gabryszak, █████aworowicz, █ohns█ █r., Swiatek, █████ankowiak, Magierski, Rogowski



RESOLUTION 2006-315

DOC ID: 1379

T S

S: Councilmember Tankowiak, Supervisor Gabryszak

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

POLICE DEPARTMENT Clerk \$6.55/hour
Melissa M. Tankowski, Depew, New York
Effective 6/05/06

PARIS DIVISION Laborer \$5.55/hour
Jason Artinger, Cheektowaga, New York
Effective 6/05/06

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT Traffic Maintenance - Laborer \$10/hour
Daniel J. Clifford, Cheektowaga, New York
Effective 6/05/06

PARIS DIVISION Laborer \$25/hour
Jonathan Gorski, Depew, New York
Effective 6/05/06

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

PARIS DIVISION
Robert Giardini
Effective 6/05/06

RESULT: ADOPTED UNANIMOUS
MOVER: James Tankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Tankowiak, Magierski, Rogowski



RESOLUTION 2006-316

DOC ID: 1332

S H R YS V

S B: Councilmember ankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are hired as indicated in the Department of Parks, Recreation Youth Services, effective immediately:

C C C CCC

Seasonal

Laborers (Participants) - 310.1816

- 6.5 Paul Hockwater 122
Herrod Chojnicki (alternate) 122

Seasonal

C F 10.1 10

Recreation Attendant

- 8.00 Heather Fabian 122

- 5 Brandon Schunke 122

- 50 Hilary Peacock 1225
ynsey Borowski 103

- 25 Amber Dirschberger 122
Lauren Szydolowski 122
Melissa itwin 1225
atie Togerson 1225
ackie Poblocki 1211
Meghan Eckle 1225
Daniel Budzinski 122
Brandon arczewski 122

- 00 Randy Derfert 122
Mary elasko 122
ori Majewski 122
Mandy Burton 1225

□6.□5	
□ylie Mars	1□211

Part-time

Recreation Aide

□6.□5	
Andrew □ aver	1□22□

C □ □ □ I I □ DO WAH GAH □ □ □ 10.1 □ 01

Seasonal

Recreation Attendant

□8.00	
□atherine Swiatek	1□225

Part-time

Recreation Aide

□6.□5	
□risty Rzeszutek	1□22□

C □ □ C □ □ □ □ □ □ □ □ □ 10.1 □ 02

Seasonal

Recreation Attendant

□□.00	
Dana □ryszak	1□22□

Recreation Instructor
(Regular Part-Time)

□8.25	
□aura Sheldon	1□22□

C □ □ D □ □ □ □ □ □ □ □ 1 □ 0.16 □ 2

Seasonal

Recreation Attendant

□□.□5	
Patrick Hughes	1□0□3

□6.□5

Lauren Piekarski	1003
Tammy Giczkowski	1022

Recreation Aide 10.1611

Part-time

Recreation Aide

6.5	
Jeff Filipski	1022
Kevin Finn	1022
Chris Hannel	1022
Dan Wasielewski	1025

Seasonal

Recreation Attendant

6.5	
Robert Weigard	1025

Part-time

Teaching Assistant 10.1612

Recreation Aide

6.5	
Andre McGhee	1025

Seasonal Recreation Aide 10.1610, 10.1611, 10.1612, 10.1613

Regular Part-time

6.5	
Ryan Mrugalski	1022

Level I

Level I 10.1610

Regular Part-time

<u>Level I - 6.5</u>	
Nicole Maciejewski	1022
Heather McCann	1003
Lauren Queke	1020
Andrew Chrusicki	1025
Adam Fuest	1025

Erica Orłowski	1□225
Sara Schwab	1□0□3
Naomi Snyder	1□225
□ulia Hora	1□225

□evel III - □8.0□

□auren Malicki	1□22□
----------------	-------

□evel I□ - □8.23

Michelle Hauser	1□22□
□aura Garcia	1□225
Sheila Glaub (seasonal)	1□22□
Brandon □ehmann (seasonal)	1□22□

Seasonal□ifeguards (Alternates)□evel I - □□.□5

Aaron □aczmarek	
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Samantha Ehrig	
----------------	--

Torrie □ ydysh	
----------------	--

Seasonal□aborers (Bathhouse Attendants) - □310.1901

□6.00	
-------	--

Nicole Habermehl	1□225
Tricia □ent	1□0□3
Megan Maloney	1□22□
Courtney Smith	1□206
Eugene □ illiams	1□215
Danielle Malicki	1□22□
□eremy □ ild	1□225
Benjamin Hannel	1□22□
□onathan Gworek	1□22□
□eann Coddington	1□225
Robert Radich	1□225
□acqueline Campbell	1□0□3
□auren Seifert	1□22□
□ared Messina	1□225
Nick Barnhard	1□22□
Matthew □ eigand	1□225
□achary Sauer	1□22□
Taylor Burns	1□211
Amanda Moran	1□206
Daniel Skoczylas	1□206
□onah Messina	1□225

□aborers (Bathhouse Attendants) - □310.1901

(Alternates) - □6.00	
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Tim Brenner	1□22□
-------------	-------

Dave Cunningham	1□225
□oe Duquette	1□212
Amanda Fischer	1□22□
□atelynn Hanners	1□211
Michael □oonce	1□225
Deondra □ubera	1□225
Cheryl □alek	1□225
Thomas Young	1□225

B□□□□ □□□ □□□□ S□□□□□□□□ □□ 1□0.1□02

Seasonal

<u>□lifeguard (Pool Supervisor - Maryvale) - □9.8□</u>	
□aura Mayle	1□215

<u>Recreation Instructor (Special Events) - □12.90</u>	
□urt Hansen	1□0□5

<u>Recreation Instructor (Special Events) - □10.□5</u>	
Mark Przybysz	1□206

BE IT FURTHER RESO□□ED that in the event that Brian Hansen cannot perform his duties at any time during the summer season, that Cathy Giles will perform those duties on an acting basis at his established rate of pay of □16.66.

Regular Part-time

<u>Recreation Specialist (Pool Director) - □16.66</u>	
Brian Hansen (effective 5/1□)	1□0□3

RESULT: ADO□ TED □UNANIMOUS□
MOVER: □ames □ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, □aworowicz, □ohnson □r., Swiatek, □ankowiak, Magierski, Rogowski



RESOLUTION 2006-317

DOC ID: 1378

RESOLUTION 2006-317

RESOLUTION 2006-317: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED that the following individuals be and hereby are transferred and/or upgraded, as indicated, in the Department of Parks, Recreation & Youth Services, effective immediately:

TOOLS

Regular part-time
Transfer from lifeguard to Recreation Instructor - \$9.21
Nicole Dunkel

Seasonal
Transfer from lifeguard (Pool Supervisor) to Recreation Instructor
Aaron Grupka

Transfer from lifeguard Regular part-time to Part-time lifeguard
Andrew Accarell

Transfer from lifeguard (Seasonal) to Recreation Supervisor (Seasonal)
\$9.80
Elizabeth Sinski

Regular Part-time
Recreation Instructor
\$11.50
Cathy Giles

DAY CAMS

TRANSFERS APPROVED:

Cathy Giles \$11.50

Regular Part-time

Recreation Attendant

\$11.50
Heather Graves
DeYonca Porter

\$11.25
Alexander Madowski

□6.□5
□rystina Root

Part-time

Recreation Aide
□6.□5
Carly Rehac

C □ □ C □ □ □ □ □ □ □ □ □ 10.1 □ 02

Regular Part-time

Recreation Specialist

□13.25
Barbara □ alters

□8.25
□aura Gabryszak
□aura Sheldon

Recreation Attendants

□□.□5
Melissa Rogers

□□.25
□risten Stadelmeyer

C □ □ □ I I □ DO WAH GAH □ □ □ 10.1 □ 01

Regular part-time

Recreation Specialist

□11.00
□ictor Nosal

□9.□5
Amy McMahon

Recreation Instructor

□8.25
Maribeth Stadelmeyer

□8.50
Nicholas Czaplicki

Recreation Attendant

00.50

Mark Hannon

00.50

Amy Roblewski

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-318

DOC ID: 1380

A **D** **C** **O** **D** **S** **T**

S: Councilmember **B**: Councilmember **A**nkowiak, Supervisor Gabryszak

HEREAS, a vacancy exists in the title of Dog Control Officer in the Police Department AND

HEREAS, 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

HEREAS, Scott Thrun, currently employed as temporary Dog Control Officer in the Police Department, bid on said vacancy and meets the necessary qualifications NO, THEREFORE BE IT

RESOLVED, that Scott Thrun of Sloan, New York, be and hereby is appointed to the position of Dog Control Officer in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective June 6, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James A nkowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, A aworowicz, J ohnson J r., S wiatek, A nkowiak, Magierski, Rogowski



RESOLUTION 2006-319

DOC ID: 1381

T **A** **D** **A**
R **E** **O** **T** **R**
N

S: Councilmember **B**: Councilmember Frankowiak, Supervisor Gabryszak

HEREAS, the Drug Abuse Resistance Education (DARE) Training Conference will be held July 2 through July 28, 2006, in Orlando, Florida AND

HEREAS, Police Officers Thomas Rogers and Paul Nazzarett, Jr. have requested authorization to attend said conference AND

HEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$1,895 AND

HEREAS, these expenses have been budgeted by the Police Department NO , THEREFORE, BE IT

RESOLVED, that Police Officers Thomas Rogers and Paul Nazzarett, Jr., be and hereby are authorized to attend the Drug Abuse Resistance Education (DARE) Training Conference being held July 2 through July 28, 2006, in Orlando, Florida

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-320

DOC ID: 1382

THE TOWNSHIP OF CHEEKTOWAGA, **A**S A POLYGENERIC CORPORATION, **D**OES HEREBY **S**UPPORT **M**OTION **D**EVELOPED BY **T**HE TOWNSHIP **S**UPERVISOR **I**LLINOIS **C**OUNCIL, **C**OUNCILMEMBER **T**ABER, **C**OUNCILMEMBER **T**ABER, **C**OUNCILMEMBER **T**ABER,

- S**UBJECT **B**: Councilmember Jankowiak, Supervisor Gabryszak
- HEREAS, a Traffic Signal Inspection course will be held from July 20 through July 25, 2006, in Overland Park, Kansas AND
 - HEREAS, Traffic Signal Technician Christopher Taber, Jr., has requested authorization to attend said course AND
 - HEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND
 - HEREAS, the total cost to the Town shall not exceed \$83 AND
 - HEREAS, these expenses have been budgeted by the Police Department NO , THEREFORE, BE IT

RESOLVED, that Traffic Signal Technician Christopher Taber, Jr., be and hereby is authorized to attend Traffic Signal Inspection course being held from July 20 through July 25, 2006, in Overland Park, Kansas.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Jankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Jankowiak, Magierski, Rogowski

VII. SUPPORTED RESOLUTION

Motion by Councilmember Jankowiak, seconded by Councilmember Magierski to suspend the rules to include the following three (3) items, and the motion was approved.



RESOLUTION 2006-321

DOC ID: 1398

CHEEKTOWAGA HONORABLE LEO L. IRELLI, N. 2006 A
L

S: Councilmember Magierski, Councilmember Johnson r.

HEREAS, by resolution dated January 21, 1992, local law No. 1 of the Year 1992 of the Town of Cheektowaga, entitled "A local law Relating to zoning" was adopted, and

HEREAS, the Building Inspections Department and zoning and Petitions Committee have recommended that this Town Board enact revisions to the zoning law to create a cluster housing zoning, and

HEREAS, a draft of such amendment has been prepared by the Building Inspections Office, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 19th day of June, 2006 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider the advisability of adopting "A local law to Amend A local law relating to zoning", and BE IT FURTHER

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

RESOLVED, that the Town Clerk be and hereby is directed to forward copies of this resolution and the attached Notice of Hearing to the Erie County Department of Environment and Planning, the City of Buffalo, and the Towns of West Seneca, Amherst and Lancaster, and the Villages of Sloan and Depew.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that, pursuant to the Municipal Home Rule Law of the State of New York, a Public Hearing will be held before the Town Board of the Town of Cheektowaga on the 19th day of June, 2006 at 8:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 2006-1 of the Year 2005, entitled "A Local Law to Amend A Local Law Relating to Zoning". Following is a synopsis of the proposed Local Law Intro No. 2006-1:

LOCAL LAW NO. 2006-1

ARTICLE II. RESIDENCE DISTRICTS

A new **SECTION 260-2-A**, entitled "Residential Cluster Housing District", shall be added to Article II, Residence Districts, to establish a new zoning district in the Residence Districts for detached single family residential developments to be arranged in groups or clusters on lots which may vary in size but where the overall maximum gross density slightly exceeds the density in the R District.

The complete text of Local Law Intro No. 2006-1 is on file in the Town Clerk's Office where the same may be examined during regular business hours.

Dated: June 5, 2006

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

MARY F. HOTT
Town Clerk

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-322

DOC ID: 1400

T **T** **T** **E** **R**
C

S: Councilmember [ankowiak, Supervisor Gabryszak

BE IT RESOED, that the following PART-TIME EMPYEEES be and hereby are transferred as follows:

FROM TOWN CLERKS OFFICE to RECORDS CENTER (SARA GRANT) - Clerk - 10/hour
Meghan Hannel, Cheektowaga, New York
Effective 6/05/06 - 31/06

FROM RECORDS CENTER (SARA GRANT) to RECORDS CENTER (SARA GRANT) - (Lead
Records) Clerk - 12/hour
Deanna Schugardt, Cheektowaga, New York
Effective 6/05/06 - 31/06

AND, BE IT FURTHER RESOED, that the following employee be terminated as follows:

RECORDS CENTER
Jennifer Christiano
Effective 6/06/06

RESULT: ADOPTED UNANIMOUS
MOVER: James [ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, [aworowicz, [ohnson r., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-323

DOC ID: 1401

A **C** **S** **A** **M**

S: Supervisor Gabryszak, Councilmember Johnson.

HEREAS, the Town desires to make sidewalk improvements at the Maryvale Pool Building on Maryvale Drive, and

HEREAS, funding for such improvements has been included in the Town's 2006 Community Development Block Grant budget, and

HEREAS, proposals for said work were solicited from qualified contractors for said work, and

HEREAS, R. Broad Concrete, submitted the lowest responsible proposal for said work in the amount of \$10,100.00, NO, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a contract with R. Broad Concrete, P.O. Box 162, Marilla, New York 1102 for the installation of sidewalk improvements at the Maryvale Pool Building site for the price of \$10,100.00, and BE IT

FURTHER RESOLVED, that the cost of said work be charged to the Community Development Block Grant program.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Bankowiak, Magierski, Rogowski

VIII. C

A. Departmental Communications

1. **S** **S** **F** **A** **2006**
2. **B** **M** **2006**
- . **C** **B** **M**, **2006 M**
- . **C** **B** **M** **A** **1**, **2006 M**
- . **C** **B** **M** **M** **11**, **2006 M**
6. **E** **A** **C** **M** **M** **10**, **2006 M**
- . **E** **A** **C** **M** **M** **2**, **2006 M**

□. **C**□□□□□□ □□ **C**□□□□□□□□□□ **A**□□□□□□ **C**□□□□□□ **M**□□□□□□ □□ **M**□□ □, **2006 M**□□□□□□

□. **C**□□□□□□ □□ **C**□□□□□□□□□□ **A**□□□□□□ **C**□□□□□□ **M**□□□□□□ □□ **M**□□ **20, 2006 M**□□□□□□

B. General Communications

1. N□□□□□ □□□□□□□□□ □ **N**□ **Y**□□□ **S**□□□□□ **E**□□□□□□□ □ **G**□□ **C**□□□□□□□□□□ **V. S**□□□□ **B**□□□□ □□ **R**□□□□□□□□ **S**□□□□□□□□

2. N□□□□ □□ **C**□□□□ : **M**□□□□ **E. S**□□□□ □□□□ **V. T**□□ □□□□ **C**□□□□□□□□ □□□□

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6. N□□□□ □□ **C**□□□□ : **M**□□□□□□ **E. B**□□□□□□ **V. T**□□ □□□□ **C**□□□□□□□□ □□□□

IX. C□□ □□ □□□□

A. Supervisors Comments

B. Councilmembers Comments

C. Public Comments

X. A□□□□□□□□

Motion by Councilmember Swiatek, seconded by Councilmember Jankowiak to adjourn the meeting to go into Executive Session at 8:15 PM.

The Town of Cheektowaga



- Office of Building and Plumbing Inspections
3301 Broadway
Cheektowaga, NY 14227
(716) 686-3490
- Neighborhood Preservation Office
275 Alexander Avenue
Cheektowaga, NY 14211
(716) 897-7281
- Fire Inspection Office
275 Alexander Avenue
Cheektowaga, NY 14211
(716) 961-6501

MEMORANDUM

TO: Supervisor Dennis Gabryszak
Honorable Town Board Members
Mary Holtz, Town Clerk
Michael Stachowski, Town Attorney

FROM: Thomas Adamczak
Supervising Code Enforcement Officer

DATE: May 26, 2006

The following is a summary of the proposals that have been reviewed by the Town Environmental Advisory Committee at a meeting on May 24, 2006 in the Town Hall Council Office Conference Room. (Absent: CCAC representative)

ITEM I Walden Galleria Mall - Redevelopment Plan for Retail Space

Applicant: Pyramid Company of Buffalo

Jim Soos, the manager of the mall, presented a draft commitment letter to the committee which was reviewed and found acceptable. The Traffic Safety Commission had reviewed the project and agreed to road striping for protected lefts on Galleria Drive. The Zoning Officer noted that the Fire District had verbally expressed an interest in the hydrant and standpipe locations to be established in conjunction with the new work. The manager was instructed to contact the Fire District so that they could review locations.

It was noted that additional plantings must be placed at the end of Fath and Nokomis to further screen the existing and future additions to the mall. It was also suggested that line-of-sight drawings with landscaping be submitted to the Town Engineer for his review to determine if adequate screening is being provided for the new parking deck.

This project has been under review for a number of months by a number of reviewing boards and it is the recommendation of this committee that a Negative Declaration be issued for this project.

ITEM II 225 Bennett Road - Proposed 16,800 Sq. Ft. Addition to an Existing Nursing Home

Application: Elderwood Senior Care at Maplewood

The 2-story addition to be located in a court yard and attached to the existing buildings. It would provide ten beds as well as additional therapy and dining space for the residents. The applicant has indicated that an updated cultural study will be submitted to show that there is no disturbance of cultural resources.



May 22, 2006

Mr. Daniel Ulatowski
Building and Inspections Department
Town Hall
3301 Broadway
Cheektowaga, NY 14227

**Re: Commitment Letter - REVISED
Proposed Renovation / Expansion
Walden Galleria – Cheektowaga, NY**

Dear Dan:

In conjunction with the development review application filed on behalf of Pyramid Walden Company, LP ("Pyramid") for the renovation and expansion to Walden Galleria by up to 80,302 SF of gross leasable area, I have detailed a list of "off site" improvements that Pyramid is committed to undertaking as a part of the completed project.

Traffic Safety:

1. Traffic management improvements will be implemented along Galleria Drive between East Drive and West Drive. This will allow for protected left turn movements for west bound traffic at West Drive, Midway East Drive and Midway Drive.
2. The existing Post Office exit drive onto Galleria Drive will be consolidated with Pyramid's East Drive. This will permit Post Office traffic to exit onto Galleria Drive with the benefits of a signal controlled intersection. An appropriate easement for use of the connecting driveway will be put in place by Pyramid.
3. Pyramid understands that all of the proposed highway, signalization and safety work must be built prior to the issuance of a certificate of occupancy for the expansion building.
4. Following a period of 12 months from the opening of substantially all of the expansion space, Pyramid will conduct a follow-up traffic study and analysis of Galleria Drive, report its findings to the Town and undertake to do those things suggested by professional highway engineers that are required to achieve the levels of service and safety functions intended by Pyramid's proposal for highway and safety mitigation work for the expansion; provided that any such deficiency determined is related primarily to the vehicular traffic generated by the Walden Galleria renovation / expansion project.

Walden Galleria
One Walden Galleria
Cheektowaga, NY 14225

716.681.7600
Fax: 716.681.1773

May 22, 2006

Page 2

5. Installation of one new traffic signal on Galleria Drive at Midway Drive. The signal lights at East Drive, West Drive and the new signal will be timed to provide adequate traffic flow during peak periods. The new signal will provide a protected westbound left turn into Midway Drive. The design will include LED displays and the Safe-Tran 179 controller.
6. Pyramid will enter into a signal maintenance agreement with the Town for the new traffic signal. This agreement will mirror the existing signal maintenance agreements that are in-place between Pyramid and the town.
7. Installation of a flashing yellow advanced warning sign located along Galleria Drive west of West Drive. It will be coordinated with the signal control at West Drive in an effort to reduce rear-end accidents in that area.
8. Galleria Drive east bound lane west of I-90 will be designated for "right turn only" at West Road.
9. On-street parking along the inner ring road of the redevelopment area will be eliminated. These areas will be utilized for customer drop off / pick up and deliveries.

Berm Construction and Landscaping:

1. Construction of visual barrier berms with landscape plantings in Nokomis Park.
2. Renovation of the existing berm along the north side of the satellite parking area north of Galleria Drive with additional landscape plantings.
3. Enhanced tree and shrub plantings along the south side of Galleria Drive and in adjacent parking islands in the area of the renovation construction.
4. In cooperation with the Town and its plans for signage on Pyramid property northeast of the intersection of Galleria Drive and Walden Avenue, Pyramid will clean up of the area by removing weeds and unsightly plantings and will plant trees, shrubs and grass consistent with an attractive "entrance" into the Town.
5. As many as six (6) shade trees will be added to the main mall parcel along the ring road in the southwest corner near the I-90 East ramp. The trees will meet the requirements set forth in the Town Zoning Law.

May 22, 2006

Page 3

Sidewalk and Pedestrian Crossing Work:

1. Construction of sidewalk from the existing walk in front of Starbucks on the south side of Galleria Drive, west along Galleria Drive to the signalized intersection at West Drive, then from that point at a marked pedestrian crosswalk at the West Drive intersection, crossing Galleria Drive then continuing west on the north side of Galleria Drive to the existing sidewalk adjacent to the Target building.
2. Construction of sidewalk on the north side of Galleria Drive from the east property line of Pyramid's property west to a point of crossing at the signalized intersection of East Drive.
3. Construction of marked pedestrian crosswalks across all roadways which intersect with the sidewalk line and crosswalks at the intersection of Galleria Drive, and East Drive and West Drive.
4. Pyramid will provide executed access easements with each of the landowner's affected by the proposed driveway, sidewalk or other work required on such owner's property prior to Pyramid's eligibility for a permit to do the work.
5. Pyramid will provide to the Town an easement for the public use of any sidewalk built on Pyramid property, which sidewalk is intended to facilitate pedestrian traffic between public property and the Walden Galleria site or traffic past the site.
6. Pyramid will enter into a maintenance agreement with the Town for snow removal and repairs to the sidewalks referenced within.

Aesthetic Review: Deck Façade / Other:

1. Although a specific architectural design for the façade treatment and appearance of proposed parking structures has not been finalized, Pyramid will present renderings and photographic examples of alternative for consideration by the Planning Board. Pyramid has committed to share with the Planning Board specific façade design alternatives and to cooperate with the reviewing authorities in arriving at a pleasing architectural appearance satisfactory to the reviewing authorities and Pyramid.
2. As a point of clarification, Pyramid will undertake to include in its commitments for the aesthetic treatment of the parking structure facades, the existing parking structure façade.

Walden Galleria
One Walden Galleria
Cheektowago, NY 14225

716.681.7600
Fx: 716.681.1773

May 22, 2006

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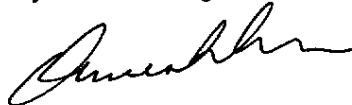
3. Pyramid will enter into a maintenance agreement with the Town for landscaping upkeep on the Pyramid parcel at Walden Avenue and Galleria Drive.

Nearly all of the proposed improvements and undertakings by Pyramid are reflected on drawings prepared by LaBella Associates, PC dated March 24, 2006. The proposals and undertakings which are not shown on the drawings are currently in the design phase for preparation of detailed construction drawings.

I believe this letter includes all of the conditions previously imposed and undertakings accepted and to be carried out by Pyramid for the site plan modification.

Very truly yours,

Pyramid Management Group, Inc.



James L. Soos

JLS/sm

CC: Environmental Advisory Committee members
Town Board Members
Michael Leydecker, LaBella Associates
File/LB



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Regular Meeting

Monday, June 19, 2006

Mary F. Holtz
(716) 686-3434

Monday, June 19, 2006

6:45 PM

Council Chambers

I. 6:00 PM

Public Hearing 1

PUBLIC HEARING 1.6 ACRES OF LAND ALONG NORTH SIDE OF REHM ROAD

Voting Record		Initiator	Y	A	N	N	A	A
Adjourned Closed	Dennis Gabryszak	Initiator	p					
	Patricia Laworowicz	Other	p					
	Thomas Johnson Jr.	Second	p					
	Jeff Swiatek	Other	p					
	James Rankowiak	Other	p					
	Alice Magierski	Other						p
	James Rogowski	Other	p					

Public Hearing 2

PUBLIC HEARING 101 HARLEM ROAD

Voting Record		Initiator	Y	A	N	N	A	A
Adjourned Closed	Dennis Gabryszak	Initiator	p					
	Patricia Laworowicz	Other	p					
	Thomas Johnson Jr.	Second	p					
	Jeff Swiatek	Other	p					
	James Rankowiak	Other	p					
	Alice Magierski	Other						p
	James Rogowski	Other	p					

Public Hearing 3

PUBLIC HEARING 100 BENNETT ROAD

Voting Record		Initiator	Y	A	N	N	A	A
Adjourned Closed	Dennis Gabryszak	Initiator	p					
	Patricia Laworowicz	Other	p					
	Thomas Johnson Jr.	Second	p					
	Jeff Swiatek	Other	p					
	James Rankowiak	Other	p					
	Alice Magierski	Other						p
	James Rogowski	Other	p					

II. COUNCIL OFFICERS

6:45 PM Meeting called to order on June 19, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attorney	Official	Title	Status	Action
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia	Town of	Councilmember	Present	

Laworowicz	Cheektowaga		
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present
James Rankowiak	Town of Cheektowaga	Councilmember	Present
Alice Magierski	Town of Cheektowaga	Councilmember	Absent
James Rogowski	Town of Cheektowaga	Councilmember	Present
Michael Stachowski	Town of Cheektowaga	Town Attorney	Present
William Pugh	Town of Cheektowaga	Town Engineer	Present
Thomas Adamczak	Town of Cheektowaga	Supervising Building and Plumbing Inspector	Present
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present
Anthony Romany	Town of Cheektowaga	Coordinator of Employee Relations	Present
Christine Ciemba	Town of Cheektowaga	Chief of Police	Present
Daniel Ulatowski	Town of Cheektowaga	Zoning Inspector	Present
Anthony Sisti	Town of Cheektowaga	Planning Board Chairman	Present

III. COMMUNITY DEVELOPMENT

IV. COMMUNITY DEVELOPMENT COMMITTEE REPORT

V. HONORARY

Public Hearing 1

HEARING LOCAL LAW INTRO No. 2006 TO AMEND THE ZONING LAW

Dan Ulatowski made a Presentation.

Residential Cluster Housing District - Purpose - Proposed zoning classification would permit the establishment of detached single family dwellings and patio homes to be clustered or arranged in close proximity to one another in exchange for the preservation of open space/unique site features.

XX

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.

V		R		H		1	
				Y	N	A	A
	Dennis Gabryszak	Initiator		p	..	..	..
	Patricia Laworowicz	oter		p	..	..	..
..	Adjourned						
p	Closed						
	Thomas Johnson	Secunder		p	..	..	..
	Jeff Swiatek	oter		p	..	..	..
	James Jankowiak	oter		p	..	..	..
	Alice Magierski	oter		..	..	..	p
	James Rogowski	oter		p	..	..	..

VI. R

Motion by Councilmember Jankowiak; Seconded by Councilmember Johnson to Waive the Reading of names for Resolutions 340 - 343. Vote was Unanimous.



RESOLUTION 2006-324

DOC ID: 1410

WHEREAS

Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to June 16, 2006 are hereby approved and made a part hereof

GENERAL FUND	\$ 2,931,592.13
RISK RETENTION FUND	92,880.79
DEBT SERVICE FUND	374,600.00
HUD HOUSING REHABILITATION FUND	46,041.50
SPECIAL DISTRICTS FUND	3,061,660.07
HIGHWAY FUND	441,120.18
CAPITAL FUND	72,953.61
TRUST & AGENCY FUND	5,867.84
HUD CDBG FUND	6,179.15
PART TOWN FUND	129,834.69
NYS AFFORDABLE HOUSING FUND	11,456.50
	\$ 7,174,186.46

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Rogowski
ABSENT: Alice Magierski



RESOLUTION 2006-325

DOC ID: 1405

A **B** **T**, **N** **U**, **200** **M**,
S **D** **A**, **O** **1** **N** **U** **200** **T**
D **A**, **H** **D** **D** **T** **S**
E

S: Councilmember Laworowicz, Councilmember Johnson

HEREAS, one bid was received and opened by the Town Clerk at a public bid opening held on May 1, 2006 for Three (3), New and Unused, 200 Model, Single Drive Axle, and One (1) New and Unused 200 Tandem Drive Axle Heavy Duty Dump Trucks with Snow Plowing Equipment for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bid was referred to the Superintendent of Highway for analysis, tabulation and reports, AND

HEREAS, bid was analyzed and completed, NO THEREFORE, BE IT

RESOLVED, that the bid for THREE (3), NEW AND UNUSED, 200 MODE, SINGLE DRIVE AXLE, AND ONE (1), NEW AND UNUSED 200 TANDEM DRIVE AXLE, HEAVY DUTY DUMP TRUCKS WITH SNOW PLOWING EQUIPMENT be awarded to Fleet Maintenance, Inc., 6 Ransier Drive, West Seneca, NY 1422, at a total bid price of \$50,399.00 said bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways. AND, BE IT FURTHER

RESOLVED, that monies be charged to line item 500-5130-200-520

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-326

DOC ID: 1415

A **B** **O** **2006 T** **R** **B**

S **B**: Councilmember ankowiak, Councilmember ohnson .

HEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of one (1) truck with 32 cubic yard refuse packer for the Sanitation Department, which bids were duly received and opened at a public bid opening called for that purpose, **AND**

HEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, **NO** , **THEREFORE, BE IT**

RESO **ED**, that the contract for the furnishing of one (1) truck with 32 cubic yard refuse packer body be awarded to:

Bison Truck Center, Inc.
2300 alden Avenue
Cheektowaga, New York 14225

for their total bid in the amount of \$159,002 for one (1) 2006 Peterbilt Truck with Heil F5000-32 Refuse Packer Body said bid being the lowest bid meeting the requirements of the specifications, **AND, BE IT FURTHER**

RESO **ED**, that funds are available in Account #1500-8160-2306.

RESULT:	ADO <input type="checkbox"/> <input type="checkbox"/> TED <input type="checkbox"/> UNANIMOUS <input type="checkbox"/>
MOVER:	<input type="checkbox"/> ames <input type="checkbox"/> ankowiak, Councilmember
SECONDER:	Thomas <input type="checkbox"/> ohnson <input type="checkbox"/> r., Councilmember
AYES:	Gabryszak, <input type="checkbox"/> aworowicz, <input type="checkbox"/> ohnson <input type="checkbox"/> r., Swiatek, <input type="checkbox"/> ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-327

DOC ID: 1406

C O N . 1 F I D I V I T H

S B: Councilmember Johnson r., Councilmember Rankowiak

HEREAS, the contract for Drainage Improvements to Beryl Drive, Thruway Court, Lucid Court, Colden Court and Meadow Place was awarded by Town Board Resolution dated July 11, 2005 to Mar- al Construction Company, Inc. in the amount of \$28,236.8, AND

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

HEREAS, the Town Engineer has further recommended the approval of Change Order No. 1 (Final) which provides for final adjusted quantities for work actually incorporated into this project, as outlined in the change order document, NO , THEREFORE, BE IT

RESOED, that the Town Board be and hereby accepts the completed Drainage Improvements to arious Town Highways Project and directs the Supervisor to sign the final contract documents with Mar- al Construction Company, Inc., 00 Gould Avenue, Depew, New York 103 including Change Order No. 1 (final) which provides for a decrease to the aforesaid contract in the amount of \$1,988.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson r., Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-328

DOC ID: 1413

N **S** **E** **R** **D** **22** **B** **R**

S: Councilmember Johnson, Councilmember Rogowski

HEREAS, 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

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

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

HEREAS, an application was submitted by David M. Tosetto of Elderwood Senior Care at Maplewood for the construction of a two story 16,800 square foot building addition to an existing nursing home at 225 Bennett Road, AND

HEREAS, the Environmental Advisory Committee at its meetings held on June 1, 2006 recommended a determination of non-significance, AND

HEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of June 8, 2006, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee and the Planning Board NO, 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 BE IT

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

- The Town engineer approving the drainage/grading plan

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-329

DOC ID: 1420

N **SE** **R D** **2600 W** **A**

S: Councilmember Johnson, Supervisor Gabryszak

HEREAS, 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

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

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

HEREAS, an application was submitted by Craig Bohler for the construction of a 9,850 square foot warehouse building addition to 2600 Walden Avenue, AND

HEREAS, the Environmental Advisory Committee at its meetings held on June 15, 2006 recommended a determination of non-significance, AND

HEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of May 11, 2006, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee and the Planning Board NO, 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 SEIRA, AND BE IT

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

- The Town Engineer approving the drainage/grading plan

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-330

DOC ID: 1423

N O C O E N E R G Y C O R P O R A T I O N

S P O N S O R S: Councilmember Johnson Jr., Councilmember Laworowicz

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 NOCO Energy Corp. for the rezoning of 590 Genesee Street from M1- Light Manufacturing to MS- Motor Services to permit the re-development /construction of a 3,000 square foot motor fuel dispensing station with an accessory convenience retail /restaurant, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on June 1, 2006 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan and rezoning at their meeting of April 13, 2006, AND

WHEREAS, this Town Board recognizes that the recent Genesee Street road construction has further diminished the applicant's parcel size and has placed physical constraints on the re-development of the parcel, AND

WHEREAS, this Town Board has expressed traffic safety concerns for the continued use of the existing southerly driveway on Holtz Road, AND

WHEREAS, the applicant has expressed an operational need to maintain use of said driveway due to physical constraints of the parcel as a consequence of the highway taking of lands by New York State, AND

WHEREAS, the Town of Cheektowaga consulted with the Erie County Highway Department Engineer regarding its traffic safety concerns for the continued use of the aforementioned driveway, AND

WHEREAS, the Erie County Highway Department has determined that it is unnecessary to remove the subject driveway, AND

WHEREAS, the applicant prepared a traffic analysis to further evaluate the potential for traffic conflicts as shown on the attached report prepared by URS Corporation, dated April 2006, AND

WHEREAS, the subject site plan requires area variances from the Town of Cheektowaga Planning Board of Appeals for parking setbacks and building height, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving the grading/drainage plan
2. The Planning Board of Appeals approving the necessary area variances
3. The applicant performing a post construction intersection analysis within (6) six months of store operation to evaluate the operation of the southerly driveway on Holtz Road.

ARTICLE 10:

noco traffic

RESULT: ADOPTED UNANIMOUSLY
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Patricia Jaworowicz, Councilmember
AYES: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski



RESOLUTION 2006-331

DOC ID: 1425

A **R** **O** **G** **S**

S: Councilmember Johnson, Supervisor Gabryszak

WHEREAS, NOCO Energy Corporation petitioned for a rezoning from M1-light Manufacturing District to MS-Motor Services District for the redevelopment/construction of a 3,000 square foot motor fuel dispensing station with an accessory convenience retail/restaurant owned by it and located at 590 Genesee Street, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of June, 2006 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 SEIRA and the Town Environmental Impact Review Ordinance for this rezoning, **NOW, THEREFORE, BE IT**

RESOLVED, that the application of NOCO Energy Corporation for the rezoning from M1-light Manufacturing District to Ms- Motor Services District of the property described in the attached legal description be and the same is hereby approved, subject to:

1. Applicant obtaining the necessary variances from the Zoning Board of Appeals and
2. Town Engineer approving the grading/drainage plan.

, and **BE IT FURTHER**

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-332

DOC ID: 1399

A **R** **2** **B**

S: Councilmember Rogowski, Councilmember Laworowicz

WHEREAS, Michael Serafini petitioned for a rezoning from M1-Light Manufacturing District to M2-General Manufacturing District for the construction of a 5,632 square foot building addition to an existing contractor's storage building/office on property owned by him and located at 3529 Broadway, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 2nd day of February, 2006 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 SEIRA and the Town Environmental Impact Review Ordinance for this rezoning, **NOW, THEREFORE, BE IT**

RESOLVED, that the application of Michael Serafini for the rezoning from M1-Light Manufacturing District to M2-General Manufacturing Services District of the property described in the attached legal description be and the same is hereby approved, subject to applicant submitting a drainage and grading plan acceptable to the Town Engineer prior to the issuance of any building permits, and **BE IT FURTHER**

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

RESULT: WITHDRAWN



RESOLUTION 2006-333

DOC ID: 1424

S... 1... W... A...

S... B: Councilmember Johnson r., Supervisor Gabryszak

HEREAS, 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

HEREAS, 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

HEREAS, a development review application and site plan was submitted by Team RNB New York, LLC for the construction of a 58 square foot building addition to the former Bob Evans restaurant at 153 Alden Avenue, AND

HEREAS, the Town of Cheektowaga Planning Board at its meeting of June 8, 2006 is recommending the approval of the site plan, AND

HEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board, NO THEREFORE, BE IT

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

Table with 2 columns: Field (RESULT, MOVER, SECONDER, AYES, ABSENT) and Value (ADOPTED UNANIMOUS, Thomas Johnson r., Councilmember, Dennis Gabryszak, Supervisor, Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Rogowski, Alice Magierski)



RESOLUTION 2006-334

DOC ID: 1422

A **E** **A** **R** **L** **M** **TT**
C

S: Supervisor Gabryszak, Councilmember Swiatek

HEREAS, the Town of Cheektowaga entered into an escrow agreement on September 2, 200 with Manufacturers and Traders Trust Company, as Assignee of Real Lease, Inc., and

HEREAS, this original document included in Section 2.5 thereof language relating to the transfer of remaining moneys in escrow after the 18-month anniversary of the closing date, and

HEREAS, the leasing company, Real Lease, Inc., has asked the Town to execute an Amendment to the Escrow Agreement to modify this section of the lease to change 18 months to 30 months, and

HEREAS, the Town Attorney has reviewed the requested Amendment to Lease and finds same acceptable, NO, THEREFORE, BE IT

RESOLVED, that the Town Supervisor be and hereby is authorized to sign this Amendment to Escrow Agreement.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Jeff Swiatek, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-335

DOC ID: 1414

G U S O S

S B: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, the "Save Our Schools" program is sponsored through the COPS Office, and provides grants to municipal police departments to assist schools and police officers in monitoring activity within schools to deter inappropriate and criminal behavior, and

HEREAS, the Town of Cheektowaga Police Department is interested in availing itself of \$20,000.00 in funding under this program to purchase cameras in the schools and the BOCES school, and to pay for overtime for police officers to run such program, NO, THEREFORE, BE IT

RESOLVED, that the Police Department and/or Grantmakers Advantage, Inc., the Town's grants consultant, be and hereby is authorized and directed to complete the necessary application, forms, etc. to be submitted for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that matching funds in the amount of \$20,000 shall be appropriated from drug forfeiture funds (Account No. 0100-0600-0881, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-336

DOC ID: 1416

D E W C

S B: Gabryszak, Rogowski, Johnson

HEREAS, the Town desires to demolish the property located at 8 E Lindwood Court, and

HEREAS, Community Development Block Grant funds are available for demolition and clearance activities, and

HEREAS, proposals for said work were solicited from qualified contractors for said work, and

HEREAS, Nichols, Long Moore Construction Corp. submitted the lowest cost proposal for said work in the amount of \$92,000, NO, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a contract with Nichols, Long Moore Construction Corp., 19 Gunnville Road, Lancaster, New York 1086 for the demolition of 8 E Lindwood Court for the price of \$92,000, and BE IT

FURTHER RESOLVED, that the cost of said work be charged to the Community Development Block Grant program.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-337

DOC ID: 1417

U N I O N C O U N C I L R E S O L U T I O N T

S E C O N D E R B: Councilmember Johnson Jr., Councilmember Rankowiak

WHEREAS, the Rails to Historic Trails Project is located within New York State Department of Transportation right-of-way at Harlem Road and Union Road, AND

WHEREAS, the NYSDOT has approved a Use Occupancy Permit #5105 to the Town of Cheektowaga for the Rails to Trails Project, AND

WHEREAS, the NYSDOT has waived the annual fee, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to sign the Use Occupancy Permit with the New York State Department of Transportation.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-338

DOC ID: 1418

SECTION HSBC

SECTION B: Councilmember Rogowski, Supervisor Gabryszak

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

WHEREAS, the HTS Social Committee of HSBC Bank has made application to hold its picnic with music (a band) in Cheektowaga Town Park at the Pavilion on August 11, 2006, and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the HTS Social Committee of the HSBC Bank for the aforementioned picnic with music to be held in Cheektowaga Town Park on August 11, 2006, and BE IT FURTHER

RESOLVED, that, due to the day (Friday) and the location (Pavilion) for this special event, music/a band is hereby approved for this special event.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Tankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-339

DOC ID: 1419

SECTION 1

SECTION 1: Councilmember Rogowski, Supervisor Gabryszak

WHEREAS, the General Pulaski Association of the Niagara Frontier has made application to hold a parade honoring General Pulaski on Sunday, July 16, 2006 at 1:30 p.m. beginning at the Thruway Plaza then proceeding west on Walden Avenue then north on Harlem Road to George Urban Boulevard, and

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

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

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

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the General Pulaski Association of the Niagara Frontier for the aforementioned parade to be held on July 16, 2006, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-340

DOC ID: 1404

RYS **S** **T**

S: Councilmember **B**: Councilmember **T**: Supervisor Gabryszak

BE IT RESOLVED that the individual listed below be and hereby are terminated in the Department of Parks Recreation Youth Services, effective immediately:

- Brittany Bauza
- Caitlin Rieck
- Seann Coddington
- Michelle Hauser

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-341

DOC ID: 1409

RYS S H

S: Councilmember **B**: Councilmember **H**: Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are hired, as indicated, in the Department of Parks, Recreation & Youth Services, effective immediately:

TOOLS

10.101

L **B** **A**

Seasonal
6.00
Alea Carney
122

10.10

Regular part-time
lifeguard - level 3 - 8.0
Mary Murphy
1086

Seasonal
lifeguard - level 2 - 9.91
Jennifer Brock
1225

Seasonal
lifeguard - level 1 - 9.5
Kelly Bochynski
1226
(alternate)

10.161

Part-time
Recreation Aide
6.5
Nicholas Russell
1206

10.16

Part-time

Recreation Aide
6.5
Jeffrey Spencer
103

DC

CF 10.110

Seasonal
Recreation Attendant
6.5
Ellie Mazur
1211

CD 10.162

Seasonal
Recreation Attendant
8.00
Howard Schnauffer
1225

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-342

DOC ID: 1412

██████ S███ ████ U██████████

S██████████ B█: Councilmember █████ankowiak, Supervisor Gabryszak

BE IT RESO██ED that the individuals listed below be and hereby are transferred and/or upgraded, as indicated, in the Department of Parks, Recreation █ Youth Services, effective immediately:

From Recreation Specialist to Recreation Instructor - █8.25

- █aura Gabryszak
- █aura Sheldon

From Recreation Attendant (III) to Recreation Attendant (I█) - ██.50

- █oseph Ciesielski
- Dwayne Gaczewski
- Matthew Gaczewski
- █effrey Gmerek
- Amanda █zykowski

From Recreation Attendant (I) to Recreation Attendant (2) - ██.00

- Tiffany Gasiiecki

RESULT:	ADO██TED █UNANIMOUS█
MOVER:	█ames █████ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, █aworowicz, █ohnson █r., Swiatek, █ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-343

DOC ID: 1411 B

T S

S: Councilmember Tankowiak, Supervisor Gabryszak

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

SANITATION DEPARTMENT - Laborer - \$15.50/hour effective 6/20/06

- Donald Bzibziak, Cheektowaga, New York
Justin Draper, Cheektowaga, New York
Michael Draper, Cheektowaga, New York

PARIS DIVISION - Laborer - \$12.25/hour effective 6/21/06

- David Tomasello, Depew, New York

PARIS DIVISION - Laborer - \$11.75/hour effective 6/20/06

- Kevin T. Daugherty, Cheektowaga, New York

TOWN CLERK'S OFFICE - Clerk - \$11/hour effective 6/20/06

- Aren Swiatek, Cheektowaga, New York

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SUPERVISORS OFFICE - Student Assistant - \$6/hour effective 6/26/06

- Jessica Stechenfinger, Sloan, New York

BE IT RESOLVED, that the following part-time employee's rate be adjusted accordingly:

PARIS DIVISION - Clerk - \$11/hour effective 6/20/06

- Joan Meyers, Cheektowaga, New York

RESOLVED, that the following individuals be and hereby are as listed:

POLICE DEPARTMENT

- Aren M. Coffta
Effective 6/19/06

Crystal □ Stachowski
Effective 6/19/06

Sean T. Glascott
Effective 6/19/06

PAR□S DI□ISION

Stephen □ryst
Effective 6/20/06

□onathan Gorski
Effective 6/05/06

TO□ N C□ER□'S OFFICE

Cheryl Castanik
Effective 6/19/06

RESULT:	ADO□ TED □ UNANIMOUS □
MOVER:	□ames □ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, □aworowicz, □ohnson □r., Swiatek, □ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-344

DOC ID: 1421

T **A** **C** **C**
M **V** **T** **B** **M** **S** **W**
B **M**, **A**, **N** **Y**, **2006**

S: Councilmember Jankowski, Supervisor Gabryszak

WHEREAS, the Motor Vehicle Theft Board Quarterly Meeting and Statewide Wireless Board Meeting is being held in Albany, New York on June 20 and June 28, 2006 respectively AND

WHEREAS, Chief of Police Christine Ciemba has requested authorization to attend said meetings AND

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

WHEREAS, attendance at said meetings shall incur no expense to the Town NO, THEREFORE, BE IT

RESOLVED, that Chief of Police Christine Ciemba be and hereby is authorized to attend the Motor Vehicle Theft Board Quarterly Meeting and Statewide Wireless Board Meeting being held in Albany, New York on June 20 and June 28, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Jankowski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Jankowski, Rogowski
ABSENT:	Alice Magierski

V. Suspension of Rules

Motion by Councilmember Jankowski; Seconded by Councilmember Johnson to Suspend the Rules to Include the Following Resolutions. The vote was Unanimous.



RESOLUTION 2006-345

DOC ID: 1429

Councilmember James Rogowski SE RD 2 B

S: Councilmember James Rogowski

HEREAS, 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

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

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

HEREAS, an application was submitted by Michael Serafini, Inc. for the rezoning of 3529 Broadway from M1- Light Manufacturing to M2- General Manufacturing for the construction of a 10,000 square foot warehouse building addition to a lawful non conforming contractor's storage facility, AND

HEREAS, the Environmental Advisory Committee at its meetings held on June 14, 2006 met with the applicant and advised the applicant of several necessary project changes, including a resolution to the current land encroachment to the neighboring residential use to the east, as shown on the attached memorandum dated June 15, 2006, AND

HEREAS, the Town of Cheektowaga Planning Board recommended approval of the requested rezoning at their meeting of January 12, 2006, however, a recommendation was reserved on the site plan, AND

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

RESOLVED, that this Town Board believes that the subject project will not have a significant effect upon the environment and therefore issues a Conditional Negative Declaration for purposes of SEQRA, AND BE IT

FURTHER RESOLVED, that the applicant must meet the following conditions:

1. Present a mitigation plan for correcting the land encroachment onto 3559 Broadway which is acceptable to the owner of said lands and
2. Provide revised grading/drainage and stormwater pollution plans acceptable to the Town Engineer and
3. Make revisions to the site plan, including but not limited to:
 - provisions for vegetative visual barriers to screen the aesthetically objectional exterior storage operations.

- provisions for an accessible pedestrian route from the principal building to the public walk along Broadway as required by 1100 of the NYS Building Code
- provisions for a (20) foot wide unobstructed emergency access route within the storage yard and to the building.
- Cease all recycling (crushing) of concrete, bituminous or aggregate products by December 31, 2006 consistent with the time frame allowed by the Town of Cheektowaga Planning Board of Appeals decision dated May 25, 2006 and
- 5. Provide a deed restriction/ protective covenant or other legally binding instrument as promised, which will prohibit any future use of the facility for an adult business as such term is defined in the Town of Cheektowaga Planning Law AND BE IT FURTHER

RESOLVED, that the proposed site plan is not found to be acceptable at this time and requires to be resubmitted.

RESULT: WITHDRAWN



RESOLUTION 2006-346

DOC ID: 1427

RESOLUTION OF THE TOWN BOARD OF CHEEKTOWAGA

WHEREAS Supervisor Gabryszak, Councilmember Frankowiak

WHEREAS, the Town desires to install new curbing on Randolph Avenue in proximity to the six new homes constructed by New Opportunities Community Housing Development Corporation with Town HOME funds, and

WHEREAS, proposals for said work were solicited from qualified contractors, and

WHEREAS, Nichols, Long Moore Construction Corp. submitted the lowest cost proposal for said work in the amount of \$15,060.00, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a contract with Nichols, Long Moore Construction Corp., 19 Gunnville Road, Lancaster, New York 1686 for the installation of curbing on Randolph Avenue for the price of \$15,060.00, and BE IT

FURTHER RESOLVED, that the cost of said work be charged to the Community Development Block Grant program.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-347

DOC ID: 1432

S **L** **I** **G** **S**

S: Councilmember Johnson, Councilmember Rankowski

WHEREAS, as part of the ongoing New York State Department of Transportation Highway Reconstruction Project for Genesee Street from the Buffalo Niagara International Airport to Holtz Road, including the relocation of a portion of Sonwil Drive and Access Road construction identified as PIN 5512.05, street lighting facilities are being installed in accordance with a Public Utility Work Agreement HC-100 previously approved by Town Board resolution dated September 1, 2004, NO, THEREFORE, BE IT

RESOLVED, that the New York State Electric & Gas Corporation be and hereby is authorized to connect thirteen (13) 250 watt high pressure sodium luminaires under Service Classification No. 2 associated with the aforesaid NYSDOT Project upon completion and acceptance at an annual increase to the Town's General Lighting District of 08.63 in accordance with the attached New York State Electric & Gas proposal dated June 1, 2006 which is hereby made a part of this resolution.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-348

DOC ID: 1426

████████████████████ ██████████ ██████████ ██████████

████████████████████ **B**: Supervisor Gabryszak, Councilmember ██████████ Johnson ██████████.

████████████████████ HEREAS, the Hy-████████████████████ Fire District has requested the installation of one (1) fire hydrant on Rehm Road, NO████████████████████, THEREFORE, BE IT

RESO████████████████████ED, that in response to the communication from the Board of Fire Commissioners of Hy-████████████████████ Fire District No. 8 of the Town of Cheektowaga dated ██████████ June 16, 2006, the Erie County ██████████ Water Authority is hereby requested to locate one (1) hydrant on Rehm Road, a distance of forty feet (████████████████████) to the west of the center line of Fairway ██████████ Lane, AND, BE IT FURTHER

RESO████████████████████ED, that this Town Board approves of the installation of the aforesaid hydrant and that the Town of Cheektowaga hereby assumes responsibility for the payment of annual hydrant rental charges to the Erie County ██████████ Water Authority for said hydrant, with said charges being billed to the respective hydrant rental district.

RESULT:	ADO████████████████████TED ██████████ UNANIMOUS ██████████
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas ██████████ Johnson ██████████, Councilmember
AYES:	Gabryszak, ██████████ Jaworowicz, ██████████ Johnson ██████████, Swiatek, ██████████ Frankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-349

DOC ID: 1430

SECTION I OF THE TOWN OF CHEEKTOWAGA PUBLIC IMPROVEMENT PERMIT ORDINANCE, AS AMENDED, IS APPLICABLE TO THE PUBLIC IMPROVEMENT PERMIT APPLICATION FOR THE CONSTRUCTION OF SUBDIVISION IMPROVEMENTS AS PART OF THE DEVELOPMENT OF TWENTY FIVE (25) RESIDENTIAL SUBLOTS WITHIN PHASE III OF SAID SUBDIVISION, AND

SECTION B: Councilmember Johnson, Councilmember Laworowicz

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

HEREAS, the developer of the Emerald Gardens Subdivision has submitted a Public Improvement Permit application, plans and specifications and permit fee for the construction of subdivision improvements as part of the development of twenty five (25) residential sublots within Phase III of said subdivision, AND

HEREAS, the Town Engineer and Town Superintendent of Highways have reviewed the plans and specifications and find that the design of the subject improvements conform with established Town requirements, NO, THEREFORE, BE IT

RESOLVED, that the Public Improvement Permit be and hereby is approved for the construction of the aforesaid Phase III subdivision improvements, AND, BE IT FURTHER

RESOLVED, that the permit fee in the amount of \$635.66 be deposited in the Public Improvement Permit Account which has been established for receipt and disbursement of such fees.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-350

DOC ID: 1431

S... H... S... D... B... S...

S... B: Councilmember ...ankowiak, Supervisor Gabryszak

BE IT RESO...ED, that the following individual be and hereby is hired as SEASONAL EMPLOYEE, not to exceed five months in a calendar year, in the departments listed and in compliance with Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

SANITATION DEPARTMENT Laborer \$15.50/hour
Brandon Sheldon, Cheektowaga, New York
Effective 6/20/06

RESULT: ADOPTED UNANIMOUS
MOVER: James ...ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, ...aworowicz, ...ohnson Jr., Swiatek, ...ankowiak, Rogowski
ABSENT: Alice Magierski



RESOLUTION 2006-351

DOC ID: 1428

SECTION 5

SECTION 5: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individual listed below be and hereby is hired, as indicated, in the Department of Parks, Recreation & Youth Services, effective immediately:

Seasonal

RESOLUTION APPROVED 10.16

Recreation Attendants - 6.5
Philip Mongiovi
1225

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-352

DOC ID: 1433

RYS C

S: Supervisor Gabryszak, Councilmember Rankowski

BE IT RESOLVED, that the below listed individual was previously hired at the incorrect rate of pay ,

THEREFORE, BE IT RESOLVED, that Domonique Hill's correct rate of pay should be Recreation Attendant (\$10.1630) \$0.00 per hour.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT: Alice Magierski

VII. COMMUNICATIONS

A. Departmental Communications

- 1. Motion carried on Tuesday June 16, 2006
2. Motion carried on Tuesday June 1, 2006

B. General Communications

- 1. Supervisor Gabryszak: ... V. T. ... C. ...
2. ... G. A. ... V. T. ... C. ...
... L. M. ... A. D. ... V. T. ... C. ...
... W. G. ... V. T. ... C. ...
... L. ... V. T. ... C. ...
6. ... M. ... V. T. ... C. ...
... T. M. W. ... V. T. ... C. ...

VIII. C □ □ □ □ □ □ □ □

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

TRAFFIC ANALYSIS REPORT
GENESEE STREET & HOLTZ ROAD
NOCO GAS STATION and CONVENIENCE STORE
Town of Cheektowaga, New York
April 2006

Prepared By:

URS Corporation – New York
77 Goodell Street
Buffalo, New York 14203-1205

Rev 04.15.06

**TRAFFIC ANALYSIS REPORT
GENESEE STREET & HOLTZ ROAD
Town of Cheektowaga, New York**

INTRODUCTION

The NOCO Energy Corporation (NOCO) is proposing to redevelop the northeast corner of Genesee Street (NY33) and Holtz Road (CR539) in Cheektowaga, New York. NOCO currently owns a gas station and small convenience store at that location; however NOCO's redevelopment is being advanced by the location's increasing business opportunities and by the New York State Department of Transportation's (NYSDOT) complete reconstruction of Genesee Street from Cayuga/Dick Road east to Sonwill Drive (PIN 5512.45). NYSDOT is acquiring in fee a large area of land from NOCO to provide for a right-hand turn lane for vehicular traffic from westbound Genesee Street into northbound Holtz Road and for two lanes on Holtz Road.

To accomplish NOCO's proposed development, it will be necessary to demolish the existing store and gasoline dispensing pumps and construct a new store with a doughnut/coffeshop drive-through window and new gas pumps.

The proposed development includes a 4,473 square foot building and 4 gasoline pumps. Initially 5 pump locations were proposed, but this was reduced to 4, with the pumps also being located on a diagonal to the building to facilitate on-site vehicle movement. It is anticipated that the deletion of the 5th pump will also provide for a smoother traffic flow into the lane for the drive-through window.

This report provides a traffic analysis of the overall site that is smaller than what currently exists and the proposed redevelopment's effect may have on the adjacent highway network, particularly on site access/egress from both Genesee Street and Holtz Road.

LOCATION

NOCO's proposed redevelopment is located at the northeast corner of Genesee Street and Holtz Road. The site will be accessible from both roadways, as it is now. The roadways will be curbed in this area, (with proposed curb cuts allowing access/egress into the site). There will be one large driveway onto Genesee Street and two smaller driveways onto Holtz Road, one near Genesee Street and the other at the northern limit of the property. Driveway locations are in accordance with NYSDOT's technical requirements detailed in *Policy and Standards for the Design of Entrances To State Highways*, November 24, 2003 for commercial driveways. During the NYSDOT's Design Review Process, NYSDOT coordinated review of the proposed driveway locations with the Erie County Department of Public Works - Division of Highways, since Holtz Road is a County roadway.

With the NYSDOT's reconstruction of Genesee Street, the intersection with Holtz Road will change dramatically. Currently the intersection is a "T" intersection with Holtz Road terminating at Genesee Street. This intersection will be reconstructed as full 4-way intersection with the relocation of Sonwill Drive, which is currently approximately 400-feet east and south of Holtz Road, the opposite side of Genesee Street. Holtz Road will also be realigned to intersect with Genesee Street at a 90° angle.

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GENESEE STREET & HOLTZ ROAD
Town of Cheektowaga, New York**

The intersection will be fully signalized with induction loops to control traffic flow based upon intersection demand, with pedestrian actuated signals at all four legs of the intersection.

Each of the left-turn movements will be protected with left-turn phasing.

As a part of the Genesee Street reconstruction, 5-foot wide sidewalks will be constructed on Genesee Street and on Holtz Road to a point approximately 650-feet north of Genesee Street.

Holtz Road's southbound approach to Genesee Street will include one 12-foot left-turn lane, one 12-foot southbound thru/left-turn lane, one 12-foot right-turn lane, one 12-foot right-turn lane and one 14-foot right-turn lane (curb lane). There will be two northbound 15-foot lanes, which taper to two lanes each for northbound/southbound travel. The lanes will further reduce to a single 12-foot lane for northbound/southbound travel. This occurs immediately north of NOCO's most northerly drive onto Holtz Road.

Genesee Street's eastbound approach at Holtz will include a 14-foot and a 12-foot left turn lane (dual left turn movement), and two 12-foot thru lanes. The westbound approach will include a 14-foot left turn into the relocated Sonwill Drive, two 12-foot thru westbound lanes, and a 12-foot thru/right-hand turn lane (onto Holtz Road).

The proposed speed limit is 45-mph for Genesee Street, classified as a Principal Arterial, and 35-mph for Holtz Road, a Minor Arterial.

Under the Genesee Street reconstruction there will be only one driveway onto Genesee Street, while there is currently two. This driveway will be located to the easterly limit of the site.

To facilitate access management between NOCO and the adjacent (to the east) Holiday Inn, an access/egress point between the two properties will be constructed on their common property boundary. The Holiday Inn property bounds the NOCO property to the north and to the east. Holiday Inn will continue to maintain its existing driveway onto Genesee Street.

EXISTING TRAFFIC

The NYSDOT's 2004 *Traffic Data Report for New York State* indicates that the Genesee Street highway segment from Cayuga/Dick Road to Holtz Road has an estimated AADT of 41,200; the segment between Holtz Road and Transit Road/NY78 has an estimated AADT of 31,600. Both of these segments have shown a steady but moderate growth since 1998 when their AADT's were 40,700 and 30,800, respectively.

The Greater Buffalo Niagara Regional Transportation Council (GBNRTC) 2004 traffic count report indicates that Holtz Road between Genesee Street and Aero Drive has an AADT of 10,500.

With the reconstruction presently occurring, obtaining current traffic counts of the intersection was not possible.

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**TRAFFIC ANALYSIS REPORT
GENESEE STREET & HOLTZ ROAD
Town of Cheektowaga, New York**

The *Design Report* prepared by NYSDOT for the NY33/Genesee Street Reconstruction project (PIN 5512.45) addressed all of the functional issues in regard to the intersection's operations, capacity and safety. The Genesee Street Reconstruction project incorporates improvements to provide for increased capacity, operations, and improved safety.

The proposed Level of Service (LOS) for the reconstructed intersection is:

LOS for Weekday and Weekend Volumes

WEEKDAY			WEEKEND		
TIME		Level of Service	TIME		Level of Service
AM	7:00-9:00	C	AM	7:00-9:00	A
PM	4:00-6:00	C	PM	4:00-6:00	A

A review of accident reports for the prior 36-month period was not performed since the intersection was analyzed by NYSDOT as a part of NYSDOT's design development for Genesee Street and this intersection. Any noted deficiencies are incorporated into the NYSDOT's project design development.

BACKGROUND TRAFFIC

The traffic along the Genesee Street highway segment from Transit Road/NY78, which is to the east, past the proposed NOCO development is a primary access from the east to the Greater Buffalo International Airport (GBNIA) and the entrance to the Kensington Expressway/NY33, a limited access highway for travel to downtown Buffalo and also provides access to the I-90/New York State Thruway.

PROPOSED DEVELOPMENT

NOCO's proposed development will be a brand new facility. There will be 4 gas pumps, an improved convenient store with an attached doughnut/coffee shop with a drive-up window. Ingress/egress will be a single driveway on Genesee Street and two driveways on Holtz Road. A general site plan has been provided showing the proposed layout of the development.

Trip generation is estimated using information from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 7th edition for "Land Use: 945, Gasoline/Service Station With Convenience Market." This is where the primary business is the fueling of motor vehicles, with "pay-at-the-pump." Some commonly sold convenience items are newspapers, coffee, or other beverages or snack items.

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**TRAFFIC ANALYSIS REPORT
GENESEE STREET & HOLTZ ROAD
Town of Cheektowaga, New York**

The weekday peak hours typically coincides with the peak hours of the adjacent roadway traffic.

The proposed facility has 4 fuel pumps, each with 2 fueling positions.

WEEKDAY			WEEKDAY		
Peak Hour		Per Hour/Per Fueling Position	Peak Hour		Estimated Trip Generation
AM	7:00-9:00	10.06	AM	7:00-9:00	80
PM	4:00-6:00	13.4	PM	4:00-6:00	108

Reference: *ITE Trip Generation, 7th Edition*

This presumes a direction distribution of 50% entering, 50% exiting.

Concern was expressed on internal site circulation since the overall property was reduced with NYSDOT's property acquisition to construct a curb lane along Genesee Street and two lanes along Holtz Road. A critical component was the ability for NOCO to use their largest fueling tanker with an overall length of approximately 60-feet.

The attached two figures show the truck path movement for access from Genesee Street and from Holtz Road, using the northerly NOCO driveway. Both of these figures show that the wheel path for the large tanker can be accommodated on the now smaller site. With the tanker parked over the underground fuel tanks for the discharge of its load, other motor vehicle movements on the site are not constrained.

CONCLUSION

The traffic evaluation shows that minimal impact will occur to the immediate highway network. Since the existing and proposed use of the property are similar, the property's trip generation will not be radically different.

Driveways are in compliance with NYSDOT technical requirements for location, size, and construction.

Access management is employed with an adjacent and complementing use.

Intersection operation, capacity, and safety are greatly improved with NYSDOT's reconstruction of Genesee Street and its intersection with Holtz Road.

Internal site circulation for motor vehicles is not constrained as a result of the overall smaller site.

The queuing length lane for the drive-up window is 255-feet, which could handle 13-17 automobiles. The observed local area typical queuing for similar drive-up windows is approximately 10 automobiles.

Rev 04.15.06



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Resident Meeting

Monday, July 17, 2006

Mary F. Holtz
(716) 686-3434

Monday, July 17, 2006

6:45 PM

Council Chambers

I. Council

6:45 PM Meeting called to order on July 17, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendees	Organization	Title	Status	Apologies
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	
Anthony Romano	Town of Cheektowaga	Coordinator of Employee Relations	Present	
Brian Krause	Town of Cheektowaga	Director of Finance and Administration	Present	
Christine Ciemba	Town of Cheektowaga	Chief of Police	Present	
Jennifer Runfola	Town of Cheektowaga	Deputy Town Attorney	Present	
Thomas Adamczak	Town of Cheektowaga	Supervising Building and Plumbing and Plumbing Ins	Present	
William Pugh	Town of Cheektowaga	Town Engineer	Present	

II. Council

III. Resolutions



RESOLUTION 2006-353

DOC ID: 1458

T F

S B: Supervisor Gabryszak, Councilmember Laworowicz

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

GENERAL FUND

FROM: 100-9501-9131	Bond Principal	\$ 90,416.20
100-9501-9211	Bond Interest	95,183.28
100-1320-4145	Professional Services	1,880.00
100-1320-4145	Professional Services	2,218.00
100-1320-4145	Professional Services	5,399.00
100-3120-3820	State Aid Police	68,732.19
TO: 100-9785-9131	Lease Principle	\$ 90,416.20
100-9785-9211	Lease Interest	95,183.28
100-7180-4191	Pool Miscellaneous	1,880.00
100-1315-4431	Maintenance Agreement	1,668.00
100-7550-4382	Firemen Recognition Day	250.00
100-7550-4379	War of 1812	300.00
100-7110-4451	Maintenance & Repairs	4,899.00
100-7140-4439	HVAC Contracting	500.00
100-3120-2207	Jag Grant	63,531.52
100-3120-2206	Block Grant	5,200.67

SPECIAL DISTRICTS FUND

FROM: 990-9501-9131	Bond Principle	\$ 115,359.08
990-9501-9211	Bond Interest	122,745.44
TO: 990-9785-9131	Lease Principle	\$ 115,359.08
990-9785-9211	Lease Interest	122,745.44

HUD CDBG FUNDS

FROM: 140-8668-4910	Federal Aid	\$ 16,853.50
700-1005-0704	Contingency	900.00
TO: 140-5005-0500	Depew Sanitary Sewer	\$ 16,853.50
700-1005-0706	Housing Counseling Services	\$ 900.00

CAPITAL FUND

FROM: 500-1910-2660-5916	Sale of Property	\$ 241,103.54
TO: 500-1440-9921-5916	Walden Commerce Expenses	\$ 241,103.54

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-354

DOC ID: 1454 A

WHEREAS

Supervisor Gabryszak, Councilmember Rankowski

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to July 1, 2006 are hereby approved and made a part hereof:

GENERAL FUND	\$ 1,880,515.15
RISK RETENTION FUND	76,646.70
HUD HOUSING REHABILITATION	8,795.00
SPECIAL DISTRICTS FUND	927,738.54
HIGHWAY FUND	288,536.09
CAPITAL FUND	118,480.39
TRUST & AGENCY FUND	21,611.00
HUD CDBG FUND	51,742.88
PART TOWN FUND	41,440.30
	\$ 3,415,506.05

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-355

DOC ID: 1453

A B F I S

S B: Supervisor Gabryszak, Councilmember Magierski

HEREAS, a Notice to Bidders was published for the receipt of bids for four (4) identification signs with integrated electronic message centers at various locations within the Town, which bids were duly received and opened on May 31, 2006 at 11:00 A.M. by the Town Clerk, AND

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

HEREAS, the Town Engineer recommends the contract for four (4) identification signs with integrated electronic message centers be awarded to Toth's Sports for their submission of the lowest bid, NOW, THEREFORE, BE IT

RESOLVED, that the bid for four (4) identification signs with integrated electronic message centers be and hereby is awarded to Toth's Sports, 12 Main Street, Suite 18, Hamburg, New York 14045 for the total bid price of \$133,980.00, being the lowest bid meeting the requirements of the specifications and construction drawings, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is directed and authorized to execute the contract with Toth's Sports for the aforesaid project, AND, BE IT FURTHER

RESOLVED, that funding for said project shall be funded from Account 500-110-9503-5621.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-356

DOC ID: 1434

A **A** **B** **S** **C**.

S: Supervisor Gabryszak, Councilmember Johnson.

HEREAS, the Town has previously executed a contract with Belmont Shelter Corp. for housing counseling services for the 2005-2006 program year in the amount of \$8,000, and

HEREAS, the Director of Community Development has recommended that the contract amount be increased by the amount of \$900 to fund additional cases of pre-purchase and mortgage default counseling services provided, **NO**, **THEREFORE, BE IT**

RESOLVED, that the Agreement with Belmont Shelter Corp., dated April 1, 2005, be and hereby is amended to increase the amount of payment for housing counseling services by the amount of \$900, for a total contract cost of \$8,900, and **BE IT**

FURTHER RESOLVED, that said cost be paid for with Community Development Block Grant funds.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-357

DOC ID: 1462

C **O** **1** **M** **H** **R** **R**
R

S **B**: Supervisor Gabryszak, Councilmember Magierski

□ HEREAS, the contract for the Roof Replacement and Renovations to the Maryvale Pool House was awarded to □ ilsandra Construction Company, Inc. by resolution dated August 8, 2005 for the contract amount of □152,000.00, AND

□ HEREAS, the Town Engineer has advised that work under the aforesaid contract has been completed in accordance with the contract requirements and further recommends the approval of Change Order No. 1 (final) which provides for contract modifications as outlined in the Change Order Document, NO□ , THEREFORE, BE IT

RESO□□ED, that this Town Board hereby accepts the completed project and directs the Supervisor to execute the final contract acceptance documents with □ ilsandra Construction Company, Inc., 300 Camden Avenue, Buffalo, New York 1□216, including Change Order No. 1 (final) which provides for an increase to the aforesaid contract in the amount of □8,383.00 which shall be chargeable to C.D.B.G. funds, Account □0□00-1005-2□12.

RESULT:	ADO□TED □UNANIMOUS□
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, □aworowicz, □ohnson □r., Swiatek, □ankowiak, Magierski, Rogowski



RESOLUTION 2006-358

DOC ID: 1463

CHEEKTOWAGA H 01 G S

S: Councilmember Magierski, Councilmember Johnson

HEREAS, Benderson Development Co., has made application and requested the rezoning of 301 Genesee Street from C- Retail Business to CM- General Commercial for a building materials supply business, NO, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on August 1, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 1 day of August, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

Benderson Development, Co. has

for the rezoning of 301 Genesee Street from C- Retail Business to CM-General Commercial for a building materials supply business.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Nos. 1 and 18, Township 11, Range 1 of the Holland land Company' Survey and further distinguished as being all of Subdivision Lots Nos. 1, 2 3 and part of Subdivision Lot No. 4 as shown on a map filed in the Erie County Clerk's Office under Cover No. 1055 and also the westerly 2 feet of Subdivision Lot No. 39 and all of Subdivision Lots Nos. 40 and 41 as shown on a map filed in the Erie County Clerk's Office under Cover No. 963 and further bounded and described as follows:

BEGINNING at a point in the southeasterly line of Genesee Street (66' wide) distant 85 feet southwesterly from the northeast corner of Subdivision Lot No. 4 as shown on Map Cover No. 1055, said point also being distant 115.106 feet southwesterly from the intersection of said

southeasterly line of Genesee Street with the westerly line of Union Road (66' wide)

thence southerly at an interior angle of $5^{\circ}25'$ in the southwest quadrant and parallel with the east line of said Subdivision Lot No. 1 a distance of 250 feet to a point

thence northeasterly parallel with Genesee Street a distance of 85 feet to a point in said easterly line of Subdivision Lot No. 1

thence southerly along said east line of Subdivision Lot No. 1 a distance of 29.05 feet to the southeasterly corner of said Subdivision Lot No. 1

thence westerly parallel with the northerly line of Lot No. 1 and along the southerly line of Subdivision Lot Nos. 1 and 3 a distance of 333.39 feet by deed and 333.00 feet as measured to a point

thence westerly along the southerly lines of Subdivision Lot Nos. 2 and 1 a distance of 106.80 feet by deed and 106.50 feet as measured to the southwest corner of said Subdivision Lot No. 1

thence northerly along the westerly line of Subdivision Lot No. 1 a distance of 66.50 feet by deed and 66.58 feet measured to a point in the southeasterly line of Genesee Street (66' wide)

thence northeasterly along the southeasterly line of Genesee Street a distance of 260.66 feet to the Point or Place of Beginning.

Excepting lands appropriated by the State of New York for Highway Purposes, being Map Nos. 22, 225, Parcels 261 and 262, said Notice of Appropriation filed in the Erie County Clerk's Office in Liber 1093 of Deeds at Page 6905.

Containing 3.2 acres of land, more or less.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-359

DOC ID: 1465

CHEEKTOWAGA HILLSIDE RESOLUTION

SUBJECT: Councilmember Magierski, Supervisor Gabryszak

WHEREAS, Genesee Engineering Planning & Surveying, P.C. with permission of Samuel Tadio and Mr. and Mrs. Raymond P. Marzec has made application and requested the rezoning of 8.6 acres of land along the north side of Rehm Road, west of Patsy Lane identified as SB Nos. 92.0-1-25, 26, 28 & 30 from R- Residence to RA- Apartment District for the construction of (52) fifty two detached town homes (patio homes), NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on August 1st, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 1st day of August, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

GENESEE ENGINEERING PLANNING & SURVEYING, P.C.

for the rezoning of 8.6 acres of land along the north side of Rehm Road, west of Patsy Lane identified as SB Nos. 92.0-1-25, 26, 28 & 30 from R- Residence to RA- Apartment District for the construction of (52) fifty two detached town homes (patio homes).

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

AND THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot 6, township 11, range 6 of the Holland and Company's Survey described as follows:

BEGINNING at a point in the centerline of Rehm Road with its intersection with the east line of lot number 6 thence S-89-31 degrees, a distance of 225 feet to a point

BEGINNING at a point in the centerline of Rehm Road with its intersection with the east line of lot number 6 thence S-89-31 degrees, a distance of 225 feet to a point

Thence N-00-09-22-E, a distance 21.15 feet to a point on the present right of way of Rehm Road and the PRINCIPAL POINT OF BEGINNING:

Thence, S-89-31-0000-E, a distance of 89.61 to a point

Thence, N-00-36-16-E, a distance of 312.00 feet to a point

Thence, S-89-31-00-E, a distance of 115.00 feet to a point

Thence, S-00-06-03-E, a distance of 312.00 feet to a point

Thence, S-89-31-0000-E, a distance of 213.19 feet to a point

Thence, N-00-09-22-E, a distance of 635.28 feet to a point

Thence, N-89-31-38-E a distance of 112.80 feet to a point

Thence, N-00-00-00-E a distance of 363.81 feet to a point

Thence, N-89-31-38-E, a distance of 362.10 feet to a point

Thence, S-00-09-22-E, a distance of 999.09 feet to the Principal point of beginning

Containing 8.19 acres of land, more or less.

RESULT:	ADOPTED 6 TO 1
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Swiatek, Rankowiak, Magierski, Rogowski
NAYS:	Thomas Johnson Jr.



RESOLUTION 2006-360

DOC ID: 1464 A

CHEEKTOWAGA H 201 Y R

S B: Councilmember Magierski, Councilmember Johnson

HEREAS, Kiril Lazarov has made application with permission of the land owner, BBH Enterprises, LLC requesting the rezoning of 201 Youngs Road from MS-Motor Services to M2-General Manufacturing for a building contractor's warehouse/storage yard, NO, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on August 1, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 1st day of August, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

Kiril Lazarov

for the rezoning of 201 Youngs Road from MS- Motor Services to M2- General Manufacturing for a building contractor's warehouse/storage yard.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Nos. 1 and 18, Township 11, Range 1 of the Holland land Company' Survey and further distinguished as being all of Subdivision Lot Nos. 1, 2 3 and part of Subdivision Lot No. 4 as shown on a map filed in the Erie County Clerk's Office under Cover No. 1055 and also the westerly 2 feet of Subdivision Lot No. 39 and all of Subdivision Lot Nos. 40 and 41 as shown on a map filed in the Erie County Clerk's Office under Cover No. 963 and further bounded and described as follows:

BEGINNING at a point in the southeasterly line of Genesee Street (66' wide) distant 85 feet southwesterly from the northeast corner of Subdivision Lot No. 1 as shown on Map Cover No. 1055, said point also being distant 115.106 feet southwesterly from the intersection of said southeasterly line of Genesee Street with the westerly line of Union Road (66' wide)

thence southerly at an interior angle of 5'25" in the southwest quadrant and parallel with the east line of said Subdivision Lot No. 1 a distance of 250 feet to a point

thence northeasterly parallel with Genesee Street a distance of 85 feet to a point in said easterly line of Subdivision Lot No. 1

thence southerly along said east line of Subdivision Lot No. 1 a distance of 29.05 feet to the southeasterly corner of said Subdivision Lot No. 1

thence westerly parallel with the northerly line of Lot No. 1 and along the southerly line of Subdivision Lots Nos. 1 and 3 a distance of 333.39 feet by deed and 33.10 feet as measured to a point

thence westerly along the southerly lines of Subdivision Lots Nos. 2 and 1 a distance of 106.80 feet by deed and 10.5 feet as measured to the southwest corner of said Subdivision Lot No. 1

thence northerly along the westerly line of Subdivision Lot No. 1 a distance of 66.5 feet by deed and 66.58 feet measured to a point in the southeasterly line of Genesee Street (66' wide)

thence northeasterly along the southeasterly line of Genesee Street a distance of 260.6 feet to the Point or Place of Beginning.

Excepting lands appropriated by the State of New York for Highway Purposes, being Map Nos. 22, 225, Parcels 261 and 262, said Notice of Appropriation filed in the Erie County Clerk's Office in Liber 1093 of Deeds at Page 6905.

Containing 3.2 acres of land, more or less.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-361

DOC ID: 1408

N **B** **D** **S** **D** **S**
S **I** **R** **R**

S: Councilmember Johnson Jr., Councilmember Rankowiak

HEREAS, it is in order that bids be advertised for Primrose Drive and Shirley Drive Storm Sewer Installation/Road Reconstruction in the Town of Cheektowaga, AND

HEREAS, the Cheektowaga Engineering Department has prepared plans and specifications for the aforesaid project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for said Primrose Drive and Shirley Drive Storm Sewer Installation/Road Reconstruction, said notice to be published in THE BUFFALO NEWS, THE CHALLENGER and THE CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 2nd day of August, 2006 at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE IS HEREBY GIVEN

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga, County of Erie, State of New York, on the 2nd day of August, 2006 at 11:00 A.M., local time, in the Town Hall, Town of Cheektowaga, New York for furnishing all labor, tools, equipment, materials and incidentals required for Primrose Drive and Shirley Drive Storm Sewer Installation/Road Reconstruction, complete, in place and ready for use in accordance with the Contract Documents, therefore, including Plans, Specifications, Instructions to Bidders, etc. prepared by the Town of Cheektowaga Engineering Department and approved by the Town Board of the Town of Cheektowaga, all of which are on file with the Town Engineer in his office at 25 Alexander Avenue, Cheektowaga, New York 14211.

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the Town of Cheektowaga Engineering Department, 25 Alexander Avenue, Cheektowaga, New York 14211 and at the Town Clerk's Office, Broadway Union Road, Cheektowaga, New York 14224. Copies may be secured at the Office of the Town Clerk upon payment of \$50.00 per set of documents. Two checks, each for one-half the amount of the deposit, shall be made payable to the Town of Cheektowaga.

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

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway & Union Roads, Cheektowaga, New York 14222 and marked "Primrose Drive & Shirley Drive Storm Sewer Installation/Road Reconstruction".

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

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

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

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

Project activities are Federally funded under Title 1 Community Development Act of 1964, as amended. The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the Secretary of Labor and State Industrial Commissioner, whichever is greater. All bidders must comply with Section 3 Requirements for the Provision of Training Employment and Business Opportunities, the President's Executive Order 11246, as amended, and Non-Discrimination and Equal Employment Opportunity requirements as set forth in the Contract Documents.

Attention of the bidders is further called to Section 103-d of the General Municipal Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and unless complied with, such bid will not be accepted.

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

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

Please be advised that in accordance with a resolution adopted by the Cheektowaga Town Board on February 23, 2004, effective March 15, 2004, contractors on all construction contracts with a value in excess of \$250,000 and up to \$3,000,000 must have apprenticeship agreements appropriate for the type and scope of work to be performed that have been registered with and approved by the New York State Commissioner of Labor in

accordance with Article 23 of the New York Labor Law.

BY ORDER OF:
THE TOWN OF CHEEKTOWAGA

Mary F. Holtz, Town Clerk

DATED: July 17, 2006

PUBLISHED: July 20, 2006

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-362

DOC ID: 1460

N B H E S

S B: Supervisor Gabryszak, Councilmember ankowiak

BE IT RESOLVED, that the Town Clerk is hereby directed to publish a Notice to Bidders for the furnishing of pre-hospital (ambulance) services to the Town of Cheektowaga, said notice to be published in the Cheektowaga Times and it is further

RESOLVED, that sealed bids will be received on the 23rd day of August, 2006, at 11:00 A.M., Eastern Daylight Savings Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on August 23, 2006 at 11:00 A.M., at the Town Hall, corner of Broadway and Union Roads, for the furnishing of pre-hospital emergency (ambulance) services to the Town of Cheektowaga for the term of one year covering the period January 1, 200 to December 31, 200 with two consecutive renewal years.

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

Proposals shall be submitted in a sealed envelope plainly marked on the outside Bid for Pre-Hospital Emergency Services and submitted to the Town Clerk prior to bid opening.

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

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

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

MARY F. HOLT

Town Clerk

DATED: 1 July 2006

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-363

DOC ID: 1466 A

N **S E R D** **1 0 B** **R**

S: Councilmember Johnson **B**: Councilmember Magierski

□ HEREAS, 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

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

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

□ HEREAS, an application was submitted by The Center for Hospice Palliative Care, Inc. for the rezoning of 150 Bennett Road (SB No. 113.12-2-16.112) from R- Residence to CF- Community Facilities to permit the construction of an 8,800 square foot administrative office, with accessory parking and a 1,200 square foot storage building addition to the existing hospice facility, AND

□ HEREAS, the Environmental Advisory Committee at its meetings held on July 12, 2006 recommended a determination of non-significance, AND

□ HEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan and rezoning request at their meeting of May 11, 2006, AND

□ HEREAS, the applicant has indicated their agreement to meet with this Town Board to discuss a new Payment in lieu of Taxes (P.I.L.O.T) agreement, AND

□ HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee and the Planning Board NO, 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 SEBRA, AND BE IT

FURTHER RESOLVED, that the resolution adopted by this Town Board on September 20, 1993 for the original approval of the hospice facility be amended to strike condition number 1, which prohibited future development of the open/green areas of the hospice campus, AND BE IT

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving the drainage and grading plan.
2. All alternatives be investigated to the parking area design which will maximize tree preservation opportunities for significant growth trees.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-364

DOC ID: 1461

NEGATIVE DECLARATION 001 GRADING

SUBJECT: Councilmember Johnson Tr., Councilmember Magierski

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 Travis Gruska of Schied Architectural for the construction of a 10,100 square foot administrative office at 5001 Genesee Street , AND

WHEREAS, the Environmental Advisory Committee at its meetings held on July 12, 2006 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of June 8, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving the grading and drainage plan.
2. Revisions to parking setbacks.
3. Provisions for replacement trees consistent with the Town's Tree Preservation Law.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Tr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Tr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-365

DOC ID: 1438

R E S O L U T I O N

S E C T I O N B: Councilmember Rankowiak, Supervisor Gabryszak

WHEREAS, on the 14th 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 list below 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

<u>Name</u>	<u>Address</u>	<u>Expiration Date</u>
Berecz, Louis A	60 Eileen Ct, Cheektowaga, N.Y. 14224	2/28/2009
Bognar, Teri	110 Albemarle St, Buffalo, N.Y. 14204	2/28/2009
Campagna, Donald	2 Carmen Rd, Amherst, N.Y. 14226	3/31/2009
Conley, Eric	13 Bellwood, West Seneca, N.Y. 14224	11/30/2008
Fenik, Brian M	5 Broadmoor Ct, Lancaster, N.Y. 14086	2/28/2009
Galanis, Michael P	355 Spruce Ave, Niagara Falls, N.Y. 14301	2/28/2009
Harbison, Michael R	293 Sweet Home Rd, Amherst, N.Y. 14228	9/30/2008
Hardy, Jeremy C	1311 Cambridge Ave., Tonawanda, N.Y. 14120	6/30/2008
Hayes, John	139 Arbor Ln Apt 2, Buffalo, N.Y. 14220	3/31/2009
Molnar, Daniel	6 Prairie Ave, Buffalo, N.Y. 14204	3/31/2009
Murphy, Sean P	66 Monroe Ave, Angola, N.Y. 14006	2/28/2009
Pecoraro, Jeremy F	P O Box 59, Medina, N.Y. 14103	6/30/2008
Perrott, Michael P	689 Dewett-Holmwood Rd, Orchard Park, N.Y. 14124	3/31/2009
Petersen, Jacqueline R	21 Pendennis Pl - Upper, Cheektowaga, N.Y. 14225	9/30/2008
Pfeffer, Jim A	90 Hedgerow Dr, Apt 1, Orchard Park, N.Y. 14124	2/28/2009
Quinn, Joseph S	16 Rumsey St, Silver Creek, N.Y. 14136	1/31/2009

Raisor, Joel R	103 Newport Ct, Derby, N.Y. 10000	9/30/2008
Roeser, Geoffrey M	52 Liberty Terr, Cheektowaga, N.Y. 10215	2/28/2009
Rott, Laura	3 Tacoma Ave - Upper, Buffalo, N.Y. 10216	11/30/2008
Rogel, Michael A	39 Sedgemoor Ct, Williamsville, N.Y. 10221	3/31/2009
Rander, Scott R	56 Hillcrest Dr, Holland, N.Y. 1080	9/30/2008
Reisbeck, Joseph	1136 Broadway, Alden, N.Y. 10000	1/31/2009

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-366

DOC ID: 1435

2 E G L E N W O O D C O U R T U N S A F E S T R U C T U R E S

S P O N S O R E D B Y: Councilmember Magierski, Councilmember Laworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 2 E Glenwood Court, Cheektowaga, New York SB 91.15-1.12 that is a danger to the safety of others, and records kept by the Assessors Office identify Gerald Godfrey and wife and James Mis, Casalle, Buffalo, New York 14215, as the owners AND

WHEREAS, an inspection of such premises was conducted on 2 E Glenwood Court, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-1A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-367

DOC ID: 1436

1 **E** **W** **C** **U** **U** **S**

S: Magierski, Laworowicz, Johnson

HEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 19E Windwood Court, Cheektowaga, New York SB 91.1-2-13 that is a danger to the safety of others, and records kept by the Assessors Office identify Marie Hayes, 19D Windwood Court, Cheektowaga, New York 1225, as the owner AND

HEREAS, an inspection of such premises was conducted on 19E Windwood Court, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-368

DOC ID: 1451

RESOLUTION

WHEREAS: Councilmember Magierski, Councilmember Laworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 85 East End Avenue, Cheektowaga, New York SB 90.8-1-28 that is a danger to the safety of others, and records kept by the Assessors Office identify Scott Houseknecht Holli Cooper, 85 East End Avenue, Cheektowaga, New York 1225, as the owner AND

WHEREAS, an inspection of such premises was conducted on 85 East End Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and enforcement of the codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-369

DOC ID: 1443

A **F** **R** **S** **H** **R**

S: Rogowski, Laworowicz, Johnson.

HEREAS, a flagpole commemorating the Girl Scouts of America (Troop 368) and the American Legion Post 622 was erected on the cul-de-sac on South Huth Road in 1958, and

HEREAS, Girl Scout Troop 368 has been maintaining this flag pole since it was erected, and

HEREAS, last year, this flag pole broke, and Girl Scout Troop 368 has asked for permission from the Town of Cheektowaga to erect another flagpole in its place, and

HEREAS, Girl Scout Troop has committed to paying for the cost of a new pole and maintaining said flag pole, **NO**, **THEREFORE, BE IT**

RESOLVED, that this Town Board hereby approves the request of Girl Scout Troop 368 to replace the flagpole that existed at a cul-de-sac on South Huth Road, and **BE IT FURTHER**

RESOLVED, that the Town Sign Maintenance Department be and hereby is directed to assist them in the replacement of this flag pole.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-370

DOC ID: 1452

A **O** **B** **120 O** **M** **D**

S **B**: Supervisor Gabryszak, Councilmember [ankowiak

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

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

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

HEREAS, an application was submitted by the Mother of Divine Grace Church to conduct an open fire on August 06, 2006 on their property located at 120 Old Maryvale Dr., AND

HEREAS, the applicant intends to maintain a small fire bonfire with the assistance of the Cleveland Hill Fire Department in conjunction with summer youth activities, AND

HEREAS, the Fire Inspector has received this application and finds the application to be in compliance with conditions and requirement of the Town of Cheektowaga Fire Prevention Code and the Open Burning Law and request the Town Board to approve issuance of a permit, AND

HEREAS, this Town Board has reviewed the applications submitted and the recommendations of the Fire Inspector, NO, THEREFORE, BE IT

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	[ames [ankowiak, Councilmember
AYES:	Gabryszak, [aworowicz, [ohnson [r., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-371

DOC ID: 1439

R E S O L U T I O N

S E C T I O N B: Supervisor Gabryszak, Councilmember Johnson

WHEREAS, by Town Board resolution dated February 28, 1991, Angeline Pizzolanti was retained to provide professional reporting services for Town Board and Zoning Board public hearings, and

WHEREAS, the fee for such services has not changed since such time, and

WHEREAS, Angeline Pizzolanti has requested an increase in fees for her services, **NOW, THEREFORE, BE IT**

RESOLVED, that, effective immediately, the fee to be paid to Angeline Pizzolanti for the provision of professional reporting services for Town Board and Zoning Board public hearings shall be as follows:

Appearance	\$50.00
Fee per page	\$ 6.50

,and **BE IT FURTHER**

RESOLVED, that the moneys for such services shall be appropriated from budget line items 800-8010-511 (Zoning Board) and 100-1010-593 (Town Board)

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-372

DOC ID: 1440

T S

S: Councilmember Tankowiak, Supervisor Gabryszak

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

RECORDS CENTER - Student Assistant - \$6.5/hour
Amanda Burgett, Cheektowaga, NY
Effective 6/26/06

PARIS DIVISION - Laborer - \$5/hour
Pete Peavy, Cheektowaga, NY
Effective 7/1/06

SANITATION DEPARTMENT - Laborer - \$5.50/hour
Tad Chojnicki, Cheektowaga, NY
Effective 7/1/06

BE IT RESOLVED, that the following seasonal employee's hourly rate be adjusted accordingly:

SUPERVISOR'S OFFICE - Student Assistant - \$6.5/hour
Jessica Stechenfinger, Sloan, NY
Effective 6/26/06

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT - Detention Officer - \$11.00/hour
Mark Collett, Cheektowaga, NY
Effective 7/18/06

RESOLVED, that the following be and hereby are as listed:

MAIN PUMP STATION
Bryan Sajecki
Effective 6/10/06

Ronald A. Strong
Effective 7/08/06

PARIS DIVISION

David Tomasello
Effective 7/31/06

SANITATION DEPARTMENT

David Roma
Effective 6/22/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-373

DOC ID: 1437

S U

S B: Councilmember ankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are transferred and/or upgraded, effective as indicated, in the Department of Parks, Recreation & Youth Services, (regular part-time/seasonal/part-time):

A I

Recreation Attendant I to Recreation Attendant III -
310.180/1 0.1611/1 0.161/1 0.1636 25
(effective 2/06)
Amy rytus

lifeguard - level II to lifeguard - level II (SI) - 8.0
(effective 3/06)
Jennifer Chenu

C

Transfer from Adapted Recreation Program to:
(effective 6/26/06)

Camp Dartwood - 1 0.1632

Recreation Instructor - 9.00
Heather Giczkowski

Recreation Attendant - 25
lauren Rzeszutek

R

From Part-time to Regular Part-time
Nathan Pyzikiewicz
(effective immediately)

status remains the same (as per previous resolution)

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-374

DOC ID: 1459

S H

S B: Councilmember ankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are hired as indicated, in the Department of Parks, Recreation Youth Services, effective as indicated:

Seasonal
(effective 7/5/06)
Camp Flamingo - 310.1810

Recreation Attendant - 6.5
Lauren Fial 122

Recreation Attendant - 8.00
Michael McMahon 1225

Part-time
(effective immediately)
Arts and Crafts - 10.1613

Recreation Aide - 6.5
Samantha Panzica 1225

RESULT: ADOPTED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-375

DOC ID: 1455

██████ **T**██████████████

S██████████ **B**: Councilmember █████ankowiak, Supervisor Gabryszak

BE IT RESO███ED that the individuals listed below be and hereby are terminated in the Department of Parks, Recreation █ Youth Services, effective as indicated:

- Amber Dirschberger - 6/10/06
- ██elly █ alters - 5/9/06
- ██acob █ odowski - 5/9/06
- ██ynsey Borowski - 6/5/06
- Nina █ipowicz - 1/21/06
- Patrick Hughes - 6/5/06
- Heather Fabian - 6/5/06
- ██ellie Mazur - 6/19/06
- ██acey █ odowski - 5/2/06
- ██ill Franz - 1/1█/06
- ██auren Filipink - 11/19/05
- ██errod Chojnicki - 6/5/06
- Adysen █ aldmiller - 6/15/06
- Brandon Hoerner - 5/15/06
- Nicholas Moore - █/29/06

RESULT:	ADO██TED █ UNANIMOUS█
MOVER:	████ames █████ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, █aworowicz, █ohnson █r., Swiatek, █ankowiak, Magierski, Rogowski



RESOLUTION 2006-376

DOC ID: 1457

CHEEKTOWAGA TOWN BOARD RESOLUTION NUMBER 2006-376
ADOPTED ON AUGUST 1, 2006

SUBJECT: Councilmember James Rankowiak, Supervisor Gabryszak

WHEREAS, Cheryl Pitt, a Clerk Typist in the Police Department, was granted a leave of Absence from her position with the Town of Cheektowaga by this Town Board from February 20, 2006 through August 20, 2006 AND

WHEREAS, Ms. Pitt has informed the Town of her ability to return to work on August 1, 2006 NO, THEREFORE, BE IT

RESOLVED, that Cheryl Pitt be and hereby is authorized to return to her position as a Clerk Typist in the Police Department effective August 1, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-377

DOC ID: 1444

WHEREAS, the position of Assistant Code Enforcement Officer in the Housing and Neighborhood Preservation Office is vacant; AND WHEREAS, notice of such vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association; AND WHEREAS, no full-time employee bid on said vacancy; AND WHEREAS, said title is in the competitive class of civil service; AND WHEREAS, a current civil service list for said title was canvassed and interviews conducted; AND WHEREAS, Donald C. Bielefield, Jr., appears on said list and meets all the necessary qualifications; NO, THEREFORE, BE IT

RESOLVED, that Councilmember James Frankowiak, Supervisor Gabryszak

is appointed to the position of Assistant Code Enforcement Officer in the Housing and Neighborhood Preservation Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective July 1, 2006; AND, BE IT FURTHER

RESOLVED, that in compliance with the local law know as the Residency Law of the Town of Cheektowaga, Donald C. Bielefield, Jr., be and hereby is ordered to obtain residency within the Town of Cheektowaga within six (6) months from the date of this Town Board Resolution.

RESOLVED, that Donald C. Bielefield, Jr. of Angola, New York, be and hereby is appointed to the position of Assistant Code Enforcement Officer in the Housing and Neighborhood Preservation Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective July 1, 2006; AND, BE IT FURTHER

RESOLVED, that in compliance with the local law know as the Residency Law of the Town of Cheektowaga, Donald C. Bielefield, Jr., be and hereby is ordered to obtain residency within the Town of Cheektowaga within six (6) months from the date of this Town Board Resolution.

RESOLVED, that Donald C. Bielefield, Jr. of Angola, New York, be and hereby is appointed to the position of Assistant Code Enforcement Officer in the Housing and Neighborhood Preservation Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective July 1, 2006; AND, BE IT FURTHER

RESOLVED, that in compliance with the local law know as the Residency Law of the Town of Cheektowaga, Donald C. Bielefield, Jr., be and hereby is ordered to obtain residency within the Town of Cheektowaga within six (6) months from the date of this Town Board Resolution.

RESOLVED, that Donald C. Bielefield, Jr. of Angola, New York, be and hereby is appointed to the position of Assistant Code Enforcement Officer in the Housing and Neighborhood Preservation Office in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective July 1, 2006; AND, BE IT FURTHER

RESOLVED, that in compliance with the local law know as the Residency Law of the Town of Cheektowaga, Donald C. Bielefield, Jr., be and hereby is ordered to obtain residency within the Town of Cheektowaga within six (6) months from the date of this Town Board Resolution.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-378

DOC ID: 1445

A... S... W... S...
... N... C... W. N...

S... B: Councilmember ankowiak, Supervisor Gabryszak

HEREAS, this Town Board appointed on . Nichy to the position of Superintendent of wastewater Pump Station on a provisional basis on April , 2006 AND

HEREAS, Mr. Nichy has been approved for a permanent non-competitive promotion by the Erie County Department of Personnel NO , THEREFORE BE IT

RESOLVED, that on . Nichy of Cheektowaga, New York, be and hereby is permanently appointed to the position of Superintendent of wastewater Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective July 18, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-379

DOC ID: 1446

ADOPTED UNANIMOUSLY
James Rankowiak, Dennis Gabryszak, Sr., and Anthony Nazzarett

WHEREAS: Councilmember Rankowiak, Supervisor Gabryszak

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 NO, THEREFORE, BE IT

RESOLVED, that Jeffrey M. Schmidt, of Cheektowaga, New York, Matthew Arnold of Cheektowaga, New York, John Jones, Jr., of Cheektowaga, New York and Anthony Nazzarett of Cheektowaga, New York, be and hereby are appointed to the position of Police Officer at a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club AND, BE IT FURTHER

RESOLVED, that said appointments shall become effective July 1, 2006, and are subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-380

DOC ID: 1447

A **G** **C** **C** **C** **G** **R**
. C

S **B**: Councilmember [ankowiak, Supervisor Gabryszak

[HEREAS, a vacancy exists in the title of General Crew Chief in the Central Garage AND

[HEREAS, notice of such vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit AND

[HEREAS, Robert [Ciesielski, currently employed as an Automotive Crew Chief in the Central Garage, bid on said vacancy, and meets the necessary qualifications NO , THEREFORE BE IT

RESOED, that Robert [Ciesielski, of Cheektowaga, New York, be and hereby is appointed to the position of General Crew Chief in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective July 18, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	[ames [ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, [aworowicz, [ohnson r., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-381

DOC ID: 1449

A **A** **M** **C** **C**
G **R** **R. B**

S: Councilmember **B**: Supervisor Gabryszak

HEREAS, a vacancy exists in the title of Automotive Mechanic Crew Chief in the Central Garage AND

HEREAS, notice of such vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit AND

HEREAS, Richard Basher, currently employed as an Automotive Mechanic in the Central Garage, bid on said vacancy, and meets the necessary qualifications NO, THEREFORE BE IT

RESOLVED, that Richard Basher of Cheektowaga, New York, be and hereby is appointed to the position of Automotive Mechanic Crew Chief in the Central Garage in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective July 18, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Magierski, Rogowski



RESOLUTION 2006-382

DOC ID: 1456

A **C** **C** **C** **D** **S**

S: Councilmember **B**: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of Court Clerk in the Justice Court AND

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

WHEREAS, no current 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 interviews were conducted AND

WHEREAS, Debra Sadowski appears on said civil service list and meets all the necessary qualifications NO , THEREFORE, BE IT

RESOLVED, that Debra Sadowski of Derby, New York, be and hereby is appointed to the position of Court Clerk in the Justice Court in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective July 12, 2006 AND, BE IT FURTHER

RESOLVED, that in compliance with the local law know as the Residency Law of the Town of Cheektowaga, Debra Sadowski be and hereby is ordered to obtain residency within the Town of Cheektowaga within six (6) months from the date of this Town Board Resolution.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-383

DOC ID: 1442

TOWNSHIP BOARD OF SUPERVISORS DENISE G. M...
COUNCILMEMBER HENRY F. W... H... S..., A..., N...
Y..., S... 16 21, 2006

SUBJECT: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, the "Colonel Henry F. Williams Homicide Seminar" will be held in Albany, New York on September 16-21, 2006 AND

WHEREAS, Police Detective Gary Martz has requested authorization to attend said seminar AND

WHEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$1,220 AND

WHEREAS, these expenses have been budgeted by the Police Department NO, THEREFORE, BE IT

RESOLVED, that Police Detective Gary Martz be and hereby is authorized to attend the "Colonel Henry F. Williams Homicide Seminar" being held in Albany, New York on September 16-21, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-384

DOC ID: 1441

TOWNSHIP **A**DVISORY BOARD **D**EVELOPMENT **O**FFICER **B**RIAN COONS
COUNCIL **L**ANCE **L**AWSON **I**NSTRUCTOR **C**ERTIFICATION PROGRAM BEING HELD IN SYRACUSE, **A**UGUST 1ST **1**, 2006, **S**TATE OF **NY**

SUBJECT **B**: Councilmember James Rankowiak, Supervisor Gabryszak

WHEREAS, an instructor certification program, "Less Lethal" is being held in Syracuse, New York on August 1-18, 2006 AND

WHEREAS, Police Officer Brian Coons, has requested authorization to attend said certification program AND

WHEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$1,601 AND

WHEREAS, these expenses have been budgeted by the Police Department NO, THEREFORE, BE IT

RESOLVED, that Police Officer Brian Coons be and hereby is authorized to attend the "Less Lethal" Instructor Certification Program being held in Syracuse, New York on August 1-18, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

IV. SUBJECT **R**



RESOLUTION 2006-385

DOC ID: 1468

A **E** **L** **A** **G** **C**

S: Supervisor Gabryszak, Councilmember **B**: **ankowiak**

WHEREAS, the Town, as lessor, and Garrett, LLC, as lessee, entered into an Indenture of Lease dated as of June 11, 2004 for the construction and operation of a golf course in the Town, which lease provides for a license for said construction

NOW, THEREFORE, BE IT RESOLVED, that this Town Board approves the continuation of the license and agrees that the date either party has a right to terminate this lease and/or revoke the license shall be changed to September 1, 2006, and wherever the date May 31, 2006 appears in Sections 3 and 5 of said Indenture of lease, said date shall be changed to September 1, 2006 and be it further

RESOLVED, that the Supervisor is authorized to execute any amendment, agreement, or other document that may be required to effectuate said change, subject to approval by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James ankowiak , Councilmember
AYES:	Gabryszak, aworowicz , ohnson r. , Swiatek , ankowiak , Magierski , Rogowski



RESOLUTION 2006-386

DOC ID: 1469

A **S** **E** **SOFCO**

S **B**: Councilmember Rogowski, Councilmember Magierski

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

HEREAS, SOFCO/BUN, USA (The Paper Merchant) has requested permission to conduct a picnic in the Pavillion in Town Park on August 5, 2006 from 12:00 noon to 4:00 P.M. and

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

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

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

NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the application of SOFCO/BEN, USA, for the aforementioned picnic and be it further

RESOLVED, that the Town Clerk be and hereby is directed to forward a copy of this resolution to the Chief of Police.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-387

DOC ID: 1472 B

A **R** **10 B** **R**

S **B**: Councilmember Magierski, Councilmember Johnson

WHEREAS, The Center for Hospice Palliative Care, Inc. petitioned for a rezoning from R-Residence District to CF-Community Facilities District for the construction of a 8,800 square foot administrative office, with accessory parking and a 1,200 square foot storage building to the existing hospice facility on property owned by it and located at 150 Bennett Road, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of June, 2006 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 SEIRA and the Town Environmental Impact Review Ordinance for this rezoning, **NOW, THEREFORE, BE IT**

RESOLVED, that the application of The Center for Hospice Palliative Care, Inc. for the rezoning from R-Residence District to CF-Community Facilities District of the property described in the attached legal description be and the same is hereby approved, and **BE IT FURTHER**

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

Motion by Councilmember Johnson, seconded by Councilmember Magierski to amend the above resolution to include the following wording:

WHEREAS, all alternatives be investigated to the parking area design which will maximize tree preservation opportunities for significant growth trees, and

WHEREAS, the applicant has indicated their agreement to meet with this Town Board to negotiate a new Payment in lieu of Taxes (P.I.L.O.T) agreement, and

and the voting was as follows:

- AYES: Supervisor Gabryszak, Councilmembers Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski and Rogowski
- NAYES: 0
- ABSENT: 0

AMENDED RESOLUTION

WHEREAS, The Center for Hospice Palliative Care, Inc. petitioned for a rezoning from R-Residence District to CF-Community Facilities District for the construction of a 8,800 square

foot administrative office, with accessory parking and a 1,200 square foot storage building to the existing hospice facility on property owned by it and located at 150 Bennett Road, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 19th day of June, 2006 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, all alternatives be investigated to the parking area design which will maximize tree preservation opportunities for significant growth trees, and

WHEREAS, the applicant has indicated their agreement to meet with this Town Board to negotiate a new Payment in lieu of Taxes (P.I.L.O.T) agreement, and

WHEREAS, this Town Board previously issued a Negative Declaration under SEIRA and the Town Environmental Impact Review Ordinance for this rezoning, **NOW, THEREFORE, BE IT**

RESOLVED, that the application of The Center for Hospice Palliative Care, Inc. for the rezoning from R-Residence District to CF-Community Facilities District of the property described in the attached legal description be and the same is hereby approved, and **BE IT FURTHER**

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

This Resolution was amended by Councilmember Johnson. Seconded by Councilmember Magierski and the vote was unanimous. Regarding Condition (Pilot Program and Tree Arrangement)

RESULT: ADOPTED AS AMENDED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-388

DOC ID: 1473

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF CHEEKTOWAGA, CHEEKTOWAGA, OHIO **M**OTION

SUBJECT: **B**Y: Magierski, Gabryszak, Johnson Tr.

WHEREAS, The Town of Cheektowaga desires to prepare a new comprehensive plan for the future development of the community, AND

WHEREAS, the Town's current comprehensive plan was adopted in 1992 and is in need of updating, AND

WHEREAS, the Town Planning and Petitions Committee has recommended that the Town start a process for soliciting quotations from interested consultants so that a budget and time line can be established for such project, AND

WHEREAS, this Town Board desires to establish a short list of qualified candidates or groups of candidates to solicit cost proposals for preparing a new comprehensive plan, AND

WHEREAS, the Office of Building Inspections has prepared a Request for Qualifications to start a consultant solicitation process, **N**O **T**HEREFORE BE IT,

RESOLVED, that the Office of Building Inspections on behalf of this Town Board and the Planning and Petitions Committee, start soliciting consultants for their qualifications so that a short list of consultants can generated for future interviews with the representatives of the Town of Cheektowaga, including members of this Town Board.

RESULT: **ADOPTED UNANIMOUS**
MOVER: Alice Magierski, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Kaworowicz, Johnson Tr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-389

DOC ID: 1474

A **T** **S** **W** **D** **R**
L

S: Councilmember Johnson, Councilmember Magierski

HEREAS, egmans Food Markets, Inc. ("egmans") redeveloped the egmans food store on Dick Road north of George Urban Boulevard, and

HEREAS, as part of the redevelopment of this site, a new traffic signal was installed on Dick Road in front of the egmans store, and

HEREAS, the Town Traffic Safety Commission and Police Department reviewed plans for such signal and approved same, and

HEREAS, the Erie County Department of Public Works, Division of Highways has approved a signal permit for the traffic signal installed in front of egmans store on Dick Road, and has submitted same to the Town of Cheektowaga for the Supervisor's signature, and

HEREAS, the Town Attorney's Office has prepared a Town of Cheektowaga signal maintenance permit/agreement for signature by officials from egmans and said permit has been signed on behalf of egmans, **NO**, **THEREFORE, BE IT**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned traffic signal permits on behalf of the Town of Cheektowaga.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-390

DOC ID: 1467

A **S** **20** **R** **R**

S: Councilmember Magierski, Councilmember Johnson.

HEREAS, 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

HEREAS, 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

HEREAS, a development review application and site plan was submitted by Apex Consulting Survey Engineering Services for the construction of a 2,000 square foot educational building at the Villa Maria College -20 Pine Ridge Road, AND

HEREAS, the Town of Cheektowaga Planning Board at its meeting of July 13, 2006 is recommending the approval of the site plan, AND

HEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board, **NO** THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project site plan is acceptable subject to :

1. The Town Engineer approving the drainage/grading plan.
2. Compliance with section 508.5 of the NYS Fire Code

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-391

DOC ID: 1475

G E A G A

S B: Councilmember Johnson r., Councilmember Magierski

HEREAS, the Town of Cheektowaga is the owner of vacant land located at the northwest corner of ildy Avenue and Gualbert Avenue (a/k/a Sublot 96 of Map Cover 928), and

HEREAS, said property is immediately adjacent to 18 Gualbert Avenue, and

HEREAS, the driveway used to access 18 Gualbert Avenue is located over the aforesaid Town property, and

HEREAS, Dolores Rudewicz, the owner of 18 Gualbert Avenue is in the process of selling her property and needs to obtain a perpetual easement across the portion of the Town property where her driveway is located, and

HEREAS, the Town Assessor has stated that the value of this easement is 1,125.00, and

HEREAS, the granting of an easement to this property will not interfere with the Town's use of the property or any utilities which may traverse the property, and

HEREAS, the attorney for the prospective purchaser of this property has prepared an easement agreement for signature by the Town, and

HEREAS, the Town Attorney's Office has reviewed this easement agreement and has no objection to same, NO , THEREFORE, BE IT

RESOED, that this Town Board hereby approves the aforementioned easement agreement over Town-owned land for 1,125.00, and BE IT FURTHER

RESOED, that the Supervisor be and hereby is authorized and directed to execute said easement on behalf of the Town, and BE IT FURTHER

RESOED, that this resolution is subject to permissive referendum pursuant to the Town aw, and BE IT FURTHER

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

Empty rectangular box

NOTICE OF ADOPTION OF RESOLUTION

SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Cheektowaga, on July 14, 2006, adopted a resolution authorizing the Town of Cheektowaga to grant an easement to Dolores Rudewicz over Town-owned property located on the northwest corner of Childy Avenue and Gualbert Avenue.

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

TAKE FURTHER NOTICE, that such resolution is subject to permissive referendum under Article 17 of the Town Law of the State of New York.

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

Dated: July 14, 2006

MARY F. HOLT

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-392

DOC ID: 1476

A R 1 H R.

S B: Councilmember Johnson r., Councilmember Rogowski

HEREAS, 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

HEREAS, 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

HEREAS, a development review application and the site plan was submitted by Buffalo Conrail Federal Credit Union for the modification of a previously approved site plan at 181 Harlem Road, AND

HEREAS, the applicant revised site plan now includes a C-Retail Business which replaces the R-Residential zone, AND

HEREAS, the Town of Cheektowaga Zoning Board of Appeals on June 21, 2006 made a recommendation to approve the business to expand the existing parking area which is an accessory to an administrative office, AND

HEREAS, the Town of Cheektowaga Planning Board at its meeting of June 8, 2006 is recommending the approval of the site plan with recommendation of landscaping to be fulfilled by the business applicant, AND

HEREAS, this Town Board on June 5, 2006 previously issued a negative declaration pursuant to the provisions of the State Environmental Quality Review Act (SEQR), AND

HEREAS, the Town of Cheektowaga Environmental Advisory Committee at its meeting of June 1st, 2006 is recommending a reaffirmation of said previous negative SEQR declaration, AND

HEREAS, the Traffic Safety Commission has reviewed and approved, the commission finds no safety issues, AND

HEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board and the Environmental Advisory Committee NO , THEREFORE, BE IT

RESOLVED, that this Town Board reaffirms the negative SEQR declaration previously issued and determines that the revised project site plan is acceptable, it meets the requirements of the Town, NO , THEREFORE, BE IT

RESOLVED, that 181 Harlem Road is zoned C-Retail Business.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski

V. C

A. Departmental Communications

- 1. **Budget Committee Report 2006**
- 2. **Support Services Committee Report 2006**
- 3. **Capital Construction Committee Report Year End 1, 2006**
- 4. **Support Services Committee Report 2006**
- 5. **Capital Construction Committee Report 2006**
- 6. **Capital Construction Committee Report 1, 2006**
- 7. **Capital Construction Committee Report 6, 2006**
- 8. **Capital Construction Committee Report 1, 2006**
- 9. **Capital Construction Committee Report 20, 2006**

B. General Communications

- 1. **Support Services Committee Report: Work Item B.V.M. O, T, C, E**
- 2. **Capital Construction Committee Report: T.H.V.T.C**
- 3. **Capital Construction Committee Report: R.R.V.T.C**
- 4. **Capital Construction Committee Report: D.W.V.T.C**
- 5. **Capital Construction Committee Report: NYSEG V.S.B.R.S**
- 6. **Capital Construction Committee Report: G.C.N.A.N.I.V.S.B.R.S**
- 7. **Capital Construction Committee Report: R.D.C.R.E.W.T.I.H.D**

□. **E**██████████ **D**████████████████████ **R**████████████████████ **H**██████████ □: □██████████ □ **G**██████████ **S**██████████ **A**██████████
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G██████████ **S**██████████.

VI. C□□ □ □██████████

A. Supervisor’s Comments

B. Councilmember’s Comments

C. Public Comments

VII. A□██████████

Motion by Councilmember Johnson; Seconded by Supervisor Gabryszak to adjourn the Meeting in Memory of Salvatore T. Pirro, Member of U-Crest Fire Company.



Town of **C**heektowaga

3301 Broadway
Cheektowaga, NY 14227

Special **M**eeting

Minutes

Mary F. Holtz
(716) 686-3434

Friday, July, 28, 2006

5:30 PM

Council Chambers

I. Council **O**rders

5:30 PM Meeting called to order on July 28, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

A ttendees N ames	O rganizational	T itles	S tatus	A ctions
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Absent	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Absent	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

II. Resolutions



RESOLUTION 2006-393

DOC ID: 1484

A **T** **T**

S **B** : Supervisor Dennis Gabryszak

WHEREAS, a vacancy exists in the Cheektowaga Town Justice Court because of the passing of Town Judge Ronald Kmietek, and it is necessary for the Town of Cheektowaga to request assistance from another municipality; and

WHEREAS, Section 106(2) of the Uniform Justice Court Act provides that in the event any town is without the services of a town justice, the Administrative Judge of the courts may assign a justice to serve; and

WHEREAS, pursuant to the provisions of the Uniform Justice Court Act, the Town of Cheektowaga has requested the Town of Elma to authorize Elma Town Justice Joseph A. Sakowski to temporarily provide justice services to the Town of Cheektowaga, and the Town of Elma has consented to same; and

WHEREAS, Elma Town Justice Joseph A. Sakowski is a resident of Erie County and has consented to such assignment; **NOW THEREFORE, BE IT**

RESOLVED, that this Town Board hereby requests the Administrative Judge, the Hon. Sharon S. Townsend, to approve the assignment of Elma Town Justice Joseph A. Sakowski to temporarily serve as Cheektowaga Town Justice; and **BE IT FURTHER**

RESOLVED, that this Town Board hereby formally requests the consent of the Town of Elma to the temporary assignment of Elma Town Justice Joseph A. Sakowski to act as Cheektowaga Town Justice; and **BE IT FURTHER**

RESOLVED, that this Town Board hereby agrees to pay Joseph A. Sakowski compensation in the amount of \$1,365.00 per week for services as acting Town Justice for the Town of Cheektowaga.

RESULT:	ADO <input type="checkbox"/> TE <input type="checkbox"/> D <input type="checkbox"/> UNANIMOUS <input type="checkbox"/>
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson Jr., Jeff Swiatek, James Jankowiak, James Rogowski
AYES:	Gabryszak, Johnson Jr., Swiatek, Jankowiak, Rogowski
ABSENT:	Patricia Laworowicz, Alice Magierski

III. A

Motion by Councilmember Rogowski, seconded by Councilmember Jankowiak to adjourn the meeting at 5:35 PM.



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Regular Meeting

Monday, September 11, 2006

Mary F. Holtz
(716) 686-3434

Monday, September 11, 2006

6:45 PM

Council Chambers

I. Current Meeting

COMMENTS - Current Meeting:

6:45 PM Meeting called to order on September 11, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Apologies
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Michael Stachowski, Town Attorney
- William Pugh, Town Engineer
- Brian Krause, Director of Finance and Administration
- Thomas Adamczak, Supervising Building and Plumbing Inspector
- Merry Gabryszak, Director of Community Development
- Christine Niemba, Chief of Police
- Patricia Wojcik, Senior Services Director
- John Karoszewski, Working Crew Chief

II. Board of Supervisors, S. G. RC Council

III. C. Council

IV. H. Hearing

1. Public Hearing - Part of 2819 William Street

RESULT: CLOSED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski,
Rogowski

V. R



RESOLUTION 2006-407

DOC ID: 1514

H O N O R A B L E M E M B E R S

S P E A K E R **B**: Gabryszak, Johnson Cr., Rogowski, Magierski

□ HEREAS, the New York State Department of Transportation (NYSDOT) proposes the Fall 2006 letting for the reconstruction of Harlem Road from Genesee Street to Yorktown Road (Town of Amherst), identified as PIN 5268.32.123, AND

□ HEREAS, the Town of Cheektowaga has been working collaboratively with the Town of Amherst for the past several years through an initiative of the Harlem Kensington Cleveland(HKC) Task Force and in conjunction with the HKC Community Association and the HKC Business Association to plan for the redevelopment of the Harlem Road Business District, AND

□ HEREAS, as part of the redevelopment plan for Harlem Road both communities believe that it is important to create a uniform identity for this aging business corridor and with the assistance of NYSDOT unique design features will be added to the highway project to further enhance the road corridor, which include traffic round -a-bouts, decorative sidewalks, masonry walls and street trees, AND

□ HEREAS, NYSDOT has also agreed to fund and provide new street lighting within their highway project, AND

□ HEREAS, the street lighting that NYSDOT will be funding is not decorative in design, AND

□ HEREAS, the HKC Business Association and the HKC Community Association believe that decorative street lighting is a vital component to the overall road corridor design, AND

□ HEREAS, NYSDOT will agree to incorporate decorative street lighting into the highway project if the Town of Cheektowaga and the Town of Amherst agree to pay for the betterment as allowed pursuant to Subdivision 2 of Section 10 of the State Highway Law, AND

□ HEREAS, the Town of Amherst has committed to funding their portion of the lighting betterment, AND

□ HEREAS, the Town of Cheektowaga also believes that the lighting betterment is an important component to the Harlem Road redevelopment project and will also commit to funding the betterment through its highway lighting budget, AND

□ HEREAS, the NYS Assembly through Assembly Leader Tokasz, has expressed a desire to find financial assistance to offset the Town of Cheektowaga's cost of this betterment, NO THEREFORE BE IT

RESOLVED, that said funds shall be appropriated from the General Lighting District

budget, which budget shall be reimbursed with any funding provided by Assemblyman Paul A. Tokasz, AND BE IT FURTHER

RESO□□ED, that the Town agrees to deposit with the Comptroller of the State of New York, funding in the amount of □13□,923.00 to finance the cost of the street lighting betterment, AND BE IT FURTHER

RESO□□ED, that the Supervisor be and hereby is directed, on behalf of this Town Board, to sign the Public Utility □ ork Agreement HC-1□0 submitted by the New York State Department of Transportation (betterment) for the aforesaid project.

RESULT:	WITHDRAWN
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RESOLUTION 2006-430

DOC ID: 1526

T R A N S F E R S

S: Supervisor Gabryszak, Councilmember **aworowicz**

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

HIGHWAY FUND

FROM:	300-5140-4291	Shade Trees	\$ 3,000.00
TO:	300-5110-4186	Topsoil	\$ 3,000.00

HUD CDBG FUND

FROM:	700-1097-0600	Housing Rehabilitation	\$ 6,110.00
	700-1097-0720	Cedargrove Sewer & Drainage	324.23
	700-1001-2300	Temporary Relocation	2,605.16
	700-1001-0705	Economic Development	1.00
	700-1002-2300	Temporary Relocation	3,810.51
	900-8600-4910	NYS AHC Revenues	100,000.00
TO:	700-1097-0707	Neighborhood Improvements	\$ 6,110.00
	700-1097-0707	Neighborhood Improvements	324.23
	700-1001-0707	Neighborhood Improvements	2,605.16
	700-1001-0707	Neighborhood Improvements	1.00
	700-1002-0707	Neighborhood Improvements	3,810.51
	900-8668-4004	AHC Expenses	25,000.00
	900-8668-4005	Loans From Program	75,000.00

RESULT: **ADOPTED UNANIMOUS**

MOVER: Dennis Gabryszak, Supervisor

SECONDER: Patricia **aworowicz**, Councilmember

AYES: Gabryszak, **aworowicz**, Johnson **r.**, Swiatek, **ankowiak**, Magierski,
Rogowski



RESOLUTION 2006-431

DOC ID: 1525

WHEREAS

SECTION 1: Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following vouchers and warrants submitted to the Town of Cheektowaga prior to September 8, 2006 are hereby approved and made a part hereof

GENERAL FUND	\$ 3,206,290.48
RISK RETENTION FUND	90,273.45
DEBT SERVICE FUND	5,372.25
HUD HOUSING REHABILITATION FUND	71,018.50
SPECIAL DISTRICT FUND	926,193.49
HIGHWAY FUND	534,926.56
CAPITAL FUND	224,002.51
TRUST & AGENCY FUND	9,640.92
HUD CDBG FUND	88,804.10
PART TOWN FUND	129,737.78
NYS AFFORDABLE HOUSING FUND	66,954.25
	\$ 5,353,214.29

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski



RESOLUTION 2006-432

DOC ID: 1516 D

SE R D R R. H

S: Councilmember Thomas Johnson.

HEREAS, 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

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

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

HEREAS, an application was submitted by Genesee Engineering Planning Surveying, P.C. with the permission of Samuel Tadio, Lucy Marzec and Raymond Marzec for the rezoning of 8.8 acres of land along the north side of Rehm Road (sbl nos. 92.0-1-25, 26, 28, 30) for the construction of 52 single family detached town homes (patio homes), AND

HEREAS, the Environmental Advisory Committee at its meeting of September 6, 2006 has made a recommendation that the Town Board issue a Negative SE R Declaration with an acknowledgement that the project site plan as presented needs to be revised, AND

HEREAS, the Environmental Advisory Committee offers this recommendation with the belief that generally, the proposed zoning change is consistent with the surrounding land uses, however, the site plan as filed by the applicant is inconsistent with the Town's Comprehensive Plan as approved by the Town Board on January 21, 1992, as well, as the Town's planning strategy and prior determinations for such detached town home developments, AND

HEREAS, such inconsistency is based on the following conflicts:

1. Transportation Goal - The project site plan as presented does not provide for pedestrian walks, inconsistent with the comprehensive plan objective to require handicapped accessible sidewalks in all new developments or redevelopment in order to promote pedestrian use and safety and
2. Land Use Goal - The project site plan as presented is in conflict with the town's goal of promoting development patterns and densities which will reduce conflicts between land uses. The site plan as submitted is inconsistent with the town's planning strategy for patio development in that the development exceeds a density of 5 units per acre of land inconsistent with plans recently approved by this Town Board for two similar patio home projects, and lacks provisions of auxiliary parking to compensate reduced front yard, side yard and rear setbacks and reduced road width, and
3. Open Space and Recreation Goal - The project site plan as presented does not provide adequate dedicated open space consistent with the town's comprehensive plan objectives for preserving open space and the site plan as submitted is inconsistent with the town's planning strategy for patio development in that the

development plan does not provide dedicated open space equivalent to a minimum of 25 percent of the development site, consistent with plans recently approved by this Town Board for two similar patio home projects, AND

HEREAS, the project site plan as submitted also presents the following potential adverse environmental impacts

1. Impact on Growth and Character of Community or Neighborhood - The proposed action conflicts with officially adopted plans or goals, will cause a change in density of land use, will set an important precedent for future projects and if the project site plan is approved as presented may cause future growth inducing impacts due to the projects proximity to neighboring underutilized vacant lands.

2. Impact on Public Health - The project site plan as presented fails to provide pedestrian walks/features separate from vehicular traffic thereby posing a threat to public health and safety.

3. Impact on Open Space and Recreation - The project site plan as presented will affect the quantity and quality of existing and future open spaces or recreational opportunities as it fails to provide a sufficient amount of dedicated open space.

Impacts on Plants and Animals - The project site plan as presented irreversibly removes 8.8 acres of forest community or 100 percent of the site's existing vegetation, AND

HEREAS, the aforementioned potential adverse environmental impacts can be mitigated with modifications to the project site plan, AND

HEREAS, the project site plan as presented does not meet the minimum required front, side and rear yard setbacks and dimensional standards as required by section 260-13 of the Zoning Law of the Town of Cheektowaga, AND

HEREAS, this Town Board can not approve the project site plan as presented without the Town of Cheektowaga Zoning Board of Appeals acting on the applicant's pending area variance application, AND

HEREAS, the requested relief for the area variances is more substantial than relief previously granted to two recently constructed patio home developments, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations made, NO, THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project will not have a significant effect on the environment if project changes are made to the site plan that address the aforementioned conflicts and potential adverse environmental impacts and therefore issues a Negative Declaration for purposes of SEIR, AND BE IT

FURTHER RESOLVED, that the applicant amend and resubmit his project site plan for further consideration by this Town Board.

COMMENTS - Current Meeting:

Initiated by Councilmember Johnson, lack of a second. No need for vote.

RESULT: WITHDRAWN



RESOLUTION 2006-433

DOC ID: 1545

SE R N D S A R R.

S B: Councilmember Rogowski, Councilmember Laworowicz

HEREAS, 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

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

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

HEREAS, an application was submitted by Genesee Engineering Planning & Surveying, P.C. with the permission of Samuel Tadio, Lucy Marzec and Raymond Marzec for the rezoning of 8.8 acres of land along the north side of Rehm Road (sbl nos. 92.0-1-25, 26, 2, 28-30) for the construction of 52 single family detached town homes (patio homes), AND

HEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of August 10, 2006, AND

HEREAS, the Environmental Advisory Committee at its meeting of September 6, 2006 did not recommend approval of the site plan as submitted, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Planning Board and Environmental Advisory Committee, NO, 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 SEIRA, AND BE IT

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

MOTION BY COUNCILMEMBER ROGO S I SECONDED BY COUNCILMEMBER JOHNSON, TO AMEND THE RESOLUTION AND THE VOTE AS FOLLOWS: ABSTAIN: SUPERVISOR GABRYSIA AYES: COUNCILMEMBER LAWOROWICZ, COUNCILMEMBER JOHNSON COUNCILMEMBER SIATE COUNCILMEMBER ANOIA COUNCILMEMBER MAGIERSI COUNCILMEMBER ROGO S I

HEREAS, 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

☐ HEREAS, the Town Board, pursuant to the Environmental Impact Review Ordinance of the Town of Cheektowaga, is designated the ☐ead Agency in most instances, AND

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

☐ HEREAS, an application was submitted by Genesee Engineering Planning ☐ Surveying, P.C. with the permission of Samuel Tadio, ☐ucy Marzec and Raymond Marzec for the rezoning of 8.8 acres of land along the north side of Rehm Road (sbl nos. 92.0☐-1-25, 26, 2☐, 28☐30) for the construction of 52 single family detached town homes (patio homes), AND

☐ HEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of August 10, 2006, AND

☐ HEREAS, the Environmental Advisory Committee at its meeting of September 6, 2006 did not recommend approval of the site plan as submitted, AND

☐ HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Planning Board and Environmental Advisory Committee, NO☐, THEREFORE, BE IT

RESO☐☐ED, 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 SE☐RA, AND BE IT

FURTHER RESO☐☐ED, that this Town Board determines that the proposed site plan is acceptable.

This resolution was amended to include the following, the proposed site plan is acceptable provided that the applicant provides auxiliary parking for patrons.

RESULT:	ADO☐TED AS AMENDED ☐UNANIMOUS☐
MOVER:	☐ames Rogowski, Councilmember
SECONDER:	Thomas ☐ohnson ☐r., Councilmember
AYES:	☐aworowicz, ☐ohnson ☐r., Swiatek, ☐ankowiak, Magierski, Rogowski
ABSTAIN:	Dennis Gabryszak



RESOLUTION 2006-434

DOC ID: 1540

NEGATIVE DECLARATION FOR 01 GENESSEE STREET

SUBJECT: Councilmember Johnson et al., Councilmember Magierski

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 Company, LLC for the rezoning of a portion of 301 Genessee Street from C- Retail Business to CM - General Commercial for the re-use of a former retail building for a building materials supply company, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on August 16, 2006 recommended a determination of non-significance as shown on the attached memorandum dated August 16, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the rezoning on July 13, 2006 and recommended the approval of the site plan at their meeting of August 10, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The applicant providing a management plan for controlling noise and debris associated with the use of the exterior areas of the facility, including but not limited to hours of operation for product receipt and loading.
2. All exterior product storage be maintained within the fenced in storage area only.
3. All storage trailers not unloading product be staged at the loading docks only.
4. The applicant provide a perpetual access easement along the easterly property line to permit the the Town to access its community building parking area.

5. Receipt of written permission for the Town's use of the parking facilities as previously agreed to for visitors to the neighboring community building.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-435

DOC ID: 1542

N **SE** **R D** **2** **G** **S**

S: Councilmember Johnson, Councilmember Magierski

HEREAS, 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

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

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

HEREAS, an application was submitted by Kenneth E. Hofstrand for New Creation Fellowship Church for the construction of a 9,900 square foot picnic shelter and a 10,000 square foot children's playground area at 3325 Genesee Street, AND

HEREAS, the Environmental Advisory Committee at its meetings held on September 6, 2006 recommended a determination of non-significance, AND

HEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of August 10, 2006, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee and the Planning Board NO, 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 BE IT

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

- Provisions being made for pavement markings (striped crosswalks) and upright signage to warn motorists of pedestrian crossings to the playground area from the southerly day car exits.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-436

DOC ID: 1541

NEGATIVE DECLARATION FOR 201 YONGS ROAD.

SUBJECT: Councilmember Johnson Jr., Councilmember Magierski

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 Cyril Kazarov with the permission of BBH Enterprises, LLC: Marita Car Rentals, Inc for the rezoning of a portion of 201 Yongs Road for use of an existing building as a building contractor's office and storage yard at , AND

WHEREAS, the Environmental Advisory Committee at its meetings held on August 16, 2006 recommended a determination of non-significance as shown on the attached memorandum dated August 16, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the rezoning and site plan at their meeting of July 13, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The applicant completing the landscaping improvements which were part of the previous site plan approval for the vehicle storage use.
2. The subject parcel not be subdivided without a revised site plan submitted to this Town Board for approval.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Kaworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-437

DOC ID: 1543

N O T I C E S E R D U M U N I T E D S T A T E S

S P O N S O R E D B Y: Councilmember Johnson Jr., Councilmember Magierski

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 Company, LLC for the rezoning of 3385 Union Road from M1- Light Manufacturing to C- Retail Business for the re-use of an abandoned retail store which lost its vested rights for retail use, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on September 6, 2006 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the rezoning on March 9, 2006 and recommended the approval of the site plan at their meeting of April 13, 2006, AND

WHEREAS, on August 16, 2006 the applicant conducted a meeting with the affected land owners along Schlenker and Schuster Avenues to discuss their concerns for the project and in particular, the use of an existing access driveway on Schlenker Avenue, AND

WHEREAS, during such meeting the applicant achieved consensus from the affected land owners to continue the use of Schlenker Avenue for ingress and egress to the subject property, however, providing such driveway is relocated westward closer to Union Road, as shown on the applicant's recent site plan attached, AND

WHEREAS, the applicant also agreed to provide solid screening along the southerly yard of the premises to provide a visual screen for the residents along Schlenker Avenue, AND

WHEREAS, the applicant has also made commitments to this Town Board to restrict future building tenants from establishing a drive thru service window, and to restrict the establishment of any "take out only" type restaurants - as a means of mitigating for any future adverse traffic impacts to Schlenker and Schuster Avenues, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Traffic Safety Commission reviewing the revised driveway location on Schlenker Avenue.
2. The Town Engineer approving the drainage and grading plans.
3. The Town of Cheektowaga Zoning Board of Appeals granting an area variance for the height of the proposed fence along the southerly yard.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-438

DOC ID: 1547

D R R R

S B: Councilmember Rogowski, Councilmember Laworowicz

hereas, Genesee Engineering Planning Surveying, P.C. petitioned for a rezoning from R-Residential District to RA - Residential Apartment District for property owned by Samuel Tadio, Lucy Marzec and Raymond Marzec located on the north side of Rehm Road, Cheektowaga, New York, which property is described in the attached legal description, AND

hereas, a public hearing on such petition was held before this Town Board on the 1st day of August, 2006 at 6:30 P.M., after publication and service of 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

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

hereas, this Town Board previously issued a Negative Declaration under SEIRA and the Town Environmental Impact Review Ordinance for this rezoning, NO, THEREFORE, BE IT

RESOLVED, that the application of Genesee Engineering Planning Surveying, P.C. for the rezoning from R - Residential District to RA - Residential Apartment District of the property described in the attached legal description be and the same is hereby approved, subject to the approval of the zoning board for variances on setbacks, AND BE IT FURTHER

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCELS OF LAND situate in the Town of Cheektowaga, County of Erie, State of New York, being part of lot 6, township 11, range 4 of the Holland Land Company's Survey described as follows:

BEGINNING at a point in the centerline of Rehm Road with its intersection with the east line of lot number 6 thence S-89-31 degrees, a distance of 225 feet to a point

BEGINNING at a point in the centerline of Rehm Road with its intersection with the east line of lot number 6 thence S-89-31 degrees, a distance of 225 feet to a point

Thence N-00-09-22 degrees, a distance 20.05 feet to a point on the present right of way of Rehm Road and the PRINCIPAL POINT OF BEGINNING:

Thence, S-89-31 degrees, a distance of 89.61 to a point

Thence, N-00-36-16-16 , a distance of 312.00 feet to a point

Thence, S-89-31-00-00 , a distance of 115.00 feet to a point

Thence, S-00-06-03-00E, a distance of 312.00 feet to a point

Thence, S-89-31-00-00 , a distance of 213.09 feet to a point

Thence, N-00-09-22-00 , a distance of 635.28 feet to a point

Thence, N-89-31-38-00E a distance of 112.80 feet to a point

Thence, N-00-00-00-00E a distance of 363.81 feet to a point

Thence, N-89-31-38-00E, a distance of 362.10 feet to a point

Thence, S-00-09-22-00E, a distance of 999.09 feet to the Principal point of beginning

Containing 8.09 acres of land, more or less.

RESULT:	ADOPTED TO 1
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Laworowicz, Swiatek, Rankowiak, Magierski, Rogowski
NAYS:	Thomas Johnson Jr.
ABSTAIN:	Dennis Gabryszak



RESOLUTION 2006-439

DOC ID: 1517

61 MARNE ROAD UNUSUAL

SUBJECT: Councilmember Magierski, Councilmember Laworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 61 Marne Road, Cheektowaga, New York SB 90.68-11 that is a danger to the safety of others, and records kept by the Assessors Office identify BT Real Estate Group LLC, 8 Camden Street, Ste 301, Toronto, Ontario M5 1 1, as the owner AND

WHEREAS, an inspection of such premises was conducted on 61 Marne Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-440

DOC ID: 1518

1112 W... U... U...

S... B: Councilmember Magierski, Councilmember Laworowicz

HEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 1112 Walden Avenue, Cheektowaga, New York SB 101.60-5-25 that is a danger to the safety of others, and records kept by the Assessors Office identify Camille Witkowski, 2298 Gowanda Road, Gowanda, New York 14000, as the owner AND

HEREAS, an inspection of such premises was conducted on 1112 Walden Avenue, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-441

DOC ID: 1519

01 U R O EN BURNING

S: Councilmember Johnson r., Supervisor Gabryszak

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

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

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

HEREAS, an application for an Open Burning permit was submitted by the Forks Fire district to conduct an open burn at properties located at 39 and 3501 Union Road, Cheektowaga, New York, on or about September 10, 2006 AND

HEREAS, the applicant has permission of the property owner, 3501 Union Realty, 2 ending Court, Lancaster, New York 1086 to use this property for training. They intend to burn small fires as part of training evolutions, AND

HEREAS, the Fire Inspector has received this application and finds the application to be in compliance with conditions and requirements of the Open Burning Law and request the Town Board to approve issuance of a permit, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations of the Fire Inspector, NO, THEREFORE, BE IT

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

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson r., Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-442

DOC ID: 1520

RESOLUTION OF THE TOWN BOARD OF CHEEKTOWAGA, NEW YORK

SUBJECT: Councilmember Johnson et al., Councilmember Rankowiak

WHEREAS, the New York State Department of Transportation is proposing the Fall 2006 letting of a project for the Reconstruction of Harlem Road from Genesee Street to Saratoga Road in the Town of Amherst identified as P.I.N. 5268-32.122, AND

WHEREAS, said project also includes significant water main improvements to facilities owned by the Erie County Water Authority, including the relocation of existing hydrants and also the installation of three (3) additional fire hydrants on the east side of Harlem Road at the following locations:

- Station H 2 096 Rt.
- Station H 2 503 Rt.
- Station H 2 910 Rt.

AND,

WHEREAS, the addition of the three (3) hydrants will enhance public safety, and by letter dated August 8, 2006 the Board of Fire Commissioners of Cleveland Hill Fire District No. 6 has notified the Town Engineer of its acceptance and concurrence with the proposed locations of the aforesaid hydrants, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board approves of the installation of the aforesaid hydrants and that the Town of Cheektowaga hereby assumes responsibility for the payment of annual hydrant rental charges to the Erie County Water Authority for said hydrants with said charges being levied against the respective hydrant rental district, AND, BE IT FURTHER

RESOLVED, that the Erie County Water Authority is hereby requested to coordinate hydrant installation at the proper time frame during the NYSDOT Reconstruction Project, AND, BE IT FURTHER

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

Mr. Richard Rosenberry, P.E.
Erie County Water Authority
3030 Union Road
Cheektowaga, New York 14220

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson et al., Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson et al., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-443

DOC ID: 1544

A... S... E... G... D... D...

S... B: Supervisor Gabryszak, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga seeks grant monies from the New York State Division of Criminal Justice Services to continue efforts to thwart motor vehicle theft and insurance fraud; and

WHEREAS, the award of grant monies will enable the Police Department to purchase specialized equipment and conduct surveillance and field investigation activities necessary to make arrests involving automobile theft and insurance fraud; NOW, THEREFORE BE IT

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

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-444

DOC ID: 1528

C O D R R A M
C C

S B: Supervisor Gabryszak, Councilmember Magierski

HEREAS, the contract for roof replacement at the Maryvale Community Center was awarded to Murray Roofing Company, Inc. by resolution dated May 15, 2006 for the contract amount of \$32,688.00, AND

HEREAS, the Town Engineer has advised that work under the aforesaid contract has been completed in accordance with the contract requirements, NO , THEREFORE, BE IT

RESOED, that this Town Board accepts the completed project and directs the Supervisor to execute the final contract acceptance documents with Murray Roofing Company, Inc., 600 Cayuga Creek Road, Cheektowaga, New York 122

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-445

DOC ID: 1535

A **U** **T** **C** **H** **T** **M**

S: Councilmember **B**: Councilmember **C**ankowiak, Councilmember Rogowski

HEREAS, the Cleveland Hill Union Free School District has requested permission to utilize a portion of Cheektowaga Town Park from September 12, 2006 to October 1, 2006 for practices and for its home cross-county track team meets, and

HEREAS, the Director of the Department of Parks, Recreation and Youth Services has reviewed such request and has no objection to same, and

HEREAS, Cleveland Hill Union Free School District has provided the Town with the necessary insurance coverage for such track meets, and

HEREAS, this Town Board, in the spirit of cooperation, wishes to approve this request, **NO**, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the use of Cheektowaga Town Park from September 12, 2006 to October 1, 2006 for the Cleveland Hill Cross Country Track team practices, and BE IT FURTHER

RESOLVED, that this Town Board also approves of the use of Cheektowaga Town Park by Cleveland Hill Cross Country Teams on September 26, 2006, October 3, 2006, October 10, 2006 and October 1, 2006 for its home track meets, and BE IT FURTHER

RESOLVED, that the Director of and Athletics of the Cleveland Hill School shall coordinate with the Director of the Department of Parks, Recreation and Youth Services concerning these track meets.

RESULT: **ADOPTED UNANIMOUS**
MOVER: James Cankowiak, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Cankowiak, Magierski, Rogowski



RESOLUTION 2006-446

DOC ID: 1536

All and **L**et **B**e **E**ffective **U**nless **T**he
Board of **D**evelopment **E**ngineering **D**ept

Subject **B**: Supervisor Gabryszak, Councilmember Frankowiak

WHEREAS, the Town of Cheektowaga is the owner of the following buildings:

- 2660 William Street (formerly the South Branch Library)
- 3009 Genesee Street (Cheektowaga-Maryvale Community Center)
- 222 Autumnwood Drive (Dartwood Community Center)
- 3059 Broadway (Cheektowaga Senior Citizens Center)

and

WHEREAS, the Erie County Board of Elections has requested the use of these buildings on Primary Day, September 12, 2006 and Election Day, November 7, 2006 for polling locations, and

WHEREAS, the Director of Department of Parks, Recreation & Youth Services and the Director of the Senior Services Department have no objection to the use of such buildings, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute leases with the Board of Elections for use of the above referenced Town buildings.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-447

DOC ID: 1537

A **STO** **DWI C** **200** **200**

S **B**: Councilmember Rogowski, Supervisor Gabryszak

HEREAS, the County of Erie, pursuant to the authority granted to it by Article 3-A of the Vehicle and Traffic Law of the State of New York, has established a special options program for driving while intoxicated ("STOP-DWI"), and

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

HEREAS, Erie County has prepared and submitted to the Town for its approval a STOP-DWI Contract for calendar years 2005-2006, and

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

RESOLVED, that the Town of Cheektowaga enter into the STOP-DWI Agreement which commences on January 1, 2005 and terminates on December 31, 2006 with the County of Erie concerning its STOP-DWI program, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-448

DOC ID: 1524

A **S** **E** **A** **I** **C**

S: Councilmember [ankowiak, Councilmember Rogowski

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

HEREAS, Infant of Prague Church has made application to hold its "Feel the Spirit" 5K run on Saturday, October 28, 2006, beginning at 12:00 P.M. for approximately forty minutes along the following route: Start in front of Infant of Prague School and travel down Foisset Avenue to Beach Road, to Clearvale Drive to Peinkofer Drive, to Balbach Drive, to Beach Road to South Huth Road to Burdette Drive, back up Beach Road to Yeager Drive, and ending at Flora Place, as more fully shown on the map attached to said application AND

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

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

- 1) Submittal of plan for sanitary facilities
- 2) Submittal of site plan
- 3) Requirement that application be made at least 60 days prior to the date of the special event
- 4) Submittal of Security Plan
- 5) Submittal of Fire Prevention/Emergency Services Plan NO , THEREFORE, BE

IT

RESOLVED, that this Town Board hereby approves the aforementioned application of Infant of Prague Church for the said 5K race on October 28, 2006 beginning at 12:00 noon AND BE IT FURTHER

RESOLVED, that the Chief of Police be and hereby is directed to provide traffic safety and escort services for such run and to ensure compliance with Section 1600(a)(6) of the Vehicle and Traffic Law AND BE IT FURTHER

RESOLVED, that the Town Clerk shall forward a copy of this Resolution to Chief of Police Christine Ciemba.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James [ankowiak, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, [aworowicz, [ohnson Jr., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-449

DOC ID: 1538

A **S** **S** **E** **A** **A** **R**

S: Councilmember Johnson, Councilmember Rogowski

HEREAS, as part of the Anderson Road Storm Sewer Improvements Project, the Town of Cheektowaga requested storm sewer easements from various property owners along Anderson Road, and

HEREAS, storm sewer easements for the following properties have been signed and submitted to the Town for its approval:

- 15 Alden Avenue (permanent easement)
- 3 Anderson Road (permanent and temporary easement)
- 5 Anderson Road (permanent and temporary easement)
- 61 Anderson Road (temporary easement)
- 83 Anderson Road (permanent and temporary easements)

and,

HEREAS, the Town Engineer and the Town Attorney's Office have reviewed these easements and have recommended that the Town accept same, NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced easements, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-450

DOC ID: 1539

R E S O L U T I O N F O R T H E T O W N O F C H E E K T O W A G A

S E C O N D B Y: Gabryszak, Johnson Cr., Magierski

WHEREAS, the New York State Comptroller and other local government fiscal advisors have endorsed the use of long-term financial plans as a method to maintain and stabilize government finances and taxations, AND

WHEREAS, the Town wishes to continue to promote sound fiscal management and protect its residents from significant fluctuations in tax rates, AND

WHEREAS, the Town believes the development of a long-term financial planning model will assist the Town Board and management in making more prudent financial decisions, THEREFORE

BE IT RESOLVED, that the Town Board approves the retention of Drescher Malecki LLP to assist in the development of a long-term financial planning model at a cost not to exceed \$19,000.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson Cr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Cr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-451

DOC ID: 1527

T S

S: Councilmember Tankowiak, Supervisor Gabryszak

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

LA DEPARTMENT Clerk 10/hour
Maureen T. McMahon, Cheektowaga, NY
Effective 9/12/06

SANITATION DEPARTMENT Laborer 15.50/hour
Levin Luhn, Cheektowaga, NY
Effective 9/01/06

JUSTICE COURT Temporary Court Officer 13.2/hour
John Stronka, Cheektowaga, NY
Effective 9/18/06

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

LA DEPARTMENT
Patricia Miles
Effective 2/25/06

PRYS - Dept. 58
Matthew Corritore
Effective 8/26/05

SANITATION DEPARTMENT
Bill Wagner
Effective 8/18/06

Joseph Cendrowski
Effective 8/19/06

Donald Bzbziak
Effective 9/02/06

Levin Menchini
Effective 9/02/06

Brandon Sheldon
Effective 8/26/06

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

24. Motion To: Waive the Reading of Names for Resolutions 452-454

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-452

DOC ID: 1521

U

S: Councilmember Rankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are transferred and/or upgraded, as indicated, in the Department of Parks, Recreation & Youth Services, effective 9/05/06:

Pre-10.166

Recreation Instructor

Loy Donnelly-Smith
10.30

Mary Beth Seivert
12.30

Recreation Attendant

Jim Catalino
11.80

Nancy Fumerelle
9.30

Mary Beth Lunghino
8.55

Michele Radlich
9.05

Ann Sheldon
9.80

Sandy Suwalski
9.55

Michelle Troidl
10.30

Aila Desjardins
12.05 (10/166/10.1612)

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-453

DOC ID: 1523

Resolution 2006-453

Subject: Councilmember Frankowski, Supervisor Gabryszak

BE IT RESOLVED that the following individuals be and hereby are terminated from Department of Parks, Recreation & Youth Services, effective as indicated:

8/31/06

- Justin Klein 1022
- Mark Puto 1003
- Andrew Swiat 1022
- Steve Saskowski 10225

8/29/06

- Stephen Pfalzer 1003

8/28/06

- Kevin Derry 10225
- Christopher Niedbala 10225

8/25/06

- Jacob Bauer 1022
- Frank Bosa 10212
- Justin Del Bello 10212
- Rachel Gabryszak 1003
- Leo Gibbons 1022
- Paul Hockwater 1022
- Steven Klein 1022
- Michael Orłowski 1003
- Matthew Rakowski 10211
- Robert Symkowiak 1022
- Moses Peary 10225
- Matthew Machtel 10215

8/23/06

- Megan Panus 10225
- Michael Lewandowski 1003

8/22/06

- Stephen Kolbert 1003

8/21/06

Alex Luck 10220

8/18/06

Stephanie McKay 10220
 John Ruse 10206
 Jennifer Mongiovi 10225
 Phillip Mongiovi 10225
 Micki Maslowski 10225

8/16/06

Allison Godzich 10206

8/2/06

Connesha Wilson 10225

5/10/06

Ellen Jones 10225

5/15/06

Jennifer Serniuk 10220
 Phillip Ruse 10206
 Jeffrey Spencer 10003
 Stephen Gospodarski 10215
 Amiyah Jabbar 10225
 Erick Rysztofowicz 10003
 Thomas Young 10225
 Stefani Rysztofowicz 10003
 Ruben Cabrera 10220
 Sarah Swinarski 10225
 Stephen Noworyta 10220

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-454

DOC ID: 1533

A **S** **D** **D**
M **F. M**

S: Councilmember [ankowiak, Supervisor Gabryszak

HEREAS, a vacancy exists in the position of Public Safety Dispatcher in the Police Department AND

HEREAS, said vacancy is in the competitive class of civil service AND

HEREAS, Michael F. Menth, currently employed as a part-time Court Officer in the Justice Court, appears on said civil service list and meets all the qualifications for permanent appointment THEREFORE, BE IT

RESOLVED, that Michael F. Menth of Cheektowaga, New York, be and hereby is appointed to the permanent position of Public Safety Dispatcher in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Public Safety Dispatchers Association effective September 1, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	[ames [ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, [aworowicz, [ohnson Jr., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-455

DOC ID: 1499

TOWNSHIP OF CHEEKTOWAGA COUNCIL DATED 2006
COUNCIL DURING MEETING ON OCTOBER 6,
2006, SANTA FE, NEW MEXICO
SIGNED: COUNCILMAN DANIEL F...

SIGNED: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, the "2006 Community Development Manager Conference" is being held in Santa Fe, New Mexico from October 3 through 6, 2006 AND

WHEREAS, Housing Inspector Dale Parks and Senior Clerk Diane Farugia have requested authorization to attend said conference AND

WHEREAS, Director of Community Development Jerome Gabryszak has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$2,600 AND

WHEREAS, these expenses have been budgeted by the Office of Community Development NO, THEREFORE, BE IT

RESOLVED, that Housing Inspector Dale Parks and Senior Clerk Diane Farugia be and hereby are authorized to attend the "2006 Community Development Manager Conference" being held in Santa Fe, New Mexico from October 3 through 6, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-456

DOC ID: 1497

Town of **A** Cheektowaga **C**ouncil **D**irectors **C**ontinuum of Care **D**irectors and **L**eaders **C**onference **S**eptember 13, 2006, **U**tica, **N**Y **D**ennis **G**abryszak **S**upervisor **C**ouncil **D**irectors **F**arugia

Subject **B**: Councilmember James Rankowiak, Supervisor Gabryszak

WHEREAS, "Community Development Directors and Continuum of Care Leaders Conference" is being held September 13 through 15, 2006 in Utica, New York AND

WHEREAS, Director of Community Development Jerome Gabryszak and Senior Clerk Diane Farugia have requested authorization to attend said conference AND

WHEREAS, Mr. Gabryszak has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$825 AND

WHEREAS, these expenses have been budgeted by the Office of Community Development NO, THEREFORE, BE IT

RESOLVED, that Director of Community Development Jerome Gabryszak and Senior Clerk Diane Farugia be and hereby are authorized to attend "Community Development Directors and Continuum of Care Leaders Conference" being held September 13 through 15, 2006 in Utica, New York.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-457

DOC ID: 1529

TOWNSHIP OF CHEEKTOWAGA **D**EPARTMENT OF **H**OMELAND SECURITY
SUPERVISOR **T**ERRY **C**ONNOR **R**ICHARD **C**ONNOR **C**OUNCILMEMBER
GABRYSAK

SUBJECT: **B**: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, a Homeland Security/Terrorism Seminar will be held on September 11, 2006 in Albany, New York AND

WHEREAS, the Police Captains Richard Chamberlin and John Glascott have requested authorization to attend said seminar AND

WHEREAS, Chief of Police Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$10,000 AND

WHEREAS, these expenses have been budgeted by the Police Department NO , THEREFORE, BE IT

RESOLVED, that Police Captains Richard Chamberlin and John Glascott, be and hereby are authorized to attend a Homeland Security/Terrorism Seminar being held September 11, 2006 in Albany, New York.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-458

DOC ID: 1531

TOWNSHIP OF CHEEKTOWAGA RESOLUTION NO. 458 OF 2006
COUNCILMAN JAMES BANKOWIAK
SUPERVISOR DENNIS GABRYSZAK
VOTED UNANIMOUSLY TO
RESOLVE AS FOLLOWS:

SECTION 1: Councilmember James Bankowiak, Supervisor Gabryszak

WHEREAS, a Patent Print Processing Course Level 1 will be held from September 25 through 29, 2006 in Rochester, New York AND

WHEREAS, Police Detectives Christopher Chojnacki and Valentin Jimniewicz have requested to attend said course AND

WHEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$1,250.00 AND

WHEREAS, these expenses have been budgeted by the Police Department NO, THEREFORE, BE IT

RESOLVED, that Police Detectives Christopher Chojnacki and Valentin Jimniewicz be and hereby are authorized to attend Patent Print Processing Course Level 1 being held from September 25, through 29, 2006 in Rochester, New York.

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Bankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Aworowicz, Johnson Jr., Swiatek, Bankowiak, Magierski, Rogowski



RESOLUTION 2006-459

DOC ID: 1532

T **A** **T** **A** **S** **A** **M**, **S** **1** **20, 2006**, **L** **NY** **B** **H**

S: Councilmember **B**: Supervisor Gabryszak

HEREAS, the Seminar on Assessment Administration and Annual Meeting is being held on September 1 through 20, 2006 in Lake Placid, New York AND

HEREAS, Town Assessor Brian Hess has requested authorization to attend said training AND

HEREAS, Mr. Hess has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$5 AND

HEREAS, these expenses have been budgeted by the Assessor's Department NO , THEREFORE, BE IT

RESOLVED, that Town Assessor Brian Hess be and hereby is authorized to attend the Seminar on Assessment Administration and Annual Meeting being held September 1 through 20, 2006 in Lake Placid, New York.

RESULT: **ADOPTED UNANIMOUS**
MOVER: James Ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Magierski, Rogowski

VI. S **R**



RESOLUTION 2006-460

DOC ID: 1548

A T

S B: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski

HEREAS, due to the death of Town Justice Ronald E. miotek, a vacancy was created in the position of Town Justice, and

HEREAS, pursuant to Section 106(2) of the Uniform Justice Court Act, this Town Board, by resolution dated July 28, 2006, appointed Elma Millage Town Justice Joseph A. Sakowski to temporarily serve as Cheektowaga Town Justice until a successor could be appointed, and

HEREAS, interested individuals have notified this Town Board of their interest in the position of Town Justice, and

HEREAS, this Board conducted interviews of the interested candidates for the position of Town Justice, and

HEREAS, James Michael Malone, Esq. has expressed an interest in being appointed Town Justice until a successor can be elected at the November 7, 2006 General Election, and

HEREAS, James Michael Malone, Esq. has had extensive experience with prosecuting criminal cases in the Town Justice Court for a number of years, and is familiar with the workings of the Cheektowaga Town Justice Court, NO, THEREFORE, BE IT

RESOLVED, that James Michael Malone, Esq. be and hereby is appointed to serve as Town Justice in the Cheektowaga Justice Court, effective September 18, 2006 at a salary of \$1,000.00 per year, pro-rated, and BE IT FURTHER

RESOLVED, that, effective, the services of Town Justice Joseph A. Sakowski are no longer required and his employed with the Town of Cheektowaga is terminated, effective September 1, 2006.

MOTION BY COUNCILMEMBER S IATE SECONDED BY COUNCILMEMBER OHNSON TO AMEND THE RESOLUTION AS FOLLOWS: AND THE VOTE AS UNANIMOUS.

HEREAS, due to the death of Town Justice Ronald E. miotek, a vacancy was created in the position of Town Justice, and

HEREAS, pursuant to Section 106(2) of the Uniform Justice Court Act, this Town Board, by resolution dated July 28, 2006, appointed Elma Millage Town Justice Joseph A. Sakowski to temporarily serve as Cheektowaga Town Justice until a successor could be appointed, and

□ HEREAS, interested individuals have notified this Town Board of their interest in the position of Town Justice, and

□ HEREAS, this Board conducted interviews of the interested candidates for the position of Town Justice, and

□ HEREAS, James Michael Malone, Esq. has expressed an interest in being appointed Town Justice until a successor can be elected at the November 7, 2006 General Election, and

□ HEREAS, James Michael Malone, Esq. has had extensive experience with prosecuting criminal cases in the Town Justice Court for a number of years, and is familiar with the workings of the Cheektowaga Town Justice Court, NOW, THEREFORE, BE IT

RESOLVED, that James Michael Malone, Esq. be and hereby is appointed to serve as Town Justice in the Cheektowaga Justice Court, effective September 11, 2006 at a salary of \$1,000.00 per year, pro-rated, and BE IT FURTHER

RESOLVED, that, effective, the services of Town Justice Joseph A. Sakowski are no longer required and his employment with the Town of Cheektowaga is terminated, effective September 11, 2006, and AND, BE IT FURTHER

RESOLVED, that effective this date that James Michael Malone, Esq. will no longer serve as Town Attorney/Town Prosecutor.

RESULT:	ADOPTED AS AMENDED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Jaworowicz, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-461

DOC ID: 1549

A **S** **E** **A** **N**

S: Councilmember Swiatek, Councilmember Rogowski

HEREAS, the Town has purchased from Nextel Communications, Inc., equipment and service plans in support of cellular telephones used by the Police Department under a New York State purchasing contract and

HEREAS, the Town and Nextel are desirous of entering into an agreement which will modify the State contract by providing additional terms not covered under said contract THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the agreement between the Town and Nextel Communications, Inc., and BE IT FURTHER

RESOLVED, that the Supervisor is hereby authorized to execute said agreement and any other documents necessary to effectuate said agreement, subject to approval by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Jeff Swiatek, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-462

DOC ID: 1530

**ONE (1) NEW AND UNUSED 2006 MODEL, TRUCK MOUNTED
VACUUM/BROOM TYPE STREET SWEEPER**

SUBJECT: Councilmember Laworowicz, Councilmember Johnson

WHEREAS, one bid was received and opened by the Town Clerk at a public bid opening held on August 30 2006, for One (1) New and Unused 2006 Model, Truck Mounted Vacuum/Broom Type Street Sweeper for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bid was referred to the Superintendent of Highway for analysis, tabulation and reports, AND

WHEREAS, bid was analyzed and completed, NO THEREFORE, BE IT

RESOLVED, that the bid for ONE (1) NEW AND UNUSED 2006 MODEL, TRUCK MOUNTED VACUUM/BROOM TYPE STREET SWEEPER be awarded to Joe Johnson Equipment, USA, Inc., 11 Oriskany Drive, Tonawanda, NY 14150, at a total bid price of \$13,100.00 said bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highway. AND, BE IT FURTHER

RESOLVED, that monies be charged to line item 500-5130-200-5020

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Bankowiak, Magierski, Rogowski



RESOLUTION 2006-463

DOC ID: 1550

A **E** **A** **01 G** **S**

S: Councilmember Johnson, Councilmember Rankowiak

HEREAS, Dora Benderson owns property located at 301 Genesee Street in the Town of Cheektowaga, and

HEREAS, the Town of Cheektowaga owns adjacent property known as the Cheektowaga-Maryvale Community Center located at 309 Genesee, and

HEREAS, Dora Benderson is in the process of obtaining a rezoning of 301 Genesee Street and developing same for a building materials supply company business, and

HEREAS, for traffic and pedestrian safety, it is necessary for Dora Benderson and the Town of Cheektowaga to enter into an easement agreement for the shared use of the driveway and for the parking of vehicles, and

HEREAS, as part of the environmental review process for the rezoning of 301 Genesee Street, Dora Benderson committed to providing a perpetual access and parking easement to the Town, and

HEREAS, attorneys for Dora Benderson have prepared and submitted a draft "Declaration of Easement" document to the Town for its review, and

HEREAS, the Director, Department of Parks, Recreation & Youth Services and the Town Attorney's Office have reviewed said easement and have discussed changes to this easement with representatives of Dora Benderson and have reached an agreement in principle, **NO**, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves and accepts a "Declaration of Easement" agreement between the Town of Cheektowaga and Dora Benderson for the above referenced properties, and BE IT FURTHER

RESOLVED, that, subject to the approval of Kenneth J. Popacz, Director, Department of Parks, Recreation & Youth Services and the Town Attorney's Office as to the form and content of the easement agreement, the Supervisor be and hereby is authorized and directed to execute the aforementioned "Declaration of Easement" agreement with Dora Benderson.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-464

DOC ID: 1551

A **R** **01 G** **S**

S: Councilmember Johnson, Councilmember Magierski

HEREAS, Benderson Development Co., petitioned for a rezoning from C-Retail Business District to CM-General Business District for property owned by it for a building materials supply business for property located at 301 Genesee Street, Cheektowaga, New York, which property is described in the attached legal description, and

HEREAS, a public hearing on such petition was held before this Town Board on the 1st day of August, 2006 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law and all interested parties were given an opportunity to be heard at such hearing, and

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

HEREAS, 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 Benderson Development Co., petitioned for the rezoning from C-Retail Business District to CM-General Business District of the property described in the attached legal description be and the same is hereby approved, subject to the provisions of Section 260-8 of the Zoning Law,

and BE IT FURTHER

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

LEGAL DESCRIPTION

THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lots Nos. 1 and 18, Township 11, Range of the Holland Land Company' Survey and further distinguished as being all of Subdivision Lot Nos. 1, 2 3 and part of Subdivision Lot No. 4 as shown on a map filed in the Erie County Clerk's Office under Cover No. 1055 and also the westerly 2 feet of Subdivision Lot No. 39 and all of Subdivision Lot Nos. 40 and 41 as shown on a map filed in the Erie County Clerk's Office under Cover No. 963 and further bounded and described as follows:

BEGINNING at a point in the southeasterly line of Genesee Street (66' wide) distant 85 feet southwesterly from the northeast corner of Subdivision Lot No. 4 as shown on Map Cover No. 1055, said point also being distant 115.106 feet southwesterly from the intersection of said southeasterly line of Genesee Street with the westerly line of Union Road (66' wide)

thence southerly at an interior angle of 525' in the southwest quadrant and parallel with the

east line of said Subdivision Lot No. 1 a distance of 250 feet to a point

thence northeasterly parallel with Genesee Street a distance of 85 feet to a point in said easterly line of Subdivision Lot No. 1

thence southerly along said east line of Subdivision Lot No. 1 a distance of 29.05 feet to the southeasterly corner of said Subdivision Lot No. 1

thence westerly parallel with the northerly line of Lot No. 1 and along the southerly line of Subdivision Lot Nos. 1 and 3 a distance of 333.39 feet by deed and 33.00 feet as measured to a point

thence westerly along the southerly lines of Subdivision Lot Nos. 2 and 1 a distance of 106.80 feet by deed and 10.50 feet as measured to the southwest corner of said Subdivision Lot No. 1

thence northerly along the westerly line of Subdivision Lot No. 1 a distance of 66.50 feet by deed and 66.58 feet measured to a point in the southeasterly line of Genesee Street (66'wide)

thence northeasterly along the southeasterly line of Genesee Street a distance of 260.60 feet to the Point or Place of Beginning.

Excepting lands appropriated by the State of New York for Highway Purposes, being Map Nos. 22, 225, Parcels 261 and 262, said Notice of Appropriation filed in the Erie County Clerk's Office in Liber 1093 of Deeds at Page 6905.

Containing 3.2 acres of land, more or less.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-465

DOC ID: 1553

A R 201 Y R

S B: Councilmember Magierski, Councilmember Johnson.

HEREAS, Miril Kazarov petitioned for a rezoning from MS-Motor Services District to M2-General Manufacturing District for property owned by BB H Enterprises, LLC for a building contractor's storage yard for property located at 201 Youngs Road, Cheektowaga, New York, which property is described in the attached legal description, and

HEREAS, a public hearing on such petition was held before this Town Board on the 1st day of August, 2006 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law and all interested parties were given an opportunity to be heard at such hearing, and

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

HEREAS, BB H Enterprises, LLC, the owner of the property, has requested that any rezoning of this property not be effective until the sale of the property to Miril Kazarov is finalized, and

HEREAS, 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 Miril Kazarov for the rezoning from MS-Motor Services District to M2-General Manufacturing District of the property described in the attached legal description be and the same is hereby approved, subject to the provisions of Section 260-8 of the Zoning Law, and BE IT FURTHER

RESOLVED, that this rezoning will be effective only upon the transfer of ownership of the property to Miril Kazarov, and BE IT FURTHER

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

LEGAL DESCRIPTION

THAT TRACT OR PARCELS OF LAND, Situate In The Town of Cheektowaga, County of Erie, State of New York, being part of Lot No. 82, Township 11, Range 1 of Holland Land Company Survey, described as follows:

Beginning at the point at the southwesterly corner of lands conveyed to Daniel Lucas by deed recorded in the Erie County Clerk's Office at Liber 9109 page 593 thence continuing in an easterly along lands of Lucas 360 feet more or less to a point thence continuing in an easterly direction 21 feet more or less to a point, said point being the northwesterly corner of lands conveyed to the Niagara Frontier Port Authority thence running southerly 29 feet more or less

along the westerly bounds of the Niagara Frontier Port Authority to a point, thence continuing along lands of the Niagara Frontier Port Authority in a southwesterly direction 15 feet more or less to a point thence running westerly and parallel to the first line herein described 2 feet more or less to a point on the easterly bounds of Youngs Road thence along the easterly bounds of Youngs Road to the place or point of beginning containing 1.1 acres more or less.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-466

DOC ID: 1552

ARTICLE I

SECTION 1: Councilmember Magierski, Councilmember Johnson

WHEREAS, Benderson Development Co., LLC petitioned for a rezoning from M1-Light Manufacturing District to C-Retail Business District for property owned by it for a proposed retail development for property located at 3385 Union Road, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 5th day of June, 2006 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law and all interested parties were given an opportunity to be heard at such hearing, and

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning, NOW, THEREFORE, BE IT

RESOLVED, that the application of Benderson Development Co., LLC for the rezoning from M1-Light Manufacturing District to C- Retail Business District of the property described in the attached legal description be and the same is hereby approved, subject to the provisions of Section 260-8 of the Zoning Law,

and BE IT FURTHER

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

LEGAL DESCRIPTION

All that tract or parcel of land situated in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 11, Township 11, Range 1 of the Holland Land Company's survey and according to a map filed in the Erie County Clerk's Office under cover No. 293 is known as subdivision lot numbers 9 to 18 inclusive, 111 to 112 inclusive, 139 to 150 inclusive, a portion of land more particularly described as a parcel of land 20 feet deep and 135.8 feet wide, being formerly a portion of Mausel Avenue, the southerly line of said parcel being the northerly line of subdivision lot 16, and the northerly line of said parcel being the southerly line of subdivision lot 111 as shown on map cover 293, a portion of land more particularly described as a parcel 20 feet deep and 60 feet wide, being formerly one-half of Mausel Avenue, the southerly line of said parcel being the northerly line of subdivision lot 113 and 112 as shown on map cover 293, a portion of land more particularly described as a parcel 20 feet deep and 120 feet wide, the southerly line of said parcel being the northerly line of subdivision lot 139, 140, 141 and 142 and the northerly line of said parcel being the southerly line of subdivision 111, 112, 113 and 114. This portion of

Paulsel Avenue was abandoned as per section 205 of the New York State Highway Law by a Cheektowaga Town Board Resolution dated December 19, 1998.

Excepting and reserving therefrom that part of the premises lying within the bounds of Union Road as now laid out.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-467

DOC ID: 1555

A... C... E... H... G... V... S...

S... B: Councilmember Johnson Jr., Councilmember Rogowski

HEREAS, as part of the approval for the Hickory Grove Subdivision, the Town of Cheektowaga requested a conservation easement from the developer, and

HEREAS, the developer has submitted the requested easement, and

HEREAS, the Town Engineer and Town Attorney's Office have reviewed this easement and have recommended that the Town accept same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced conservation easement, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute such easement on behalf of 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.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-468

DOC ID: 1554

A **H** **G** **V** **S**, **I**

B: Councilmember Johnson r., Councilmember Laworowicz

HEREAS, by resolution dated March 1, 2005, this Town Board issued environmental and site plan approvals for the proposed Hickory Grove Village Subdivision for the construction of patio homes located on the south side of French Road west of Yvette Drive, and

HEREAS, the developer has submitted a proposed subdivision map for Phase I of the Hickory Grove Village Subdivision to Town departments for review and approval, and

HEREAS, the Town Highway Superintendent, Town Engineer and Supervising Code Enforcement Officer have reviewed such proposed subdivision map and have recommended approval of same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned Hickory Grove Village Subdivision, Phase I.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson r., Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski

VII. C

A. Departmental Communications

1. Building Permit List - August 2006
2. Supervisor's Statement of Funds - July 2006
3. Minutes - Cheektowaga Traffic Safety Commission - July 18, 2006
4. Minutes Cheektowaga Conservation Advisory Council - August 3, 2006
5. Minutes - Town Environmental Advisory Committee - August 16, 2006

B. General Communications

1. Letter From Residents of Rehm Rd. (Mr. & Mrs. Anthony Bugaj)
2. Notice of Petition: Phillips & Burns, LLC Vs. Town Board of the Town of Cheektowaga
3. Summons: Champion Mortgage, a Division of Key Bank, Vs. Thomas R. & Julie A. Kobos and the Town of Cheektowaga and Etal

- 4. Notice of Claim: Gregory M. Burke VS. Town of Cheektowaga
- 5. Notice of Claim: Daren R. Brunetti VS. Town of Cheektowaga
- 6. Notice of Claim: Leo N. Kaminsky, Sr. VS. Town of Cheektowaga
- 7. Notice of Claim: Arthur C. King VS. Town of Cheektowaga
- 8. Notice of Claim: Carole Hardin VS. Town of Cheektowaga
- 9. Notice of Claim: Robert D. Weber VS. Town of Cheektowaga
- 10. Notice of Claim: John Wolfe VS. Town of Cheektowaga

VIII. C

A. Supervisor’s Comments

B. Councilmember’s Comments

C. Public Comments

IX. C

COMMENTS - Current Meeting:

The Meeting was adjourned in Memory of those who lost their lives on 9/11/2001. Time of adjournment was 8:00 P.M.



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Resident Meeting

Monday, September 18, 2006

Mary F. Holtz
(716) 686-3434

Monday, September 18, 2006

6:45 PM

Council Chambers

I. Comments

COMMENTS - Current Meeting:

6:05 PM Meeting called to order on September 18, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Address
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Brian Krause, Director of Finance and Administration
- Michael Stachowski, Town Attorney
- William Pugh, Town Engineer
- Thomas Adamczak, Supervising Building and Plumbing Inspector
- Patricia Wojcik, Senior Services Director

II. Comments

III. Discussion: Discussion, Hearing, Motion, Board, Council

IV. Resolution



RESOLUTION 2006-469

DOC ID: 1557

T F

S B: Supervisor Gabryszak, Councilmember aworowicz

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

GENERAL FUND

FROM:	100-1625-4432	Repairs & Maintenance	\$ 12,995.00
	100-1625-4432	Repairs & Maintenance	4,041.00
	100-1910-2655	Minor Sales/Other	3,550.00
TO:	100-1625-2303	Over the Road Vehicles	\$ 12,995.00
	100-1625-2303	Over the Road Vehicles	4,041.00
	100-5132-4432	Highway Garage Repairs & Maint.	3,550.00

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia aworowicz, Councilmember
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-470

DOC ID: 1556 A

WARRANTS

Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to September 15, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 102,068.45
RISK RETENTION FUND	21,892.03
HUD HOUSING REHABILITATION FUND	1,100.00
SPECIAL DISTRICTS FUND	132,629.62
HIGHWAY FUND	6,472.88
CAPITAL FUND	21,937.54
TRUST & AGENCY FUND	340.48
HUD CDBG FUND	18,464.00
PART TOWN FUND	2,947.69
NYS AFFORDABLE HOUSING FUND	11,926.50
	\$ 319,779.19

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski



RESOLUTION 2006-471

DOC ID: 1565

SE R N D 2 1 W S

S B: Councilmember Johnson r., Councilmember Magierski

HEREAS, 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

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

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

HEREAS, an application was submitted by Reliance Financial Group for the rezoning of a portion of 2819 William Street from R- Residence to NS -Neighborhood Services for a parking area enlargement and an (1,800) square foot building addition to an existing administrative office, AND

HEREAS, the Environmental Advisory Committee at its meetings held on July 26, 2006 recommended a determination of non-significance as shown on the attached memorandum dated August 3, 2006, AND

HEREAS, the Town of Cheektowaga Planning Board recommended approval of the rezoning on July 13, 2006 and recommended the approval of site plan at their meeting of September 1, 2006, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee and the Planning Board, 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 SEBRA, AND BE IT

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

- 1. The Town Engineer approving the drainage and grading plan.
2. The Deputy Town Attorney receiving and approving the proposed (30) thirty foot conservation easement along southerly property line.

Table with 2 columns: Label (RESULT, MOVER, SECONDER, AYES) and Content (ADOPTED UNANIMOUS, Thomas Johnson r., Councilmember, Alice Magierski, Councilmember, Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski)



RESOLUTION 2006-472

DOC ID: 1563

ANNOUNCEMENT RE: 21 WEEKS

Subject: Councilmember Magierski, Councilmember Johnson

WHEREAS, Reliance Financial Group petitioned for a rezoning from R-Residence District to NS-Neighborhood Services District for property owned by it for a parking lot expansion for a portion of property located at 2819 William Street, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 11th day of September, 2006 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law and all interested parties were given an opportunity to be heard at such hearing, and

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environmental Impact Review Ordinance for this rezoning, NOW, THEREFORE, BE IT

RESOLVED, that the application of Reliance Financial for the rezoning from R-Residence District to NS-Neighborhood Services District of the property described in the attached legal description be and the same is hereby approved, subject to the provisions of Section 260-8 of the Zoning Law, and BE IT FURTHER

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 6, Township 10, Range 1 of the Buffalo Creek Reservation Survey, bounded and described as follows:

Beginning at the intersection of the easterly line of Ceil Drive and the southerly line of William Street as widened by New York State Appropriation per deed filed in the Erie County Clerk's Office in Liber 080 of deeds at Page 6, Map 283, Parcel 283

Thence southerly along the easterly line of said Ceil Drive, at a bearing of S 02°00'21", a distance of 196.65 feet to the True point and place of beginning

Thence easterly along a line being parallel with the centerline of William Street as a 66 foot road, and at a bearing of S 8°09'39"E, a distance of 115.89 feet to a point

Thence southerly along a line being parallel with the easterly line of said Ceil Drive, and at a bearing of S 02°00'21", a distance of 25.98 feet to a point

Thence westerly along a line being parallel with the centerline of William Street as a 66 foot road, and at a bearing of N 8°09'39", a distance of 115.89 feet to a point on the easterly line of said Ceil Drive

Thence northerly along the easterly line of said Ceil Drive, at a bearing of N 02°00'21"E, a distance of 25.98 feet to the True point and place of beginning.

This parcel of land containing 0.0 acres more or less.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-473

DOC ID: 1546

NOTICE TO BIDDERS: ONE (1) NEW AND UNUSED 2006 OR NEWER MODEL, TRAILER MOUNTED, SELF CONTAINED BRUSH CHIPPER

SUBJECT: Councilmember Laworowicz, Councilmember Johnson

WHEREAS, The Town Clerk be and hereby is directed to publish a Notice To Bidders for the purpose of purchase of One (1) New and Unused 2006 or Newer Model, Trailer Mounted, Self Contained Brush Chipper by the Cheektowaga Highway Department.

Information for Bidders specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall Broadway and Union Roads, Cheektowaga, New York, between the hours of 9:00 AM and 3:30 PM, Monday through Friday, **NO THEREFORE, BE IT**

RESOLVED, the Town Clerk is hereby designated as the Office to open bids on the aforesaid items at a public bid opening to be held on Wednesday October 4, 2006, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.



**TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT
LEGAL NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of One (1), New and Unused, 2006 or Newer Model, Trailer Mounted, Self Contained Brush Chipper for use by the Highway Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on October 4, 2006 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Mary Holtz, Town Clerk at his office located at Town Hall, Cheektowaga NY. Bids must be enclosed in an opaque envelope plainly marked "BID FOR ONE (1), NEW AND UNUSED, 2006 OR NEWER MODEL, TRAILER MOUNTED, SELF CONTAINED BRUSH CHIPPER. Non-Collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

MARY HOLTZ, TOWN CLERK

DATE: September 18, 2006

PUBLISHED: September 21, 2006

RESULT: ADOPTED UNANIMOUS
MOVER: Patricia Laworowicz, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-474

DOC ID: 1571

ADOPTED **E**FFECTIVE **G**IVEN **S**UBJECT, **S**UBJECT

SUBJECT **B**: Laworowicz, Rogowski, Johnson

WHEREAS, by resolution dated May 1, 1993, the Cheektowaga Town Board accepted Emerald Gardens Subdivision, a 12-lot subdivision located south of Rosson Road and east of Towers Boulevard, and

WHEREAS, the developer of this subdivision previously filed subdivision maps for Phase I and Phase II of Emerald Gardens Subdivision, and

WHEREAS, the developer has now submitted a proposed subdivision map for Emerald Gardens, Phase 3 for approval by this Town Board, and

WHEREAS, the Town Engineer and Town Highway Superintendent have reviewed such proposed subdivision map and find same acceptable, **NOW, THEREFORE, BE IT**

RESOLVED, that Emerald Gardens Subdivision, Phase 3, a 25 -lot subdivision with lots on Topaz Drive, Whitney Place and Garnet Drive, be and hereby is approved by this Town Board, subject to final approval of all documents by the Town Engineer, Town Attorney's Office and the Superintendent of Highways.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson, James Rogowski
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-475

DOC ID: 1564

M **E** **C** **F** **T**
A **B**

S: Johnson Cr., Gabryszak, Rogowski

□ HEREAS, there existed in the County the need for emergency services, and more specifically, the fire service First Responders to be trained in the latest methods and techniques of firefighting, hazardous materials control and a variety of potential incidents, AND

□ HEREAS, the Town of Cheektowaga, in an effort to foster such training, had given the County of Erie land in the 19□0's to construct a fire training facility for use by all fire departments in Erie County, AND

□ HEREAS, such a facility was constructed and became known as the Erie County Fire Training Academy at 3359 Broadway consisting of an administrative/classroom building with indoor tower, a smokehouse and an exterior tower for practical training exercises, AND

□ HEREAS, the County had constructed additional specialized facilities to further the training of First Responders such as an oil pit and flashover simulation building, AND

□ HEREAS, the facilities over the last 5-10 years have suffered from lack of maintenance and deterioration resulting in the First Responders inability to use various portions of the facility and the buildings becoming unsafe and not functioning as originally designed or intended, AND

□ HEREAS, because of the state of world affairs, the need for usable state-of-the-art fire emergency training facilities is now even more critical to local safety and security, AND

□ HEREAS, the Cheektowaga Fire Chiefs Mutual Aid Association has brought the deteriorated conditions to the attention of the Cheektowaga Town Board because of the hazards presented to the firefighters using the facility and the loss of effective training facilities, AND

□ HEREAS, the Erie County Fire Advisory Board (the "ECFA Board") has recommended and is seeking funding from the County to repair, and in some cases replace certain structures with state-of-the art training buildings, AND

□ HEREAS, the ECFA Board is seeking □2 million funding in 200□, □1.5 million in 2008 and □1.5 million in 2009 from the County of Erie, with said funding being made available irregardless of grants or other funding being made available, AND

□ HEREAS, this Town Board has always seen the need for disaster preparedness and, specifically, a well trained fire service, and to that end, has supported the fire service throughout the years, THEREFORE BE IT

RESO□□ED, that the Cheektowaga Town Board, in the name of public safety, hereby memorializes the Erie County Executive and the Erie County □egislature to provide such funding and undertake the renovation or replacement of these desperately needed facilities and annually budget for their maintenance, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Erie County Executive, Erie County Legislature, Erie County Fire Training Academy and the Erie County Fire Advisory Board

- [REDACTED]

Motion by Councilmember Rankowiak, seconded by Councilmember Johnson to amend the above resolution by adding the Erie County Fiscal Stability Authority as a recipient of a certified copy of the resolution, and the resolution was approved.

- [REDACTED]

WHEREAS, there existed in the County the need for emergency services, and more specifically, the fire service First Responders to be trained in the latest methods and techniques of firefighting, hazardous materials control and a variety of potential incidents, AND

WHEREAS, the Town of Cheektowaga, in an effort to foster such training, had given the County of Erie land in the 1980's to construct a fire training facility for use by all fire departments in Erie County, AND

WHEREAS, such a facility was constructed and became known as the Erie County Fire Training Academy at 3359 Broadway consisting of an administrative/classroom building with indoor tower, a smokehouse and an exterior tower for practical training exercises, AND

WHEREAS, the County had constructed additional specialized facilities to further the training of First Responders such as an oil pit and flashover simulation building, AND

WHEREAS, the facilities over the last 5-10 years have suffered from lack of maintenance and deterioration resulting in the First Responders inability to use various portions of the facility and the buildings becoming unsafe and not functioning as originally designed or intended, AND

WHEREAS, because of the state of world affairs, the need for usable state-of-the-art fire emergency training facilities is now even more critical to local safety and security, AND

WHEREAS, the Cheektowaga Fire Chiefs Mutual Aid Association has brought the deteriorated conditions to the attention of the Cheektowaga Town Board because of the hazards presented to the firefighters using the facility and the loss of effective training facilities, AND

WHEREAS, the Erie County Fire Advisory Board (the "ECFA Board") has recommended and is seeking funding from the County to repair, and in some cases replace certain structures with state-of-the art training buildings, AND

WHEREAS, the ECFA Board is seeking \$2 million funding in 2008, \$1.5 million in 2008 and \$1.5 million in 2009 from the County of Erie, with said funding being made available irregardless of grants or other funding being made available, AND

WHEREAS, this Town Board has always seen the need for disaster preparedness and, specifically, a well trained fire service, and to that end, has supported the fire service throughout the years, THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board, in the name of public safety, hereby memorializes the Erie County Executive and the Erie County Legislature to provide such funding and undertake the renovation or replacement of these desperately needed facilities and

annually budget for their maintenance, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the Erie County Executive, Erie County Legislature, Erie County Fire Training Academy, Erie County Fire Advisory Board, and the Erie County Fiscal Stability Authority.

COMMENTS - Current Meeting:

Motion by Councilmember Rankowiak, seconded by Councilmember Johnson to amend the resolution to include the forwarding of a copy of the resolution to the Erie County Fiscal Stability Association, and the resolution was approved as amended.

RESULT: ADOPTED AS AMENDED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Dennis Gabryszak, James Rogowski
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-476

DOC ID: 1570

H O N O R A B L E B E N E D I C T

S: Councilmember Johnson, Supervisor Gabryszak

HEREAS, the New York State Department of Transportation (NYSDOT) proposes the Fall 2006 letting for the reconstruction of Harlem Road from Genesee Street to Yorktown Road (Town of Amherst), identified as PIN 5268.32.123, AND

HEREAS, the Town of Cheektowaga has been working collaboratively with the Town of Amherst for the past several years through an initiative of the Harlem Kensington Cleveland (HKC) Task Force and in conjunction with the HKC Community Association and the HKC Business Association to plan for the redevelopment of the Harlem Road Business District, AND

HEREAS, as part of the redevelopment plan for Harlem Road both communities believe that it is important to create a uniform identity for this aging business corridor and with the assistance of NYSDOT unique design features will be added to the highway project to further enhance the road corridor, which include traffic round-a-bouts, decorative sidewalks, masonry walls and street trees, AND

HEREAS, NYSDOT has also agreed to fund and provide new street lighting within their highway project, AND

HEREAS, the street lighting that NYSDOT will be funding is not decorative in design, AND

HEREAS, the HKC Business Association and the HKC Community Association believe that decorative street lighting is a vital component to the overall road corridor design, AND

HEREAS, NYSDOT will agree to incorporate decorative street lighting into the highway project if the Town of Cheektowaga and the Town of Amherst agree to pay for the betterment as allowed pursuant to Subdivision 2 of Section 10 of the State Highway Law, AND

HEREAS, the Town of Amherst has committed to funding their portion of the lighting betterment, AND

HEREAS, the Town of Cheektowaga also believes that the lighting betterment is an important component to the Harlem Road redevelopment project and will also commit to funding the betterment through its highway lighting budget, AND

HEREAS, the NYS Assembly through Assembly Leader Tokasz, has expressed a desire to find financial assistance to offset the Town of Cheektowaga's cost of this betterment, **NO THEREFORE BE IT**

RESOLVED, that said funds shall be appropriated from the General Lighting District

budget, which budget shall be reimbursed with any funding provided by Assemblyman Paul A. Tokasz, AND BE IT FURTHER

RESOLDED, that the Town agrees to deposit with the Comptroller of the State of New York, funding in the amount of \$13,923.00 to finance the cost of the street lighting betterment, AND BE IT FURTHER

RESOLDED, that the Supervisor be and hereby is directed, on behalf of this Town Board, to sign the Public Utility Work Agreement HC-10 submitted by the New York State Department of Transportation (betterment) for the aforesaid project.

RESULT:	ADO<u>PTED</u> <u>UNANIMOUS</u>
MOVER:	Thomas Johnson <u>r.</u> , Councilmember
SECONDER:	Dennis Gabryszak, James Rogowski
AYES:	Gabryszak, Laworowicz, Johnson <u>r.</u> , Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-477

DOC ID: 1568

10 0 M D

S B: Councilmember Johnson r., Supervisor Gabryszak

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

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

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

HEREAS, an application for a permit was submitted by the Maryvale High School to conduct a open fire on September 26, 2006 on the property located at 1050 Maryvale Drive, Cheektowaga, New York, with rain date of September 2, 2006, AND

HEREAS, the applicant intends to maintain a small bonfire with the assistance of the U-Crest Fire Department in conjunction with summer youth activities, AND

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

HEREAS, this Town Board has reviewed the application submitted by the New Creation Fellowship and the recommendations of the Fire Inspector, NO , THEREFORE, BE IT

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson r., Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-478

DOC ID: 1567

2006-1 GENESSEE STREET UNSAFE STRUCTURE

SECONDED BY: Councilmember Magierski, Councilmember Laworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 2301 Genessee Street, Cheektowaga, New York SB 101.28-8-6.1 that is a danger to the safety of others, and records kept by the Assessors Office identify James Nowaczewski, 2301 Genessee Street, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted on 2301 Genessee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-1A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-479

DOC ID: 1560 B

T S T R

S B: Councilmember ankowiak, Supervisor Gabryszak

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

SANITATION DEPARTMENT Laborer \$15.50/hour
Patrick Santoro, Cheektowaga, NY
Effective 9/15/06

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT Student Intern \$6.55/hour
Jacob R. Heisler, Depew, NY
Effective 9/19/06

POLICE DEPARTMENT Detention Officer \$12.25/hour
Jeffrey A. Jacobs, Cheektowaga, NY
Effective 9/19/06

RESOLVED, that the following individuals be and hereby are hired as listed:

SANITATION DEPARTMENT all effective 9/16/06
Gene Hillard
Lesse Herr
Andrew Mastchak
Gene Raczka
Thomas Manley
Darren Mazmierczak
Bryan Mazmierczak
Paul Herr

PARKS DIVISION
Robert Ludescher
Effective 9/20/06

Thomas Owczarczak
Effective 9/20/06

Jeffrey McGill
Effective 9/20/06

Daniel Mysiak
Effective 9/20/06

Daniel Wagner
Effective 9/10/06

Charles Eich
Effective 9/20/06

Steven Woods
Effective 9/20/06

Garrett Sinclair
Effective 9/20/06

Wyle Mackie
Effective 9/20/06

Joseph Boccio
Effective 9/20/06

Nicholas Schanne
Effective 9/10/06

SUPERVISOR'S OFFICE

Jessica Stechenfinger
Effective 9/02/06

COMMENTS - Current Meeting:

Motion by Councilmember Magierski, seconded by Councilmember Rogowski to suspend the reading of the names on resolutions 009 - 081, and motion was approved.

RESULT: ADOPTED UNANIMOUS
MOVER: James Ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Magierski, Rogowski



RESOLUTION 2006-480

DOC ID: 1566

SECTION 100.00

SUBJECT: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are terminated in the Department of Parks, Recreation & Youth Services, effective as indicated (part-time/regular part-time/seasonal):

9/11/06

Brian Hansen 1003

8/25/06

- Laura Fuest 10225
- Laura Garcia 10225
- Aaron Grupka 10206
- Nicole Habermehl 10225
- Murt Hansen 1005
- Julia Hora 10225
- Affrey Unkel 10225
- Sean Unkel 10225
- Mark Przybysz 10206
- Cheryl Alek 10225

8/20/06

Hannah Elch 10225

8/23/06

Mary Murphy 10086

8/22/06

- Bridget Bauza 1003
- Joshua Rutski 1003
- Nicholas Gorzynski 1003

8/21/06

- Elizabeth Sinski 10206
- Jon Sinski 10206

8/20/06

Nick Barnhard 10220

Erin Bessing	10220
Corey Beszcynski	10212
Jennifer Brock	10225
Taylor Burns	10211
Dominique Celotto	10225
Jennifer Chenu	10220
Samantha Ehrig	10225
Adam Fuest	10225
Becky Gworek	10220
Benjamin Hannel	10220
Shawn Kaznica	10206
Nicole Maciejewski	10220
Megan Maloney	10220
Mered Messina	10225
Monah Messina	10225
Holly Podniesinski	10220
Caitlyn Rutski	10003
Michael Sauer	10220
Sara Schwab	10003
Daniel Skoczylas	10206
Courtney Smith	10206
Welsey Wamoyski	10003
Deah Wamoyski	10003

8/19/06

Daniel Carter	10225
Samantha Long	10225
Brandon Lehman	10220
Matthew Maciejewski	10220
Heather McCann	10003

8/18/06

Tim Benner	10220
Macqueline Campbell	10003
Jonathan Gworek	10220
Maren Queke	10206
Matthew Weigand	10225

8/17/06

Joe Duquette	10212
Amanda Fischer	10220
Sarah Geiger	10086
Caitlin Hanners	10211
Courtney Wnoph	10003
Danielle Malicki	10220
Naomi Snyder	10225

8/16/06

Tricia Went	1003
Lauren Malicki	122
Lauren Seifert	122

8/15/06

Alea Carney	122
Lisa Chenu	122
Jacob Sauer	122

8/1/06

Julie Ujowski	122
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8/13/06

Amanda Moran	1226
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8/11/06

Shelia Glaub	122
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6/25/06

Eugene Williams	1215
Jeremy Wild	1225

6/26/06

Laura Mayle	1215
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6/1/06

Robert Radlich	1225
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6/5/06

(hired as alternates - never worked)

Torrie Widysh	1225
Kelly Bochynski	1226
Dave Cunningham	1225
Michael Poonce	1225
Deondra Tubera	1225

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-481

DOC ID: 1569

U

S: Councilmember ankowiak, Supervisor Gabryszak

BE IT RESOLVED that Amy McMahon (regular part-time - \$310.1803) be and hereby is elevated to the position of Recreation Specialist overseeing the Adapted Recreation and Day Camp programs at the rate of \$13.25 per hour, effective October 1, 2006. and BE IT

RESOLVED that Maribeth Stadelmeyer (regular part-time - \$310.1803) be elevated to the position of Recreation Instructor overseeing Special Olympic Training at the rate of \$8.50 per hour, effective October 1st, and BE IT FURTHER

RESOLVED that Jeffrey Spencer, terminated at a previous Town Board meeting, has since become available for the fall of 2006, BE IT

RESOLVED that he is rehired as a Recreation Attendant (regular part-time) at the rate of \$6.5 per hour

RESULT:	ADOPTED UNANIMOUS
MOVER:	James ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-482

DOC ID: 1534

A **S** **M** **W** **S**
M **D** **N** **C** **L**.
A

S: Councilmember **B**: Councilmember **A**nkowiak, Supervisor Gabryszak

HEREAS, a vacancy exists in the position of Sewer Maintenance worker in the Sewer Maintenance Division AND

HEREAS, 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

HEREAS, Louis Arricale, currently employed as a Motor Equipment Operator - B in the Sanitation Department, bid on said vacancy and meets the necessary qualifications NO, THEREFORE BE IT

RESOLVED, that Louis Arricale of Depew, New York, be and hereby is appointed to the position of Sewer Maintenance worker in the Sewer Maintenance Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective September 18, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Magierski, Rogowski



RESOLUTION 2006-483

DOC ID: 1559

A... A... S... W... S... C... M... S... D. G...

S... B: Councilmember ankowiak, Supervisor Gabryszak

HEREAS, a vacancy exists in the position of Assistant Superintendent wastewater Pump Station in the Main Pump Station AND

HEREAS, notice of such vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit AND

HEREAS, said position is in the competitive class of civil service AND

HEREAS, a current civil service list is not in existence for said title AND

HEREAS, Joseph D. Glab, currently employed as a Pump Operator in the Main Pump Station, bid on said vacancy, and meets the necessary qualifications for provisional appointment NO, THEREFORE, BE IT

RESOLVED, that Joseph D. Glab, of Cheektowaga, New York, be and hereby is appointed to the provisional position of Assistant Superintendent wastewater Pump Station in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective September 19, 2006.

RESULT: WITHDRAWN



RESOLUTION 2006-484

DOC ID: 1561

ADOPTED AND APPROVED BY THE BOARD OF SUPERVISORS ON SEPTEMBER 18, 2006.
Dennis Gabryszak, Supervisor
James Rankowski, Councilmember
T. Johnson, Jr., Councilmember

Supervisor B: Councilmember Rankowski, Supervisor Gabryszak

WHEREAS, two (2) vacancies exist in the position of Detective in the Police Department
AND

WHEREAS, Police Officers assigned to the Detective Bureau must fulfill a six (6) month probationary period and complete an Intern Program, THEREFORE BE IT

RESOLVED, that Police Officer David M. Stevens of Depew, New York, and Police Officer Valentine T. Timniewicz of Cheektowaga, New York, be and hereby are assigned to the rank of Acting Detective in the Police Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Police Club effective September 19, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowski, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-485

DOC ID: 1558

T **A** **C** **N** **Y** **S**
A **M** **C** **C**, **L**., **A**
C, **O** **T** **11, 2006**, **E**, **N** **Y**
S **C** **T** **C** **C** **C**
R **M**, .

S **B**: Councilmember [ankowiak, Supervisor Gabryszak

HEREAS, the New York State Association of Magistrates Court Clerks, Inc., Annual Conference is being held October 8 through 11, 2006 in Ellenville, New York AND

HEREAS, Senior Clerk Typist Constance Chojnacki and Court Clerk Roger Martens, r., have requested authorization to attend said conference AND

HEREAS, the Court has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$1,352 AND

HEREAS, these expenses have been budgeted by the Justice Court NO , THEREFORE, BE IT

RESOLVED, that Senior Clerk Typist Constance Chojnacki and Court Clerk Roger Martens, r. have and here by are authorized to attend the New York State Association of Magistrates Court Clerks, Inc., Annual Conference being held October 8 through 11, 2006 in Ellenville, New York.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James [ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, [aworowicz, [ohnson r., Swiatek, [ankowiak, Magierski, Rogowski

V. S **R**



RESOLUTION 2006-486

DOC ID: 1572

All persons, **D**istrict, **E**merald Gardens, **E**merald Gardens, **E**merald Gardens **G**ardens
Subdivision, and

Subdivision **B**y: Laworowicz, Rankowiak, Johnson Tr., Rogowski

WHEREAS, by resolution dated September 18, 2006, this Town Board accepted Emerald Gardens Subdivision, Phase 3, a 25-lot subdivision located south of Rosson Road and east of Towers Boulevard, and

WHEREAS, Emerald Gardens, Inc., as part of the acceptance of Emerald Gardens Subdivision, Phase 3, and as a prerequisite to the construction of any buildings in such subdivision, has submitted to the Town for its acceptance a warranty deed for Town highways to be known as Topaz Drive, Whitney Place and Garnet Drive, and

WHEREAS, the Town Superintendent of Highways, in the attached letter dated September 14, 2006, has recommended that such deed and highways be accepted by the Town, and

WHEREAS, Emerald Gardens, Inc. has also submitted to the Town a drainage easement covering such subdivision, and

WHEREAS, a bill of sale for the utilities installed has been submitted, and

WHEREAS, the developer must still submit a maintenance bond to the Town for the highways being deeded to the Town, and

WHEREAS, a check for 10,000.00 to guarantee the completion of the installation of street lights has also been submitted by the developer, and

WHEREAS, the developer has previously submitted funds in the amount of 2,500 to guarantee the cleaning of the storm sewers, **NOW, THEREFORE, BE IT**

RESOLVED, that the aforementioned warranty deed, easement, bill of sale and escrow moneys be and hereby are accepted by this Town Board, and **BE IT FURTHER**

RESOLVED, that this approval is subject to the developer submitting a maintenance bond in a form and amount acceptable to the Town Engineer, Town Attorney's Office and the Superintendent of Highways, and **BE IT FURTHER**

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson Tr., James Rogowski
AYES:	Gabryszak, Laworowicz, Johnson Tr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-487

DOC ID: 1573

A **T** **D** **L**

S: **B**: ankowiak, Gabryszak, Magierski

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

PARIS DIVISION laborer \$25/hour
John Darnell, Cheektowaga, NY
Effective 9/19/06

Dennis Thielke, Cheektowaga, NY
Effective 9/19/06

RESULT: ADOPTED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Alice Magierski
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-488

DOC ID: 1574

0 C C R

S B: Councilmember Rogowski, Councilmember Magierski

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

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

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

HEREAS, an application for a permit was submitted by the John F. Kennedy High School to conduct a open fire on September 22, 2006 on the property located at 305 Cayuga Creek Road, Cheektowaga, New York AND

HEREAS, the applicant intends to maintain a small bonfire with the assistance of the Doyle Fire Department in conjunction with summer youth activities, AND

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

HEREAS, this Town Board has reviewed the application submitted by the John F. Kennedy High School and the recommendations of the Fire Inspector, NO, THEREFORE, BE IT

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

RESULT: ADOPTED UNANIMOUS
MOVER: James Rogowski, Councilmember
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

VI. C

COMMENTS - Current Meeting:

Motion by Councilmember Laworowicz, seconded by Councilmember Rogowski to adjourn the meeting.

A. Departmental Communications

1. Cheektowaga Conservation Advisory Council: Minutes of August 19, 2006 Meeting
2. Cheektowaga Conservation Advisory Council: Minutes of September 7, 2006 Meeting
3. Environmental Advisory Committee: Minutes of September 6, 2006 Meeting

VII. C

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. C

COMMENTS - Current Meeting:

Motion by Supervisor Dennis Gabryszak, second by Councilmember Patricia Laworowicz to adjourn the meeting.



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Resident Meeting

Monday, October 2, 2006

Mary F. Holtz
(716) 686-3434

Monday, October 2, 2006

6:45 PM

Council Chambers

I. Current Meeting

COMMENTS - Current Meeting:

6:45 PM Meeting called to order on October 2, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Address	Title	Status	Notes
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Absent	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Michael Stachowski, Town Attorney
- William Pugh, Town Engineer
- Brian Krause, Director of Finance and Administration
- Thomas Adamczak, Supervising Building and Plumbing Inspector
- Kenneth Popacz, Director of Parks, Recreation and Youth Services
- Anthony Romano, Coordinator of Employee Relations

II. Board of Trustees: Town of Cheektowaga, Council

III. Council

IV. Resolution



RESOLUTION 2006-489

DOC ID: 1579

WARRANT

Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to September 29, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 2,516,265.53
RISK RETENTION FUND	130,796.25
DEBT SERVICE FUND	897,545.57
HUD HOUSING REHABILITATION FUND	11,817.50
SPECIAL DISTRICTS FUND	1,234,553.76
HIGHWAY FUND	811,875.47
CAPITAL FUND	2,938,695.32
TRUST & AGENCY FUND	11,890.76
HUD CDBG FUND	10,024.54
PART TOWN FUND	106,232.50
NYS AFFORDABLE HOUSING FUND	11,926.50
	\$ 8,673,774.70

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Frankowski, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-490

DOC ID: 1596

EMERGENCY TOWN BOARD MEETING OCTOBER 11, 2006

SENDER: Magierski, Gabryszak, Johnson Jr.

WHEREAS, by resolution dated January 3, 2006, this Town Board established Town Board meeting dates for 2006, and

WHEREAS, this Town Board wishes to establish another Town Board meeting date for October 18, 2006 for the purpose of holding a public hearing on proposed amendments to the Town of Cheektowaga Solid Waste Law, NOW, THEREFORE, BE IT

RESOLVED, that a Town Board meeting shall be held on the 18th day of October, 2006 at 6:30 P.M. at Maryvale Drive Presbyterian Church, 25 Maryvale Drive, Cheektowaga, New York 14225 for the purpose of holding a public hearing on proposed amendments to the Solid Waste Law of the Town of Cheektowaga, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to give public notice of the times and place of such meeting to the news media and to conspicuously post notice of same in one or more public locations at least 2 hours before such meetings.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Thomas Johnson Jr.
AYES:	Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-491

DOC ID: 1599

CHEEKTOWAGA HALL ASSOCIATION WELLS

SE: Councilmember Magierski, Councilmember Johnson.

WHEREAS, by local law No. 5 of the Year 1992, the Cheektowaga Town Board enacted a Solid Waste Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), and

WHEREAS, this Town Board wishes to amend Chapter 206 of the Town Code to:

- 1. Change the definition of "Garbage Container" in Section 206-3.A
2. Change the definition of "Nonrecyclable Refuse and Rubbish" in Section 260-3.A
3. Change the definition of "Recyclable Container" in Section 206-3.A
4. Revise Section 260-10.C.(3) relating to recycling containers
5. Revise Section 260-6.C. to require that containers or receptacles be removed after being emptied to the rear of the premises
6. Revise Section 260-10, Penalties for offenses
7. Add a new section, Section 260-10.1, entitled "Costs of removal to constitute lien on property interest collection"

WHEREAS, local law Intro No. 2006-6 of the Year 2006 was drafted to so amend Chapter 206 of the Town Code, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 18th day of October, 2006, at 6:30 P.M. at the Maryvale Presbyterian Church, 25 Maryvale Drive, Cheektowaga, New York for the purpose of considering the adoption of local law Intro No. 2006-6 of the Year 2006, entitled "A local law to amend the Solid Waste Law of the Town of Cheektowaga", and BE IT FURTHER

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

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 18th day of October, 2006 at 6:30 P.M. at the Maryvale Drive Presbyterian Church, 25 Maryvale Drive, Cheektowaga, New York to consider and discuss and, if need be, act upon a proposed local law entitled "A local law to Amend the Solid Waste Law of the Town of Cheektowaga". A brief summary of this local law is as follows:

LOCAL LAW NO. 2006 6 YEAR 2006

A Local Law To Amend the

Solid Waste Law of the Town of Cheektowaga

- 1. Change the definition of "Garbage Container" in Section 206-3.A
- 2. Change the definition of "Nonrecyclable Refuse and Rubbish" in Section 260-3.A
- 3. Change the definition of "Recyclable Container" in Section 206-3.A
 - Revise Section 260-3.C.(3) relating to recycling containers
- 5. Revise Section 260-6.C. to require that containers or receptacles be removed after being emptied to the rear of the premises
- 6. Revise Section 260-10, Penalties for offenses
 - Add a new section, Section 260-10.1, entitled "Costs of removal to constitute lien on property interest collection"

A copy of the complete text of this local law with amendments noted above is available in the Town Clerk's Office where the same may be available during regular business hours.

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

Dated: Cheektowaga, New York

October 2, 2006

MARY F. HOYT
Town Clerk

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT: Jeff Swiatek



RESOLUTION 2006-492

DOC ID: 1578

C... H... 200... C... D... F...

S... B: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, the Town of Cheektowaga is eligible to receive funding from the Department of Housing and Urban Development under the Community Development Block Grant and HOME Investment Partnerships Programs for the 200 Program Year, and

HEREAS, the Town of Cheektowaga is required to prepare and submit to the Department of Housing and Urban Development an Annual Plan which identifies the activities that the Town will carry-out during the next program year, and

HEREAS, the Town is also required to hold public hearings to obtain the views of Town residents, public agencies and other interested parties on housing and community development needs and to review program performance during the previous program year, NO, THEREFORE, BE IT

RESOLVED, that a public hearing be held on October 16, 2006 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, New York 1422 for the above stated purpose, and BE IT

FURTHER RESOLVED, that a public notice of such public hearing be published in the Cheektowaga Times on Thursday, October 5, 2006.

Notice of Public Hearing

Notice of Public Hearing
Town of Cheektowaga FY 200 Annual Plan
Community Development Block Grant/HOME Programs

A Public Hearing will be held on Monday, October 16, 2006 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, regarding the Town of Cheektowaga's Year 200 Annual Plan for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs.

The amount of CDBG and HOME funding for which the Town will be eligible next year has not yet been made available by the Department of Housing and Urban Development. In 2006, the Town received 1,006,39 in CDBG funds and 369,881 in HOME funds. The purpose of the hearing is to solicit the views of citizens, public agencies and other interested parties on housing and community development needs throughout the Town and to review program performance of the Town's Community Development Program. A complete listing of eligible activities can be obtained from the Town Community Development Office at the

address listed below.

Residents of low income neighborhoods and all citizens of the Town and Villages are encouraged to participate and express their views on the use of funds and activities that may be carried out with program funds. CDBG or HOME funded activities may result in displacement. In the event displacement due to CDBG or HOME funded activities occurs, relocation assistance will be provided in conformity with the requirements of the Uniform Relocation Act of 1980, implementing regulations in 24 CFR Part 2, and regulations governing the CDBG program at 24 CFR 590.606.

Upon prior request, an interpreter will be made available at the hearing to sign for the hearing impaired. Please contact the Cheektowaga Community Development Office (916-891-200) seven days prior to the hearing if you need such special arrangements. The hearing location is accessible to the physically handicapped. Written comments may be submitted to the Office of Community Development, 25 Alexander Avenue, Cheektowaga, New York, 14211.

ATTACHMENTS:

PH-NOTICE-200A (DOC)

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT: Jeff Swiatek



RESOLUTION 2006-493

DOC ID: 1592

CHEEKTOWAGA HONORABLE BOARD OF TOWNSHIP 11, RANGE 10 OF THE HOLLAND AND COMPANY SURVEY 600 DOAT STREET

SEVERELY B: Councilmember Magierski, Councilmember Johnson

WHEREAS, The Order of the Felician Sisters of St. Francis has made application and requested the rezoning of part of 600 Doat Street from CF- Community Facilities to RSC-Senior Citizen Housing District for the conversion of a former high school building to senior apartments, NOW, THEREFORE BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Law on October 16, 2006 at 6:30 P.M., at the Cheektowaga Town Hall, 3301 Broadway at the corner of Union Road.

Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cheektowaga, Erie County, New York at the Town Hall in the said Town of Cheektowaga, 3301 Broadway corner of Union Road on the 16th day of October, 2006 at 6:30 o'clock P.M., of said day for the purpose of considering the application of:

The Order of the Felician Sisters of St. Francis

for the rezoning of part of 600 Doat Street from CF- Community Facilities to RSC- Senior Citizen Housing District for the conversion of a former high school building to senior apartments.

All parties in interest and citizens will be given an opportunity to be heard in regard to such proposed application.

BY ORDER OF THE TOWN BOARD
Town of Cheektowaga, NY

Mary F. Holtz, TOWN CLERK

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 33, Township 11, Range 10 of the Holland and Company Survey (so-called), bounded and described as follows:

COMMENCING AT THE INTERSECTION of the north line of Doat Street and the west line of the Town of Cheektowaga (said west line of the Town of Cheektowaga being also the east line of the City of Buffalo)

RUNNING THENCE: Northerly, along the division line between the Town of Cheektowaga on the east and the City of Buffalo on the west, a distance of 110 feet to a point

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 88.88 feet to the Point or Place of Beginning of the parcel herein described

RUNNING THENCE: Northerly, at an exterior angle of 89E-0521 with the last described line, a distance of 230.19 feet to a point

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 100.0 feet to a point

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 36 feet to a point

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 63.26 feet to a point

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 53.0 feet to a point

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 5.0 feet to a point

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 20 feet to a point

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 5.0 feet to a point

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 1.81 feet to a point

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 13.29 feet to a point

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 601 feet to a point

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 902 feet to the POINT OR PLACE OF BEGINNING, containing 0.51 acre, be the same, more or less. SUBJECT to easements, rights of way and restrictions or record.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-494

DOC ID: 1594

CHEEKTOWAGA HONORABLE ALDEN L...

SUBJECT: Magierski, Johnson Cr., Rogowski

WHEREAS, by resolution dated September 16, 2002, the Cheektowaga Town Board adopted Local Law No. 2 of the Year 2002 entitled "A Local Law for Noise in the Town of Cheektowaga", and

WHEREAS, a change to this Noise Law has been recommended and

WHEREAS, Local Law Intro No. 2006-5 of the Year 2006 has been prepared by the Building Inspection's Department, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 16th day of October, 2006, at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-5 of the Year 2006, entitled "A Local Law to Amend the Noise Law in the Town of Cheektowaga", and BE IT FURTHER

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

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 16th day of October, 2006 at 7:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the following proposed local law:

Local Law Intro No. 2006-5 of the Year 2006

A Local Law to Amend the Noise Law in the Town of Cheektowaga

This local law would create an additional exception to the Noise Law which exception would read as follows:

(10) Routine maintenance activities on all Town-owned facilities, such as parks, community centers, playgrounds and golf courses.

A copy of the complete text of the Noise Law is on file in the Town Clerk's Office where the same may be viewed during regular business hours.

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

Dated: October 2, 2006

MARY F. HOYT
Town Clerk

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-495

DOC ID: 1595

CHEEKTOWAGA HAVEN BORO 200

SBORO B: Supervisor Gabryszak, Councilmember Rogowski

RESOLVED, that this Town Board does hereby prepare and approve as the Preliminary Ad Valorem Budget of this Town for the Fiscal Year beginning on the 1st day of January, 2007, the itemized statement of estimated revenues and expenditures hereto attached and made a part of this resolution, and also an itemized statement of estimated revenues and expenditures of the Lighting Districts and Consolidated Garbage District hereto attached and made a part of this resolution, AND, BE IT FURTHER

RESOLVED, that such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets shall be filed in the Office of the Town Clerk where it shall be available for inspection by any interested person at all reasonable hours, effective October 3, 2006, AND, BE IT FURTHER

RESOLVED, that this Town Board shall meet at 6:00 P.M. on the 10th day of October, 2006, for the purpose of holding a Public Hearing upon such Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District budgets, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give Notice of such Public Hearing in the manner provided in Section 108 of the Town Law and that such Notice be published in the CHEEKTOWAGA TIMES, the official Town newspaper on October 5, 2006, and post same on the signboard maintained by the Town Clerk.

LEGAL NOTICE

LEGAL NOTICE

of

PUBLIC HEARING

on

PRELIMINARY BUDGET

and

LIGHTING DISTRICTS and CONSOLIDATED GARBAGE DISTRICT BUDGETS

NOTICE IS HEREBY GIVEN that the Preliminary Ad Valorem Budget of the Town of Cheektowaga and the Lighting Districts and Consolidated Garbage District Budgets for the Fiscal Year beginning January 1, 2007, has been completed and filed in the Office of the Town Clerk at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York where it is available for inspection by any interested person at all reasonable hours, effective October 3,

2006.

FURTHER NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga will meet and review said Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budgets and hold a Public Hearing thereon at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York at 6:00 P.M. on the 10th day of October, 2006 and that at such hearing any person may be heard in favor or against the Preliminary Ad Valorem Budget and the Lighting Districts and Consolidated Garbage District Budget as compiled for or against any item therein contained.

Pursuant to Section 108 of the Town Law, the proposed salaries of the Town Officers are hereby specified as follows:

SUPERVISOR	100,023
TOWN CLERK	8,900
HIGHWAY SUPERINTENDENT	8,000
COUNCILMEMBER(6)	20,126
TOWN JUSTICE(2)	2,950

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

MARY F. HOTT,
TOWN CLERK

Dated: October 2, 2006

Published: October 5, 2006

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-496

DOC ID: 1598

C H B B B O

S B: Gabryszak, Rogowski, Johnson r.

HEREAS, this Town Board has prepared detailed estimates of the anticipated 200 revenues and expenditures for every district in which the expenses of the improvement is to be assessed on a benefit basis, AND

HEREAS, this Town Board has assessed the Special District costs on a benefit basis against the lots or parcels of land against which the improvement was chargeable, AND

HEREAS, this Town Board had prepared an assessment roll for each district describing each lot of land in the district, the owner thereof, and the assessment levied against it, AND

HEREAS, this Town Board has filed such estimates and assessment rolls with the Town Clerk, NO, THEREFORE, BE IT

RESOLVED, that this Town Board shall meet at 6:00 P.M. on the 10th day of October, 2006 for the purpose of holding a Public Hearing upon such estimates and assessment rolls, AND, BE IT FURTHER

RESOLVED, that the Town Clerk give notice of such Public Hearing in the manner provided in Section 239 of the Town Law, and that such notice be published in substantially the following form in the CHEE TO AGA TIMES, the official Town newspaper on October 5, 2006.

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, New York has completed its Estimates and Assessment Rolls relating to Special Districts spreading costs on a Benefit Basis and has filed same with the Town Clerk.

NOTICE IS ALSO GIVEN that a public hearing on such Estimates and Assessment Rolls will be held on Tuesday, October 10, 2006 at 6 P.M. at the Town Hall, corner of Broadway and Union Roads, at which time the Town Board will meet to hear and consider any objections which shall be made to such Estimates and Assessment Rolls.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF CHEE TO AGA, ERIE COUNTY, NEW YORK

Mary F. Holtz Town Clerk

Dated: October 3, 2006

Published: October 5, 2006

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson Jr., James Rogowski
AYES:	Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-497

DOC ID: 1575

NOTICE TO BIDDERS:
RESOLUTION 2006-497
TOWN OF CHEEKTOWAGA

RESOLVED: Councilmember Laworowicz, Councilmember Johnson.

WHEREAS, The Town Clerk be and hereby is directed to publish a Notice to Bidders for contracting of Snow Removal if a snow emergency should occur for use by the Cheektowaga Highway Department.

Information for bidders and specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Roads, Cheektowaga, New York between the hours of 9:00 AM and 3:30 PM, Monday through Friday, NO THEREFORE, BE IT

RESOLVED, that the Town Clerk is here by designated as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday October 18, 2006, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.



NOTICE TO BIDDERS

The Town of Cheektowaga hereby requires sealed bids for labor and equipment for the removal of snow from highways situated in the town in the event of a snow emergency during the 2006-07 winter season.

Specifications and information are available at the office of the Town Clerk at her office in the Cheektowaga Town Hall located at Broadway and Union Roads, Cheektowaga, NY 14222, between the hours of 9:00 AM and 3:30 PM.

In order to be considered, all bids must be filed with the Town Clerk's Office, c/o Town Hall, Broadway & Union Road, Cheektowaga, NY 14222, prior to the time of the bid opening scheduled for Wednesday, October 18, 2006, at 11:00 AM in the Town Hall Council Chambers.

Proposals must be enclosed and sealed in opaque envelopes plainly marked with the name of the bidder and with the words "BIDS FOR LABOR AND EQUIPMENT FOR SNOW REMOVAL IN AN EMERGENCY".

The Town of Cheektowaga reserves the right to reject any or all bids if it determines in its discretion that it is in the best interest of the Town of Cheektowaga to do so.

Non-Collusion forms must be signed and submitted with bids.

MARY HORTON, TOWN COUNCIL

RESULT: ADOPTED UNANIMOUS
MOVER: Patricia Laworowicz, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT: Jeff Swiatek



RESOLUTION 2006-498

DOC ID: 1585

DESIGNATION OF HALLOWEEN NIGHT

Supervisor Gabryszak, Councilmember Laworowicz

WHEREAS, the children of our community are entitled to the fun and excitement associated with "Halloween Night", including going from door-to-door in their immediate neighborhoods with their happy challenges of trick-or-treat AND

WHEREAS, it would appear that parents generally favor the early evening hours, since it tends to limit participation to the younger children, for whom the observance was originally intended and thereby discourages interference and disruption by the very small percentage of older children, who under cover of darkness and with their identities concealed and costumes, might otherwise spoil the fun for the smaller children, NO, THEREFORE, BE IT

RESOLVED, that Tuesday, October 31, 2006 shall be known as "Halloween Night" in the Town of Cheektowaga, and that the Town Board ask both children and their parents to cooperate in limiting the time of "trick-or-treating" activities to the period between 6:00 P.M. and 8:00 P.M. We further ask that, whenever possible, parents of the very young insure that they or other responsible adults accompany them, and to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

DESIGNATION OF HALLOWEEN NIGHT

BE IT RESOLVED, that Tuesday, October 31, 2006 be designated as 'HALLOWEEN NIGHT' in the Town of Cheektowaga.

The time of "trick-or-treating" activities will be between 6:00 P.M. and 8:00 P.M.

We encourage all householders to cooperate in making this a happy occasion for all youngsters by keeping their porch or exterior lights on.

HAPPY HALLOWEEN TO ALL

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

MARY F. HOTZ, Town Clerk

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT: Jeff Swiatek



RESOLUTION 2006-499

DOC ID: 1576

ANDERSON ROAD STORM SEWER IMPROVEMENTS PROJECT ANDERSON ROAD RESOLUTION

SECONDED BY: Councilmember Johnson, Councilmember Rogowski

WHEREAS, as part of the Anderson Road Storm Sewer Improvements Project, the Town of Cheektowaga requested storm sewer easements from various property owners along Anderson Road, and

WHEREAS, storm sewer easements for the following property have been signed and submitted to the Town for its approval:

- Anderson Road (permanent and temporary easement)

and,

WHEREAS, the Town Engineer and Town Attorney's Office have reviewed these easements and have recommended that the Town accept same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced easements, and BE IT FURTHER

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

Table with 2 columns: Category (RESULT, MOVER, SECONDER, AYES, ABSENT) and Details (ADOPTED UNANIMOUS, Thomas Johnson, James Rogowski, Gabryszak, Laworowicz, Johnson, Rankowiak, Magierski, Rogowski, Jeff Swiatek)



RESOLUTION 2006-500

DOC ID: 1580

F A I R H O U S I N G I M P E D I M E N T S S T U D Y

S U P E R V I S O R B Y: Supervisor Gabryszak, Councilmember Rogowski

WHEREAS, the Town of Cheektowaga, in conjunction with the Towns of Amherst and Tonawanda and the County of Erie are desirous of preparing an Analysis of Impediments to Fair Housing within said communities, and

WHEREAS, communities receiving funding from the Department of Housing and Urban Development are required to update their Analyses of Impediments to Fair Housing, and

WHEREAS, the Analysis of Impediments to Fair Housing was originally prepared for the Amherst-Cheektowaga-Tonawanda HOME Consortium in 1996, and

WHEREAS, the County of Erie will act as the lead agency for coordinating the preparation of the Analysis of Impediments for the County and for each community, and

WHEREAS, the University at Buffalo Foundation has been selected to perform the Analysis of Impediments for an amount not to exceed \$65,000, and

WHEREAS, the Town of Cheektowaga's proportionate share of said cost will not exceed \$9,500, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with the County of Erie, 95 Franklin Street, Buffalo, New York 14202 to conduct a Fair Housing Impediments Study to include the Town of Cheektowaga for which the Town will pay an amount not to exceed \$9,500.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-501

DOC ID: 1581

16 W U U

S B: Councilmember Magierski, Councilmember Laworowicz

HEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 16 Wanda Avenue, Cheektowaga, New York SB 101.5-5-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Wells Fargo Bank NA, 351 Hammond Avenue, Suite 150, Waterloo, IA 50002, as the owner AND

HEREAS, an inspection of such premises was conducted on 16 Wanda Avenue, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-1A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-502

DOC ID: 1583

NOVEMBER 2006

SE: Councilmember Magierski, Councilmember Laworowicz

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located North of Heritage Court (vacant lot), Cheektowaga, New York SB 91.18-10-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Daniel D. Brown and Francis Herzog, 8810 Main Street, Williamsville, New York 14221, as the owner AND

WHEREAS, an inspection of such premises was conducted North of Heritage Court (vacant lot), by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-503

DOC ID: 1584

H **R** **L** **A**

S: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, the Town's Housing Rehabilitation Loan Program Guidelines require Town Board approval of rehabilitation loans of more than \$25,000, and

HEREAS, the Community Development Office has requested the Town Board to authorize housing rehabilitation loans to the owners of the properties listed below in the indicated amounts, Now Therefore Be It

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute housing rehabilitation loan agreements with the owners of the following properties in the amounts indicated:

- 61 Warsaw Street \$2,60.00
- 1 Broad Street \$30,85.00

RESULT: ADOPTED UNANIMOUS

MOVER: Dennis Gabryszak, Supervisor

SECONDER: James Rogowski, Councilmember

AYES: Gabryszak, Laworowicz, Johnson Jr., Bankowiak, Magierski, Rogowski

ABSENT: Jeff Swiatek



RESOLUTION 2006-504

DOC ID: 1593

600 U O B

S B: Councilmember Johnson r., Supervisor Gabryszak

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

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

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

HEREAS, an application for a permit was submitted by the Cheektowaga Central School to conduct a open fire on October 18, 2006 on the property located at 3600 Union Road, Cheektowaga, New York AND

HEREAS, the applicant intends to maintain a small bonfire for Home Coming activities with the assistance of the Forks Fire Department, AND

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

HEREAS, this Town Board has reviewed the application submitted by the Cheektowaga Central School and the recommendations of the Fire Inspector, NO , THEREFORE, BE IT

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

Table with 2 columns: Field (RESULT, MOVER, SECONDER, AYES, ABSENT) and Value (ADOPTED UNANIMOUS, Thomas Johnson r., Councilmember, Dennis Gabryszak, Supervisor, Gabryszak, Laworowicz, Johnson r., Rankowiak, Magierski, Rogowski, Jeff Swiatek)



RESOLUTION 2006-505

DOC ID: 1577

RESOLUTION 2006-505

RESOLUTION 2006-505: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are transferred, as indicated, in the Department of Parks, Recreation & Youth Services, effective immediately:

From Summer Day Camp Program to Adapted Recreation Program (310.1803):

Regular Part-time

- Mark Hannon 1225
Heather Graves 1225
Carly Rehac 1225
Melissa Rogers 1206
Kristina Root 1225
Deyonca Porter 1211
Kristy Rzesutek 122
Lauren Rzesutek 122
Kristen Stadelmeyer 122
Amy Problewski 1225
Laura Gabryszak 1225
Laura Sheldon 122
Sean Dalton 122
Nicholas Czaplicki 1225
Heather Giczkowski 122
Pamela Szeffler 122
Victor Nosal 1225
Barbara Walters 122

Seasonal to Regular Part-time

- Brandon Schunke 122
Katherine Swiatek 1225

Parttime

- Lifeguard - Level III - 8.0 - 180.1903
Andrew Accarelli 1225

COMMENTS - Current Meeting:

Motion by Councilmember Frankowiak, seconded by Councilmember Magierski to suspend the reading of the names on the following three resolutions, and the motion was approved.

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT: Jeff Swiatek



RESOLUTION 2006-506

DOC ID: 1582

RESOLUTION

RESOLVED: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effective as indicated:

- August 31, 2006
 - Daniel Asielewski 1225
 - Eric Farinacci 1225
- August 30, 2006
 - Robert Eigand 1225
- August 29, 2006
 - Elise Menefee 1212
 - Christie Petre 1211
 - Melissa Petre 1211
 - Don Deveny 1225
- August 11, 2006
 - Tiffany Gasielki 1225
 - Sarah Stortz 103
- August 10, 2006
 - Dominique Hill 1211
- July 20, 2006
 - Lisa Nuk 1225
- April 11, 2006
 - Tim Anderhalt 1225
- January 19, 2006
 - Ryan Mohr 1225

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Frankowiak, Magierski, Rogowski
ABSENT: Jeff Swiatek



RESOLUTION 2006-507

DOC ID: 1586

Town of Cheektowaga

Supervisor Bankowski, Councilmember Gabryszak

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

SANITATION DEPARTMENT - Laborer \$15.50/hour
Keith Pheasant, Depew, NY
Effective 9/25/06

Allen Gates, Cheektowaga, NY
Effective 9/18/06

Cory Herr, Depew, NY
Effective 9/18/06

Christopher Miller, Cheektowaga, NY
Effective 9/26/06

Ray A. Bierwith, Jr., Cheektowaga, NY
Effective 10/02/06

Brian Fischer, Cheektowaga, NY
Effective 9/29/06

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

TOWN CLERK'S OFFICE - Clerk \$18.00/hour
Virginia M. Adamczak, Cheektowaga, NY
Effective 10/03/06

JUSTICE COURT - Court Officer \$13.32/hour
Angelo Neri, Cheektowaga, NY
Effective 11/06/06

RESOLVED, that the following individuals be and hereby are hired as listed:

SANITATION DEPARTMENT

Jeffrey Maslowski
Effective 9/16/06

Christopher Ahrens
Effective 10/13/06

Kenneth Piatek
Effective 10/13/06

Angelica Poules
Effective 10/13/06

David Vinci
Effective 10/13/06

Mason Zykowski
Effective 10/13/06

TOWN CLERK'S OFFICE
Tracy Bolognese
Effective 9/19/06

PARIS DIVISION
Paul Taylor
Effective 10/02/06

Edward Pozdyn
Effective 9/20/06

William Swiat
Effective 9/25/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-508

DOC ID: 1591

A **M** **E** **O** **B** **S**
D **D** **D**

S: Supervisor Gabryszak, Councilmember [ankowiak

HEREAS, a vacancy exists in the title of Motor Equipment Operator - B in the Sanitation Department AND

HEREAS, 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

HEREAS, no full-time bargaining unit member bid on said vacancy AND

HEREAS, David Dietl applied for said vacancy and meets the necessary qualifications NO , THEREFORE BE IT

RESOLVED, that David Dietl of Cheektowaga, New York , be and hereby is appointed to the position of Motor Equipment Operator - B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective September 28, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James [ankowiak, Councilmember
AYES:	Gabryszak, [aworowicz, [ohnson r., [ankowiak, Magierski, Rogowski
ABSENT:	[eff Swiatek



RESOLUTION 2006-509

DOC ID: 1597

A **M** **E** **O** **B** **S**
D **S** **S**

S: Councilmember **B**: Supervisor Gabryszak

HEREAS, a vacancy exists in the title of Motor Equipment Operator - B in the Sanitation Department AND

HEREAS, 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

HEREAS, no full-time bargaining unit member bid on said vacancy AND

HEREAS, Shawn Surdej, applied on said vacancy, and meets the necessary qualifications NO, THEREFORE BE IT

RESOLVED, that Shawn Surdej, of Cheektowaga, New York, be and hereby is appointed to the position of Motor Equipment Operator - B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective October 3, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Ankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-510

DOC ID: 1587

TOWNSHIP **A**DOPTED **D**URING **R**E...
AT **S**CHOOL, **O**CTOBER **2**ND, **2**006 I**N** **I**LION, **NY** **S**CHOOL...
LAWRENCE **B**AUER AND **O**FFICER **D**AVID **M**OSSMAN

SCHOOL **B**: Councilmember Frankowiak, Supervisor Gabryszak

HEREAS, the Remington Armorer’s School is being held from October 2-2, 2006 in Ilion, New York AND

HEREAS, Police Sergeant Lawrence Bauer and Police Officer David Mossman have requested authorization to attend said school AND

HEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$1,950 AND

HEREAS, these expenses have been budgeted by the Police Department NO , THEREFORE, BE IT

RESOLVED, that Police Sergeant Lawrence Bauer and Police Officer David Mossman be and hereby are authorized to attend the Remington Armorer’s School being held from October 2-2, 2006 in Ilion, New York.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Frankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek



RESOLUTION 2006-511

DOC ID: 1588

TOWNSHIP OF CHEEKTOWAGA, NEW YORK STATE ASSOCIATION OF MAGISTRATES COURT CLERKS, INC., ANNUAL CONFERENCE, OCTOBER 8, 2006 IN ELLENVILLE, NEW YORK

SUBJECT: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, the New York State Association of Magistrates Court Clerks, Inc., Annual Conference is being held October 8, 2006 in Ellenville, New York AND

WHEREAS, Town Justice James Malone, has requested authorization to attend said conference AND

WHEREAS, Town Justice Thomas Polbert has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$1,111 AND

WHEREAS, these expenses have been budgeted by the Justice Court NO, THEREFORE, BE IT

RESOLVED, that Town Justice James Malone be and hereby is authorized to attend the New York State Association of Magistrates Court Clerks, Inc., Annual Conference, on October 8, 2006 in Ellenville, New York.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Frankowiak, Magierski, Rogowski
ABSENT: Jeff Swiatek



RESOLUTION 2006-512

DOC ID: 1589

T **A** **B** **D**
F **M** **I** **S**, **O** **1** **1**, **2006** **I**
M **F**, **NY** **F** **I** **E** **S**

S **B**: Councilmember [ankowiak, Supervisor Gabryszak

HEREAS, the Fire Marshals and Inspectors Seminar is being held from October 1-19, 2006 in Montour Falls, New York AND

HEREAS, Fire Inspector Edward Saternus has requested authorization to attend said seminar AND

HEREAS, Supervising Code Enforcement Officer Thomas Adamczak has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$15 AND

HEREAS, these expenses have been budgeted by the Building and Plumbing Department NO, THEREFORE, BE IT

RESOLVED, that Fire Inspector Edward Saternus be and hereby is authorized to attend the Fire Marshals and Inspectors Seminar being held from October 1-19, 2006 in Montour Falls, New York.

RESULT: ADOPTED UNANIMOUS
MOVER: James [ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, [aworowicz, [ohnson r., [ankowiak, Magierski, Rogowski
ABSENT: [eff Swiatek



RESOLUTION 2006-513

DOC ID: 1590

T **A** **B** **D**
A **U** **W**, **O** **10, 2006 A** **N**
U, **N** **Y** **C** **E** **O** **G**

S **B**: Councilmember [ankowiak, Supervisor Gabryszak

[] HEREAS, the Accessibility Update []orkshop will be held on October 10, 2006 at Niagara University, New York []AND

[] HEREAS, Code Enforcement Officer Gary Parks, has requested authorization to attend said workshop []AND

[] HEREAS, Supervising Code Enforcement Officer Thomas Adamczak has submitted a request for travel authorization along with the proper paperwork in a timely manner []AND

[] HEREAS, the total cost to the Town shall not exceed []65 []AND

[] HEREAS, these expenses have been budgeted by the Building and Plumbing Department []NO [], THEREFORE, BE IT

RESO []ED, that Code Enforcement Officer Gary Parks be and hereby is authorized to attend the Accessibility Update []orkshop being held on October 10, 2006 at Niagara University, New York.

RESULT: **ADO []TED []UNANIMOUS []**
MOVER: []ames []ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, []aworowicz, []ohnson []r., []ankowiak, Magierski, Rogowski
ABSENT: []eff Swiatek

V. S [] [] **R** [] []

COMMENTS - Current Meeting:

Motion by Supervisor Gabryszak, seconded by Councilmember Magierski to suspend the rules to include the following item, []2006-51 []



RESOLUTION 2006-514

DOC ID: 1600

RESOLUTION AUTHORITY

SECTION B: Gabryszak, Laworowicz, Magierski

WHEREAS, a feasibility study of proposed enhancements and renovations to convert the existing North Branch Library, located on Maryvale Drive, to the new location of the Town of Cheektowaga Records Center prepared by Edeney Architects has identified the need for interior renovations including mechanical, structural, handicapped revisions, asbestos removal, an elevator and other code related modifications to the existing facility in effort to meet the programming needs of the Town Records Center, NOW, THEREFORE, BE IT

RESOLVED, that the firm of Edeney Architects, 200 John James Audubon Parkway, Suite 303, Buffalo, New York 14228 be and hereby is retained to provide professional services for the design of the alterations to the new Town Records Center, including preparation of contract drawings and specifications for public bidding and services during construction in accordance with the proposal submitted to the Town of Cheektowaga Engineering Department dated September 29, 2006, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized to execute said professional services agreement for the aforementioned project on behalf of this Town Board, AND, BE IT FURTHER

RESOLVED, that funding for professional services associated with the aforementioned project in the amount of \$28,000.00, as outlined in the proposal, shall be chargeable to Account No. 500-1685-250-5622.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Rankowiak, Magierski, Rogowski
ABSENT:	Jeff Swiatek

VI. COMMUNICATIONS

A. Departmental Communications

1. Town of Cheektowaga 2007 Tentative Benefit Basis Budget
2. Building Permit List - September 2006
3. Minutes - Cheektowaga Conservation Advisory Council - September 16, 2006
4. Minutes - Town Environmental Advisory Committee - September 27, 2006

B. General Communications

- 1. Notice of Claim: Erricka Bieber/Erricka Bieber As Parent and Guardian for Johnathan P. Bieber, a Minor Vs. Town of Cheektowaga
- 2. Notice of Claim: Doug Giles Vs. Town of Cheektowaga
- 3. Notice of Claim: Randy Marzalek Vs. Town of Cheektowaga
- 4. Notice of Claim: Michael A. Missert Vs. Town of Cheektowaga
- 5. Notice of Claim: Richard & Lisa Wissing Vs. Town of Cheektowaga
- 6. Notice of Claim: Anthony Yeager Vs. Town of Cheektowaga

VII. C

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. C

COMMENTS - Current Meeting:

Motion by Supervisor Gabryszak, second by Councilmember Rogowski to adjourn the meeting.



T O W N O F C H E E K T O W A G A

3301 Broadway
Cheektowaga, NY 14227

S E C R E T A R Y

M E E T I N G

Mary F. Holtz
(716) 686-3434

Tuesday, October, 10, 2006

6:00 PM

Council Chambers

I. C O M M E N T S

COMMENTS - Current Meeting:

6:00 PM Meeting called to order on October 10, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

A T T E N D E E	T O W N	T I T L E	S T A T U S	A
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Jennifer Runfola, Deputy Town Attorney
- William Pugh, Town Engineer
- Brian Krause, Director of Finance and Administration
- Thomas Adamczak, Supervising Building and Plumbing Inspector
- Christine Ciemba, Chief of Police
- Kenneth Popacz, Director of Parks, Recreation and Youth Services
- Anthony Romano, Coordinator of Employee Relations
- Don Nichy, Superintendent, Main Pump

II. H E A R I N G S 6:00 P M

1. Public Hearing for Ad Valorem Budget 2007

COMMENTS - Current Meeting:

Comments were heard. Decision was reserved.

RESULT: CLOSED UNANIMOUS

MOVER: Dennis Gabryszak, Supervisor

SECONDER: Patricia Laworowicz, Councilmember

AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

2. Public Hearing Benefit Basic Budget '07

COMMENTS - Current Meeting:

Comments were heard. Decision was reserved.

RESULT: CLOSED UNANIMOUS

MOVER: Dennis Gabryszak, Supervisor

SECONDER: Patricia Laworowicz, Councilmember

AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Regular Meeting

Monday, October 16, 2006

Mary F. Holtz
(716) 686-3434

Monday, October 16, 2006

6:45 PM

Council Chambers

Item 1: Public Hearing - Part of 600 Doat St.

- 1. Public Hearing - Part of 600 Doat St.

RESULT: CLOSED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

- 2. Public Hearing-2007 Community Development Funds

RESULT: CLOSED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

II. Council Orders

COMMENTS - Current Meeting:

6:45 PM Meeting called to order on October 16, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Table with 5 columns: Name, Office, Title, Status, and Action. Rows include Dennis Gabryszak (Supervisor, Present), Patricia Laworowicz (Councilmember, Present), Thomas Johnson Jr. (Councilmember, Present), Jeff Swiatek (Councilmember, Present), James Rankowiak (Councilmember, Present), Alice Magierski (Councilmember, Present), and James Rogowski (Councilmember, Present).

- 2. Additional Attendees

Michael Stachowski, Town Attorney
William Pugh, Town Engineer
Brian Krause, Director of Finance and Administration
Thomas Adamczak, Supervising Building and Plumbing Inspector
Jerry Gabryszak, Director of Community Development
Christine Ciemba, Chief of Police
Patricia Wojcik, Senior Services Director
Kenneth Popacz, Director of Parks, Recreation and Youth Services

Anthony Romano, Coordinator of Employee Relations
Jerry Switalski, New Appointee, Senior Services Director

III. C

IV. H :00 .M.

1. Public Hearing to Amend Noise Law

COMMENTS - Current Meeting:

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.

RESULT: CLOSED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

V. R



RESOLUTION 2006-515

DOC ID: 1608

T F

S B: Supervisor Gabryszak, Councilmember aworowicz

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

GENERAL FUND

FROM:	100-1680-2204	Computer Hardware	\$ 5,987.50
	100-1110-2770	Unclassified Revenues	2,995.00
TO:	100-1680-4146	Outsourcing Services	\$ 5,987.50
	100-1110-2105	Equipment	2,995.00

HUD CDBG FUND

FROM:	700-1002-0600	Housing Rehab Single Family	\$ 194.00
TO:	700-1002-0601	Housing Rehab Multi Family	\$ 194.00

RESULT: ADO TED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia aworowicz, Councilmember
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-516

DOC ID: 1607

WHEREAS

SECTION 1: Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following Vouchers and Warrants submitted to the Town of Cheektowaga prior to October 13, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 206,053.80
RISK RETENTION FUND	41,326.99
HUD HOUSING REHABILITATION FUND	19,465.00
SPECIAL DISTRICTS FUND	171,726.52
HIGHWAY FUND	12,757.71
CAPITAL FUND	72,804.58
HUD CDBG FUND	239,142.75
PART TOWN FUND	6,499.57
NYS AFFORDABLE HOUSING FUND	5,903.00
	\$ 775,679.92

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski



RESOLUTION 2006-517

DOC ID: 1604

A **B** **O** **1**, **N** **U**, **2006** **N**
M, **T** **M**, **S** **C** **B** **C**

S: Councilmember Laworowicz, Councilmember Johnson.

HEREAS, one bid was received and opened by the Town Clerk at a public bid opening held on October 11, 2006 for One (1) New and Unused, 2006 or Newer Model, Trailer Mounted, Self Contained Brush Chipper for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bid was referred to the Superintendent of Highway for analysis, tabulation and reports, AND

HEREAS, bid was analyzed and completed, NO THEREFORE, BE IT

RESOLVED, that the bid for ONE (1) NEW AND UNUSED, 2006 OR NEWER MODEL, TRAILER MOUNTED, SELF CONTAINED BRUSH CHIPPER be awarded to Baschmann Service, Inc., P.O. Box 320, Elma, NY 14059, at a total bid price of \$24,500.00 said bidder meeting specifications, as set forth in the tabulation of the Superintendent of Highways. AND, BE IT FURTHER

RESOLVED, that monies be charged to line item 500-5130-200-5020

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Ankowiak, Magierski, Rogowski



RESOLUTION 2006-518

DOC ID: 1620

CHEEKTOWAGA HONORABLE ALBERT B. L...

SEVERAL: Magierski, Gabryszak, Johnson

WHEREAS, by resolution dated October 21, 1985, the Cheektowaga Town Board adopted the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga (now known as Chapter 5 of the Code of the Town of Cheektowaga, entitled "Unsafe Buildings"), and

WHEREAS, the Building Inspections Department and the Zoning and Petitions Committee have recommended that this ordinance be repealed and that a new "Local Law for Unsafe Buildings in the Town of Cheektowaga" be enacted in its place and

WHEREAS, a draft of the proposed Local Law Intro No. 2006- of the Year 2006, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga" has been prepared, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 6th day of November, 2006, at 8:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the repeal of the existing Unsafe Buildings and Collapsed Structures Law of the Town of Cheektowaga and the adoption of Local Law Intro No. 2006- of the Year 2006, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga", and BE IT FURTHER

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

.....

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Town Board of the Town of Cheektowaga on the 6th day of November, 2006 at 8:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon the repeal of the existing Unsafe Building and Collapsed Structures Ordinance of the Town of Cheektowaga and the enactment of Local Law Intro No. 2006-, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga".

Local Law Intro No. 2006- would replace the existing law with a streamlined version making it easier to address nuisance buildings thereby maintaining a minimum quality of life. Such law would also enable the Town of Cheektowaga to collect any and all expenses incurred

by the Town from the owner in a more efficient manner.

A copy of the complete text of local law Intro No. 2006-1, entitled "A local law for Unsafe Buildings in the Town of Cheektowaga" is on file in the Town Clerk's Office where the same may be viewed during regular business hours.

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

Dated: Cheektowaga, New York

October 16, 2006

MARY F. HORTON
Town Clerk

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-519

DOC ID: 1621

NOTICE TO BIDDERS FOR ONE (1) NEW AND UNUSED 2006 OR NEWER MODEL, TRAILER MOUNTED, SELF CONTAINED BRUSH CHIPPER

Submitted by: Councilmember Laworowicz, Councilmember Johnson

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purpose of purchase on One (1) New and Unused 2006 or Newer Model, Trailer Mounted, Self Contained Brush Chipper by the Cheektowaga Highway Department.

Information for Bidders specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall Broadway and Union Roads, Cheektowaga, New York, between the hours of 9:00 AM and 3:30 PM, Monday through Friday, NO THEREFORE, BE IT

RESOLVED, the Town Clerk is hereby designated as the Office to open bids on the aforesaid items at a public bid opening to be held on Wednesday November 1, 2006, at 11:00 AM, in the Council Chambers of the Cheektowaga Town Hall.

TO TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

REGA NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that the Town of Cheektowaga Highway Department will receive bids for the purchase of One (1), New and Unused, 2006 or Newer Model, Trailer Mounted, Self Contained Brush Chipper for use by the Highway Department in the Town of Cheektowaga at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on November 1, 2006 at 11:00 A.M.

Information for bidders and specifications may be obtained from the office of Mary Holtz, Town Clerk at his office located at Town Hall, Cheektowaga NY. Bids must be enclosed in an opaque envelope plainly marked "BID FOR ONE (1), NEW AND UNUSED, 2006 OR NEWER MODEL, TRAILER MOUNTED, SELF CONTAINED BRUSH CHIPPER. Non-Collusion forms must be signed and submitted with each bid. The Superintendent of Highways may reject any or all bids submitted.

MARY HOLTZ, TOWN CLERK

DATE:

PUBLISHED:

RESULT: ADOPTED UNANIMOUS
MOVER: Patricia Laworowicz, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-520

DOC ID: 1601

ANNEXED

SUBJECT: Councilmember Rankowiak, Supervisor Gabryszak

WHEREAS, on the 14th 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 list below 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.



TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

Table with 3 columns: Name, Address, Expiration Date. Lists names and addresses of license holders and their expiration dates.

Gowanlock, Echariah R	8823 Aidlaw, Franklinville, N.Y. 14030	6/30/2009
Gulla, Michelle C	119 Delaware Rd, Tonawanda, N.Y. 14210	2/28/2009
Hodgson, Matthew	39 Crestwood Dr, Hamburg, N.Y. 14055	7/31/2008
Hughes, Mary Beth	112 Asmine Ave, West Seneca, N.Y. 14220	10/31/2009
Hunter, Joshua	216 Main St, PO Box 500, Brier Hill, N.Y. 13610	7/31/2009
Janicki, David A	0 Arlington, Depew, N.Y. 14003	6/30/2009
Jarka, Aaron T	2225 Center Terr, Apt 1, Grand Island, N.Y. 14002	8/31/2009
Jenkins, Terry	66 Pyle Ct, Tonawanda, N.Y. 14150	12/31/2008
Jaiser, Joshua P	181 Hillpine Rd, Cheektowaga, N.Y. 14220	6/30/2008
Jaralunas, Michael	22 South Park Ave, Blasdell, N.Y. 14219	7/31/2009
Jehr, Sherilyn	13530 Brewer Rd, Collins, N.Y. 14003	6/30/2009
Jitt, Michael S	10862 Handcock Rd, Fillmore, N.Y. 14035	8/30/2009
Juhn, Robert F	1026 McKinstry Rd, Delevan, N.Y. 14002	6/30/2009
Jee, Shaun R	101 Leah Dr, North Tonawanda, N.Y. 14120	7/31/2000
MacIver, Adair M	156 Parker Rd, Hamburg, N.Y. 14005	8/31/2009
Martin, Keith A	103 Commonwealth Ave, Buffalo, N.Y. 14216	6/30/2009
McClure, Amanda R	1 Beech Rd, Elma, N.Y. 14059	2/28/2009
Melski, Julia R	2 Bayberry Ave, West Seneca, N.Y. 14220	6/30/2009
Munson, Elizabeth A	10 Lisa Ann Ln, West Seneca, N.Y. 14220	9/30/2008
Page, Joshua H	6 Manser Dr, Amherst, N.Y. 14226	1/31/2009
Parker, Andrew T	1000 Colvin Blvd, Tonawanda, N.Y. 14210	9/30/2008
Peech, Darren	1 Cambridge Ct, Buffalo, N.Y. 14200	6/30/2009
Pless, Jason M	10 Washington St 3, Middleport, N.Y. 14105	1/31/2008
Rudnicki, Steven	662A Brompton Dr, Blasdell, N.Y. 14219	8/31/2009
Rudyk, John P	602 Payne Dr, Derby, N.Y. 14000	6/30/2008
Rutecki, Amy	1 Yvonne Ave, Cheektowaga, N.Y. 14225	8/31/2009
Rutenkroger, Christian H	9 Nassau Ave, Upper, Tonawanda, N.Y. 14210	1/31/2008
Said, Meriem I	90 Lafayette Ave, Buffalo, N.Y. 14209	1/31/2009
Schaefer, Edward	68 Panda Ave, Cheektowaga, N.Y. 14211	9/30/2009
Schieber, Kevin N	593 Seneca St, West Seneca, N.Y. 14220	2/28/2009
Schieber, Thomas	593 Seneca St, West Seneca, N.Y. 14220	8/31/2009
Skiitsky, Ryan A	63 Britannia Dr, East Amherst, N.Y. 14051	9/30/2008
Smallback, Ian C	165 Summer St 3, Buffalo, N.Y. 14222	1/31/2009
Stearns, Mallory C	299 Curtis Pkwy, Tonawanda, N.Y. 14223	6/30/2009
Stofer, John T	11 Hunters Dr, Lancaster, N.Y. 14086	1/31/2009
Stanway, Robert	15 Aurora Ave, West Seneca, N.Y. 14220	1/31/2009
Statkins, Samantha	103 Torrance Pl, Gowanda, N.Y. 14000	7/31/2000

ells, David D	8 Ringston Pl, Buffalo, N.Y. 1210	3/31/2009
estbrook, George E	2 Newton St, Silver Creek, N.Y. 12136	7/30/2009
isniewski, Michael E	36 Ring Ct, Cheektowaga, N.Y. 1225	7/31/2009

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-521

DOC ID: 1618

WHEREAS, the Anderson Road Storm Sewer Improvements Project, the Town of Cheektowaga requested storm sewer easements from various property owners along Anderson Road, and

WHEREAS, Councilmember Johnson, Councilmember Rogowski

HEREAS, as part of the Anderson Road Storm Sewer Improvements Project, the Town of Cheektowaga requested storm sewer easements from various property owners along Anderson Road, and

HEREAS, storm sewer easements for the following property have been signed and submitted to the Town for its approval:

- 51 Anderson Road (permanent and temporary easement)

and,

HEREAS, the Town Engineer and Town Attorney's Office have reviewed these easements and have recommended that the Town accept same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced easements, and BE IT FURTHER

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

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-522

DOC ID: 1603

H **R** **R** **L** **S**

S: Councilmember Johnson, Supervisor Gabryszak

HEREAS, the New York State Department of Transportation proposes the reconstruction of Harlem Road from Genesee Street in the Town of Cheektowaga to Yorktown Road in the Town of Amherst, identified as PIN 5268.32.123, AND

HEREAS, as part of the aforesaid project the NYSDOT proposes to install a street lighting system consisting of:

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

which system will replace utility company owned equipment, the operation of which is funded annually by the Town, AND

HEREAS, the Town desires to have the above described highway lighting system constructed by the NYSDOT to maintain and enhance the uniformity of lighting on Harlem Road, NO, THEREFORE, BE IT

RESOLVED, that the Town of Cheektowaga agrees to maintain, repair and energize such highway lighting system for a period of ten (10) years or until such time as the Commissioner, in his discretion, determines that such lighting and/or the maintenance of such lighting system is no longer necessary for said highway, AND, BE IT FURTHER

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

RESOLVED, that the Town Clerk is hereby directed to transmit five (5) certified copies of this resolution to:

Mr. Thomas S. Messana

Regional Design Engineer
New York State Department of Transportation
125 Main Street
Buffalo, New York 14203

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-523

DOC ID: 1614

H **R** **R** **S** **F** **A**

S: Councilmember Johnson, Councilmember Ankowiak

HEREAS, the New York State Department of Transportation (NYSDOT) proposes the November 2006 letting for the reconstruction of Harlem Road from Genesee Street in the Town of Cheektowaga to Yorktown Road in the Town of Amherst, identified as PIN 5268.32.123, AND

HEREAS, as part of said highway reconstruction project, the NYSDOT proposes the relocation and realignment of Town owned sanitary sewer district facilities in conflict with the highway reconstruction project pursuant to project contract documents, subject to the approval of the Town Engineer and Erie County Health Department, AND

HEREAS, Subdivision 2 of Section 10 of the State Highway Law enables the Commissioner of Transportation to provide, at the expense of the State, for adjustment to a municipally owned utility when such work is necessary as a result of State highway work, NO, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is directed, on behalf of this Town Board, to sign the Public Utility Work Agreement HC-10, Ref 11A, submitted by the New York State Department of Transportation for the adjustment of Town sewer district facilities in conflict with construction as required by the referenced highway reconstruction project.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Ankowiak, Magierski, Rogowski



RESOLUTION 2006-524

DOC ID: 1623 A

M... T... A... R: 2A O... R...

S... B: Councilmember Johnson Jr., Councilmember Rogowski

HEREAS, Exit 52 A of the I-90 Section of the New York State Thruway ("Thruway"), a north-south State highway, exits onto William Street in the Town of Cheektowaga, and

HEREAS, the New York State Thruway Authority ("NYSTA") recently began reconstructing and widening the 52A off-ramp on the south side of William Street, and

HEREAS, the widening of this off-ramp has caused traffic lanes to be moved closer to residences along Ceil Drive and Lane Drive, thereby negatively impacting these residents, and

HEREAS, in the past, the NYSTA has committed to installing sound/sight barriers along sections of the Thruway when its construction resulted in the Thruway being moved closer to residential areas, and

HEREAS, widening of the Thruway ramp at Exit 52A/William Street to provide adequate vehicular storage capacity will bring idling traffic closer to homes in Cheektowaga, particularly those located on Ceil Drive and Lane Drive, and

HEREAS, no sound/sight barriers are being proposed as part of the widening of the Thruway ramp in the vicinity of William Street/Exit 52A, and

HEREAS, the residents along Ceil Drive and Lane Drive, and the William Street Taxpayers Association have requested that that NYSTA install sound/site barriers along this widened section of the Thruway off-ramp, and

HEREAS, residents along Ceil Drive and Lane Drive are already being subjected to noise, dirt and negative visual effects from the Thruway off-ramp on William Street and should not be expected to incur further negative effects from work being done on the Thruway, and

HEREAS, the Town of Cheektowaga continues to request construction of a Thruway ramp on Broadway to mitigate traffic accessing William Street, NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NYSTA to include sound/sight barriers along the Thruway ramps in the area of the William Street/Exit 52A, and BE IT FURTHER

RESOLVED, that this Town Board continues in its request that a Thruway ramp or ramps be constructed at Broadway in the Town of Cheektowaga to help mitigate traffic entering from or exiting onto William Street, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the NYSTA Chairman John J. Buono, Assemblyman Paul A. Tokasz and Senator William T. Stachowski.

.....

MOTION BY COUNCILMEMBER ANTONIA SECONDED BY COUNCILMEMBER JOHNSON TO AMEND THE RESOLUTION

RESOLUTION

WHEREAS, Exit 52 A of the I-90 Section of the New York State Thruway ("Thruway"), a north-south State highway, exits onto William Street in the Town of Cheektowaga, and

WHEREAS, the New York State Thruway Authority ("NYSTA") recently began reconstructing and widening the 52A off-ramp on the south side of William Street, and

WHEREAS, the widening of this off-ramp has caused traffic lanes to be moved closer to residences along Ceil Drive and Lane Drive, thereby negatively impacting these residents, and

WHEREAS, in the past, the NYSTA has committed to installing sound/sight barriers along sections of the Thruway when its construction resulted in the Thruway being moved closer to residential areas, and

WHEREAS, widening of the Thruway ramp at Exit 52A/William Street to provide adequate vehicular storage capacity will bring idling traffic closer to homes in Cheektowaga, particularly those located on Ceil Drive and Lane Drive, and

WHEREAS, no sound/sight barriers are being proposed as part of the widening of the Thruway ramp in the vicinity of William Street/Exit 52A, and

WHEREAS, the residents along Ceil Drive and Lane Drive, and the William Street Taxpayers Association have requested that that NYSTA install sound/site barriers along this widened section of the Thruway off-ramp, and

WHEREAS, residents along Ceil Drive and Lane Drive are already being subjected to noise, dirt and negative visual effects from the Thruway off-ramp on William Street and should not be expected to incur further negative effects from work being done on the Thruway, and

WHEREAS, the Town of Cheektowaga continues to request construction of a Thruway ramp on Broadway to mitigate traffic accessing William Street, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the NYSTA to include sound/sight barriers along the Thruway ramps in the area of the William Street/Exit 52A, and BE IT FURTHER

RESOLVED, that this Town Board continues in its request that a Thruway ramp or ramps be constructed at Broadway in the Town of Cheektowaga to help mitigate traffic entering from or exiting onto William Street, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to the NYSTA Chairman John Buono, Assemblyman Paul A. Tokasz, Senator Dale M. Polker, Senator Mary Lou Rath, Senator William T. Stachowski, and the Entire Western New York Delegation of the State Legislature.

RESULT: ADOPTED AS AMENDED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-525

DOC ID: 1622

S **NYS** **S** **B** **R**: **S** **O** **T**

S: Magierski, Johnson Jr., Rogowski

HEREAS, there are numerous sex offenders residing in the State of New York, and

HEREAS, studies have shown that a number of sex offenders who are released from jail may be prone to repeat their offenses, and

HEREAS, a bill is pending in the State Senate (Senate Bill No. 92) which would enact a mandatory sex offender treatment act which would require persons convicted of felony sex offenses to undergo mandatory sex offender treatment during the period of their incarceration and for the duration of their parole in order to reduce the recidivism rate of such persons, and

HEREAS, although it may not be possible to cure sex offenders, research indicates that it is possible to implement programs designed to minimize the risk of re-offense, and

HEREAS, this Board feels that some form of treatment program would help reduce the rate of recidivism for sex offenders, **NO**, **THEREFORE, BE IT**

RESOLVED, that this Town Board hereby memorializes the New York State Legislature and Governor to enact Senate Bill No. 92 to mandate a sex offender treatment program, and **BE IT FURTHER**

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., James Rogowski
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-526

DOC ID: 1605 A

UNOFFICIAL MINUTES OF THE TOWN OF CHEEKTOWAGA

SESSON: Councilmember Magierski, Councilmember Frankowiak

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 138 Colby Street, Cheektowaga, New York SB 113.61-9 that is a danger to the safety of others, and records kept by the Assessors Office identify Irene Slisz, 223 Alaska Street, Cheektowaga, New York 1206, as the owner AND

WHEREAS, an inspection of such premises was conducted on 138 Colby Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

Motion by Councilmember Rogowski, Seconded by Councilmember Frankowiak to amend the Resolution as follows:

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 138 Colby Street, Cheektowaga, New York SB 113.61-9 that is a danger to the safety of others, and records kept by the Assessors Office identify Irene Slisz, 223

Alaska Street, Cheektowaga, New York 14206 and/or 62 Gorski St. Buffalo, NY 14206, as the owner AND

□ HERERAS, an inspection of such premises was conducted on 138 Colby Street, by the Housing and Neighborhood Preservation Office, AND

□ HERERAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

□ HERERAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

□ HERERAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-2A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADOPTED AS AMENDED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-527

DOC ID: 1606 A

UNOFFICIAL 22 AM SUMMARY

SUBJECT: Councilmember Magierski, Councilmember Rankowiak

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 223 Alaska Street, Cheektowaga, New York SB 113.61-28.1 that is a danger to the safety of others, and records kept by the Assessors Office identify Irene Slisz, 62 Gorski Street, Buffalo, New York 14206, as the owner AND

WHEREAS, an inspection of such premises was conducted on 223 Alaska Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

Empty line for additional text

Motion by Councilmember Rogowski, Seconded by Councilmember Rankowiak to amend the Resolution as Follows:

Empty line for additional text

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

□ HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 223 Alaska Street, Cheektowaga, New York SB□□ 113.61-□-28.1 that is a danger to the safety of others, and records kept by the Assessors Office identify Irene Slisz, 62 Gorski Street, Buffalo, New York 1□206 and/or 223 Alaska Street, Cheektowaga, New York 1□206, as the owner AND

□ HEREAS, an inspection of such premises was conducted on 223 Alaska Street, by the Housing and Neighborhood Preservation Office, AND

□ HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

□ HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga □aw for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

□ HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO□ , THEREFORE BE IT

RESO□□ED, that pursuant to Section □0-□A.(5) and Section □0-8 of the Town of Cheektowaga □aw for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated□and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADO□TED □UNANIMOUS□
MOVER:	Alice Magierski, Councilmember
SECONDER:	□ames □ankowiak, Councilmember
AYES:	Gabryszak, □aworowicz, □ohnson □r., Swiatek, □ankowiak, Magierski, Rogowski



RESOLUTION 2006-528

DOC ID: 1609

UNIVERSITY OF THE STATE 11 DAY

SE: Councilmember Magierski, Councilmember Laworowicz

HEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 119 David Avenue, Cheektowaga, New York SB 102.21-20 that is a danger to the safety of others, and records kept by the Assessors Office identify Donald Palmer, 950 Southwood, Drive, Angola, New York 10006, as the owner AND

HEREAS, an inspection of such premises was conducted on 119 David Avenue, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

15. Motion To: Motion to Waive the Reading of Names for Resolutions 529 & 530

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-529

DOC ID: 1619

□ □ □ □ **T** □ □ □ □ □ □ □ □ □ □

S □ □ □ □ □ □ □ □ **B** □: Councilmember □ankowiak, Supervisor Gabryszak

BE IT RESO□□ED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation □ Youth Services, effective as indicated:

--□imberly Catalino	10/06/06
--Deborah Fleetwood	10/0□/06
--Alex □adowski	08/21/06
--□ori Majewski	08/18/06
--Tammy Giczkowski	08/1□/06
--□auren Pierkarski	08/16/06
--Howard Schnauffer	08/16/06
--Hilary Peacock	08/16/06
--Randy Derfert	08/16/06
--Mandy Burton	08/16/06
--Dana □ryszak	08/16/06
--□auren Szydowski	08/16/06
--□ackie Poblocki	08/15/06
--□atie Torgerson	08/15/06
--□auren Fial	08/15/06
--Michael McMahan	08/15/06
--Meghan Eckle	08/15/06
--Daniel Badzinski	08/15/06
--Brandon □arczewski	08/15/06
--Melissa □itwin	08/15/06
--Mary □elasko	08/1□/06
--□ackie Eckel	08/11/06
--Andre McGhee	08/11/06
--Andrew □aver	08/11/06
--Sara Passafiume	08/10/06
--□ristin Mills	08/09/06
--□ylie Mars	08/0□/06

BE IT RESO□□ED that the separation dates or seasonal/regular part-time/part-time

status were incorrectly listed on the resolution submitted on... please correct as follows:

--Laura Mayle 08/26/06

--Eugene Williams 08/25/06

--Jeremy Child 08/25/06

--Robert Radlich 08/17/06

--Ryan Mohr 05/07/06

Part-time

Carly Rehac

Christy Rzesutek

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Saworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-530

DOC ID: 1610

H **S** **T**

S: Councilmember **B**: Supervisor Gabryszak

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

SANITATION DEPARTMENT Laborer \$15.50/hour
Lesley Lesolowski, Depew, NY
Effective 10/01/06

RESOLVED, that the following individuals be and hereby are hired as listed:

SANITATION DEPARTMENT
Justin Draper
Effective 9/16/06

Ray Bierwith, Jr.
Effective 10/03/06

POLICE DEPARTMENT - Detention Officer
Ronald Sayger
Effective 10/11/06

PARADE DIVISION
Robert O'Sullivan
Effective 10/01/06

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-531

DOC ID: 1617

A **M** **E** **O** **B A**
R **O** **2, 2006** **S** **D**
S **D. S**

S: Councilmember **B**: Councilmember Frankowiak, Supervisor Gabryszak

HEREAS, this Town Board appointed Shawn D. Surdej to the title of Motor Equipment Operator - B in the Sanitation Department on October 2, 2006 AND

HEREAS, said position is part of the Town of Cheektowaga Employees Association AND

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

HEREAS, the Town Board resolution making said appointment stated that "no full-time bargaining unit member bid on said vacancy" AND

HEREAS, Mr. Surdej, in fact, was and currently is a member of said bargaining unit, employed as a laborer in the Sanitation Department prior to his appointment as a Motor Equipment Operator - B in the Sanitation Department NO, THEREFORE, BE IT

RESOLVED, that the record be amended to state that Mr. Shawn D. Surdej, of Cheektowaga, New York, bid on and was appointed to the position of Motor Equipment Operator - B in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective October 3, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-532

DOC ID: 1602

A **A**

S **B** : Councilmember Rogowski, Councilmember Laworowicz

HEREAS, there is a vacancy in the position of Deputy Town Attorney - Prosecutor in the Town of Cheektowaga, and

HEREAS, Kathleen M. McDonald, Esq. of Depew, New York applied for such position, and

HEREAS, Kathleen M. McDonald, Esq. has the necessary experience in prosecuting cases and is fully qualified for such position, **NO** , **THEREFORE, BE IT**

RESOLVED, that Kathleen M. McDonald, Esq., of Depew, New York be and hereby is appointed to the position of Deputy Town Attorney - Prosecutor for the Town of Cheektowaga, effective immediately, at a salary of \$18,336 and otherwise in accordance with the Personnel Policy for Exempt Employees

RESULT: WITHDRAWN



RESOLUTION 2006-533

DOC ID: 1616

A... D... S... S...
C... S...

S... B: ankowiak, Gabryszak, ohnson r.

- HEREAS, a vacancy exists in the position of Director of Senior Services AND
HEREAS, said title is in the competitive class of civil service AND
HEREAS, a current list is not in existence for said title AND
HEREAS, said position was duly advertised AND
HEREAS, this Town Board reviewed applications and conducted interviews for this position AND
HEREAS,erry Switalski, currently employed as a Recreation Supervisor in the Department of Senior Services, applied for said position and meets all necessary requirements for provisional appointment NO , THEREFORE, BE IT

RESOED, thaterry Switalski of Cheektowaga, New York, be and hereby is appointed to the provisional position of Director of Senior Services, pending the results of the civil service examination, at an annual salary of \$53,000 effective December 1, 2006.

RESULT: ADOED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Thomas ohnson r.
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-534

DOC ID: 1615

TOWNSHIP OF CHEEKTOWAGA
RESOLUTION 2006-534
ADOPTED UNANIMOUSLY
ON OCTOBER 16, 2006
BY THE TOWNSHIP BOARD

SUBJECT: Councilmember James Rankowiak, Supervisor Gabryszak

WHEREAS, the "Motor Vehicle Theft and Insurance Fraud Board Meeting" is being held on November 1, 2006 in Albany, New York AND

WHEREAS, Police Lieutenant Mark Petruniak, has requested authorization to attend said meeting AND

WHEREAS, Chief of Police Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, all expenses shall be paid for by the Division of Criminal Justice Services NO, THEREFORE, BE IT

RESOLVED, that Police Lieutenant Mark Petruniak be and hereby is authorized to attend the "Motor Vehicle Theft and Insurance Fraud Board Meeting" being held on November 1, 2006 in Albany, New York.

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-535

DOC ID: 1611

TOWNSHIP OF CHEEKTOWAGA, COUNTY OF CHESTER, STATE OF NEW YORK
ENACTS AS FOLLOWS:
SECTION 1.00: That the following be and they are hereby authorized to attend the "Command Institute for Law Enforcement Executives" Training being held October 30 through November 3, 2006, in Niagara Falls, New York AND

SECTION 2.00: Councilmember Frankowiak, Supervisor Gabryszak

SECTION 3.00: HEREAS, the "Command Institute for Law Enforcement Executives" Training is being held October 30 through November 3, 2006, in Niagara Falls, New York AND

SECTION 4.00: HEREAS, Police Lieutenants James Speyer and David Mack have requested authorization to attend said training AND

SECTION 5.00: HEREAS, Chief of Police Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

SECTION 6.00: HEREAS, the total cost to the Town shall not exceed \$1,000 AND

SECTION 7.00: HEREAS, these expenses have been budgeted by the Police Department NO, THEREFORE, BE IT

RESOLVED, that Police Lieutenants James Speyer and David Mack be and hereby are authorized to attend the "Command Institute for Law Enforcement Executives" Training being held October 30 through November 3, 2006, in Niagara Falls, New York.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-536

DOC ID: 1612

TOWNSHIP OF CHEEKTOWAGA SUPERVISOR DENNIS GABRYSAK
COUNCILMAN JAMES KANKOWIAK, SUPERVISOR DENNIS GABRYSAK,
ERIC BROSKA, AND JAMES PATTERSON

WHEREAS Councilmember James Kankowiak, Supervisor Gabryszak

HEREAS, the "School Resource Officer Training Course" is being held November 6 through November 10, 2006 in Syracuse, New York AND

HEREAS, Police Officers Brian Gould, Eric Broska, and James Patterson have requested authorization to attend said conference AND

HEREAS, Chief of Police Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$3,026 AND

HEREAS, these expenses have been budgeted by the Police Department NO , THEREFORE, BE IT

RESOLVED, that Police Officers Brian Gould, Eric Broska, and James Patterson be and hereby are authorized to attend the "School Resource Officer Training Course" being held November 6 through November 10, 2006 in Syracuse, New York.

RESULT: ADOPTED UNANIMOUS
MOVER: James Kankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Kankowiak, Magierski, Rogowski



RESOLUTION 2006-537

DOC ID: 1613

T **A** **S** **FXS** **I**
S **C** **C** **S** **L**
B **O** **B** **C**

S: Councilmember **B**: Councilmember Frankowiak, Supervisor Gabryszak

HEREAS, a "Simulation Fire Scenario Instructor and Safety Certification Course" is being held between November 1 and November 1, 2006 in Rochester, New York AND

HEREAS, Police Sergeant Lawrence Bauer and Police Officer Brian Coons have requested authorization to attend said course AND

HEREAS, Chief of Police Christine Ciemba has submitted the necessary paperwork requesting authorization to attend AND

HEREAS, the total cost to attend said course shall not exceed \$2,000 AND

HEREAS, these expenses have been budgeted by the Police Department NO, THEREFORE, BE IT

RESOLVED, that Police Sergeant Lawrence Bauer and Police Officer Brian Coons be and hereby are authorized to attend a "Simulation Fire Scenario Instructor and Safety Certification Course" being held between November 1 and November 1, 2006 in Rochester, New York.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski

VI. S **R**

- 1. Motion To: Motion to Suspend the Rules to Include the Following Resolutions; and the Voting went as follows:

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-538

DOC ID: 1625

A **B** **T** **D** **F** **S**

S **B**: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski

HEREAS, a State of Emergency was declared in the Town of Cheektowaga as a result of a severe storm which hit the area on October 13, 2006, and

HEREAS, this storm caused severe damage to many trees, power lines and properties within the Town of Cheektowaga, causing massive power outages, and

HEREAS, it is necessary that the Town of Cheektowaga take all steps to remove damaged trees and vegetation as quickly as possible, and

HEREAS, GS Lodging, LLC and First Berkshire Business Trust, subsidiaries of Benderson Development Company (hereinafter "Benderson"), own the following referenced properties within the Town of Cheektowaga:

<u>Property</u>	<u>Record Owner</u>
23 Genesee Street	GS Lodging, LLC
Garden Millage Plaza	First Berkshire Business Trust

, and

HEREAS, Benderson has offered to permit the Town of Cheektowaga to utilize these properties for the temporary storage and staging area for the placement and chipping/mulching of trees which were damaged, and

HEREAS, Benderson has submitted to the Town of Cheektowaga a proposed agreement for the utilization of the above properties by the Town, and

HEREAS, no monetary consideration is being requested by Benderson for the use of these properties. Benderson only requests that it be allowed to deliver trees and other damaged vegetation from its private properties located in the Town of Cheektowaga to these sites for eventual disposal by the Town of Cheektowaga, and

HEREAS, the terms of this agreement are acceptable to this Town Board, NO, THEREFORE, BE IT

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-539

DOC ID: 1626

A **S** **S** **T** **D** **F** **S**

S **B**: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

HEREAS, a State of Emergency was declared in the Town of Cheektowaga as a result of a severe storm which hit the area on October 13, 2006, and

HEREAS, this storm caused severe damage to many trees, power lines and properties within the Town of Cheektowaga, causing massive power outages, and

HEREAS, it is necessary that the Town of Cheektowaga take all steps to remove damaged trees and vegetation as quickly as possible, and

HEREAS, Sam-Son Distribution Center, Inc. (hereinafter "Sam-Son") owns property located at 203 Eggert Road in the Town of Cheektowaga, and

HEREAS, Sam-Son has offered to permit the Town of Cheektowaga to utilize the southwest corner of the parking lot on this property for the temporary storage and staging area for the placement and chipping/mulching of trees which were damaged, and

HEREAS, no monetary consideration is being requested by Sam-Son for the use of this property, and

HEREAS, an agreement to permit the use of this property by the Town has been prepared, and

HEREAS, the terms of this agreement are acceptable to this Town Board, NO, THEREFORE, BE IT

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

VII. C

A. Departmental Communications

1. Minutes - Cheektowaga Traffic Safety Commission - September 19, 2006
2. Minutes - Cheektowaga Planning Board - September 14, 2006
3. 2007 Tentative Budget - Town of Cheektowaga

B. General Communications

1. Notice of Claim: Michael J. D’Addario Vs. Town of Cheektowaga
2. Notice of Claim: Waltraud Piffli Vs. Town of Cheektowaga
3. Notice of Claim: State Farm Mutual Automobile Ins. Co. Vs. Town of Cheektowaga

VIII. C

A. Supervisor’s Comments

B. Councilmember’s Comments

C. Public Comments



T O W N O F C H E E K T O W A G A

3301 Broadway
Cheektowaga, NY 14227

R E S P E C T F U L L Y

M E E T I N G

Mary F. Holtz
(716) 686-3434

Monday, November, 6, 2006

6:45 PM

Council Chambers

I. C O M M E N T S

COMMENTS - Current Meeting:

6:45 PM Meeting called to order on November 6, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

A T T E N D E E	O R D E R	T I T L E	S T A T U S	A D D I T I O N A L
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Michael Stachowski, Town Attorney
- Brian Krause, Director of Finance and Administration
- Thomas Adamczak, Supervising Building and Plumbing Inspector
- Christine Ciemba, Chief of Police
- Patricia Wojcik, Senior Services Director
- Kenneth Popacz, Director of Parks, Recreation and Youth Services
- Anthony Romano, Coordinator of Employee Relations
- Andrew Gulyk, Chairman of Zoning Board of Appeals
- Merrie Switalski

C. Invocation: Pastor Fr. Fabian Maryanski, St. Andrew R. C. Church

II. C O M M E N T S

III. H E A R I N G S B E G I N S AT 6:00 P M

1. Public Hearing to Adopt Unsafe Buildings Law

RESULT: CLOSED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

IV. R E S O L U T I O N



RESOLUTION 2006-540

DOC ID: 1632

WARRANT

Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to November 3, 2006 are hereby approved and made a part hereof;

Table with 2 columns: Fund Name and Amount. Rows include GENERAL FUND (\$2,619,924.74), RISK RETENTION FUND (89,313.22), HUD HOUSING REHABILITATION FUND (2,200.00), SPECIAL DISTRICT FUND (796,271.48), HIGHWAY FUND (425,488.93), CAPITAL FUND (94,601.41), TRUST & AGENCY FUND (118,915.30), HUD CDBG FUND (73,656.96), PART TOWN FUND (110,425.58), and NYS AFFORDABLE HOUSING FUND (7,883.50). Total: \$4,338,681.12

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski



RESOLUTION 2006-541

DOC ID: 1633

T O W N O F C H E E K T O W A G A F U N D S

S _____ **B**: Supervisor Gabryszak, Councilmember _____aworowicz

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

GENERAL FUND

FROM:	100-1110-1971	Part Time Regular	\$ 4,000.00
	100-9501-9211	Bond Interest	79,202.00
TO:	100-1110-2105	Equipment	\$ 4,000.00
	100-9950-8729	Transfer to Capital	67,365.00
	100-7110-4451	Repairs & Maintenance	11,837.00

HUD CDBG FUND

FROM:	700-1004-0604	Housing Rehab Mobile Homes	\$ 5,000.00
TO:	700-1004-0606	Disposition	\$ 5,000.00

PART TOWN FUND

FROM:	800-3620-4001	Office Supplies	\$ 1,000.00
TO:	800-3620-4191	Miscellaneous Expense	\$ 1,000.00

RESULT: **ADO** _____ **TE** _____ **UNANIMOUS** _____

MOVER: Dennis Gabryszak, Supervisor

SECONDER: Patricia _____aworowicz, Councilmember

AYES: Gabryszak, _____aworowicz, _____ohnson _____r., Swiatek, _____ankowiak, Magierski, Rogowski



RESOLUTION 2006-542

DOC ID: 1635

A **B**: **R** **E** **O**
E **S** **R** **2006 0** **W** **S**

S **B**: Councilmember Laworowicz, Councilmember Johnson.

HEREAS, bids were duly received and opened by the Town Clerk at a public bid opening held on October 18, 2006 for snow removal if a snow emergency should occur for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, AND

HEREAS, one vendor placed a bid and has met the bid specifications, NO THEREFORE, BE IT

RESOLVED, that the bid for labor and materials necessary for the removal of snow during a snow emergency on an as-needed basis be awarded to Custom Topsoil, Inc., 320 Crabapple Lane, Cheektowaga, NY 14224, AND BE IT FURTHERED

RESOLVED, that line item to be used in case of emergency is 0300-512-029

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-543

DOC ID: 1648

A B H A E S

S B: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, the Town's existing Agreement for Pre-Hospital Emergency Services (for ambulance services for emergencies when called into the Cheektowaga Dispatch Office) expires on December 31, 2006, and

HEREAS, by resolution dated July 1, 2006, this Town Board requested proposals for a new agreement for Pre-Hospital Emergency Services, and

HEREAS, proposals were duly received by this Town Board at a bid opening on August 23, 2006 for pre-hospital emergency services, and such bids were referred to the Emergency Medical Services Board for analysis, tabulation, and report and

HEREAS, such analysis, tabulation, and report has been completed NO, THEREFORE, BE IT

RESOLVED, that the bid be awarded to Rural/Metro Medical Services, 81 William Gaiter Parkway, Buffalo, New York, 14215, being the lowest responsible bidder meeting the requirements set forth in the Notice to Bidders and Request for Proposal referred to herein, for the period January 1, 2007 to December 31, 2007, with two (2) consecutive renewal years for 2008 and 2009 at the option of the Town and be it further

RESOLVED, that the Supervisor is hereby authorized to execute an agreement and any other documents that may be necessary for said services, subject to approval by the Town Attorney's Office.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-544

DOC ID: 1650

O **1**, **N** **U**, **2006** **N** **M**, **T**
M, **S** **C** **B** **C**

S **B**: Councilmember Laworowicz, Councilmember Johnson r.

HEREAS, bids were received and opened by the Town Clerks at a public bid opening held on November 1, 2006 for One (1) New and Unused, 2006 or Newer Model, Trailer Mounted, Self Contained Brush Chipper for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bid was referred to the Superintendent of Highway for analysis, tabulation and reports, AND

HEREAS, bids were analyzed and completed, NO THEREFORE, BE IT

RESOED, that the bid for ONE (1) NE AND UNUSED 2006 OR NE ER MODE, TRAIER MOUNTED, SEF CONTAINED BRUSH CHIPPER be awarded to Baschmann Services Inc., 1101 Maple Road, Elma, NY 1059, at a total bid price of \$28,880.00 said bidder meeting specifications, as set forth in the analysis of the Superintendent of Highways. AND, BE IT FURTHER

RESOED, that monies be charged to line item 500-5130-200-520

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson r., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-545

DOC ID: 1644 A

NEGATIVE DECLARATION FOR 600 DOAT STREET

SUBJECT: Councilmember Johnson et al., Councilmember Magierski

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 Order of the Felician Sisters of St. Francis for the rezoning of a part of 600 Doat Street from CF- Community Facilities to RSC- Senior Citizen Housing District for the conversion of and existing multi-story school building to an apartment complex for senior citizens and additional site improvements elsewhere on the Villa Maria Campus, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on November 1, 2006 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the rezoning and the site plan at their meetings of September 1, 2006 and October 12, 2006 respectively, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving the drainage and grading plan.
2. The Zoning Board of Appeals granting the necessary area variances to permit the division of the parcel.
3. The Deputy Town Attorney receives evidence of perpetual access easements necessary for parking, fire access, and any shared infrastructure to facilitate the parcel division.

WHEREAS, the applicant meeting the regulatory requirements of the NYS Office of Historic Preservation as a site listed on the National Registry of Historic Places.

AND BE IT FURTHER RESOLVED, that the requirement to provide replacement trees on a one to one basis pursuant to section 229-5 of the Town Code will not be required due to lack of on site opportunities and the monies offered to the Town by the applicant in lieu of such trees are hereby gratefully declined.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Tankowiak, Magierski, Rogowski



RESOLUTION 2006-546

DOC ID: 1646

NEGATIVE DECLARATION OF 111 TOWN ROAD.

SUBJECT: Councilmember Johnson, Councilmember Magierski

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 Richard Snowden for the construction of a parking area expansion at 5111 Genesee Street, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on September 20, 2006 recommended a determination of non-significance as shown on the attached memorandum dated September 20, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of October 12, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving the drainage grading plan.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-547

DOC ID: 1643

D 00000000 **R** 00000000 **600 D** 000 **S** 000000

S 00000000 **B**: Councilmember Magierski, Councilmember Swiatek

WHEREAS, The Order of Felician Sisters of St. Francis petitioned for a rezoning from CF-Community Facilities District to RSC-Senior Citizen Housing District for the conversion of a former high school building to senior apartments for property owned by Villa Maria Senior Living Community, L.P. and located at 600 Doat Street, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 16th day of October, 2006 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law and all interested parties were given an opportunity to be heard at such hearing, and

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEIRA and the Town Environmental Impact Review Ordinance for this rezoning, **NOW, THEREFORE, BE IT**

RESOLVED, that the application of The Order of Felician Sisters of St. Francis for the rezoning from CF-Community Facilities District to RSC-Senior Citizen Housing District of the property described in the attached legal description be and the same is hereby approved, and **BE IT FURTHER**

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 33, Township 11, Range 7 of the Holland Land Company Survey (so-called), bounded and described as follows:

COMMENCING AT THE INTERSECTION of the north line of Doat Street and the west line of the Town of Cheektowaga (said west line of the Town of Cheektowaga being also the east line of the City of Buffalo);

RUNNING THENCE: Northerly, along the division line between the Town of Cheektowaga on the east and the City of Buffalo on the west, a distance of 47.10 feet to a point;

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 77.88 feet to the Point or Place of Beginning of the parcel herein described;

RUNNING THENCE: Northerly, at an exterior angle of 89E-05'-21" with the last described line, a distance of 230.19 feet to a point;

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 144.0 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 44.36 feet to a point;

RUNNING THENCE: Westerly, at right angles to the last described line, a distance of 63.26 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 53.0 feet to a point;

RUNNING THENCE: Westerly, at right angles to the last described line, a distance of 5.0 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 24.0 feet to a point;

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 5.0 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 41.81 feet to a point;

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 13.29 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 67.01 feet to a point;

RUNNING THENCE: Westerly, at right angles to the last described line, a distance of 94.02 feet to the POINT OR PLACE OF BEGINNING, containing 0.51 acre, be the same, more or less. SUBJECT to easements, rights of way and restrictions on record.

RESULT:	ADO <input type="checkbox"/> TED <input type="checkbox"/> UNANIMOUS <input type="checkbox"/>
MOVER:	Alice Magierski, Councilmember
SECONDER:	<input type="checkbox"/> Jeff Swiatek, Councilmember
AYES:	Gabryszak, <input type="checkbox"/> Aworowicz, <input type="checkbox"/> Johnson <input type="checkbox"/> r., Swiatek, <input type="checkbox"/> Ankowiak, Magierski, Rogowski



RESOLUTION 2006-548

DOC ID: 1645

R E S O L U T I O N **S E C O N D E R** **N O T E** **C O U N C I L M E M B E R**
R O H N S O N **R E A D** **B Y**

S P O N S O R E D B Y: Councilmember Johnson Jr., Councilmember Jaworowicz

WHEREAS, a recent inspection of the Rein Road Bridge which spans Ellicott Creek, BIN 2212900, by the New York State Department of Transportation Bridge Inspection Unit has identified structural deficiencies for which the Town has maintenance responsibility, AND

WHEREAS, there is a need to promptly perform further inspection and analysis to evaluate the load capacity of said bridge and to determine alternatives and to develop cost estimates for remedial improvements, AND

WHEREAS, the engineering consulting firm of Nussbaumer & Clarke, Inc. has a familiarity with the Rein Road Bridge having assisted the Town with major structural improvements and redecking of this bridge in 1980, NOW, THEREFORE, BE IT

RESOLVED, that the proposal of Nussbaumer & Clarke, Inc., dated November 1, 2006 as submitted to the Town Engineer and Town Superintendent of Highways for professional services associated with evaluation of the structural bridge elements, and preparation of a remedial action plan for bridge rehabilitation, is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign said agreement with Nussbaumer & Clarke, Inc. for the provision of said professional services, AND, BE IT FURTHER

RESOLVED, that the cost of said professional engineering services in an amount not to exceed \$12,000 shall be chargeable to the Highway Reconstruction Road Bond Account #500-5101-9901-5910.

RESULT: **ADOPTED UNANIMOUS**
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Patricia Jaworowicz, Councilmember
AYES: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-549

DOC ID: 1642

R E S O L U T I O N

S E C O N D E R: Councilmember Thomas Johnson

WHEREAS, the owner of premises located at the northwest corner of Transit Road and Genesee Street in the Town of Cheektowaga has requested the installation of an additional fire hydrant for proposed development of the premises

WHEREAS, Hyew Fire District No. 8 has consented to the installation of such additional fire hydrant subject to the terms contained in a letter dated October 10, 2006 from 81 And 3 of Florida, Inc., the owner of said property

WHEREAS, the Town Engineer has reviewed this request and has no objection to same, NO, THEREFORE, BE IT

RESOLVED, that the Erie County Water Authority be and hereby is directed to install a fire hydrant on the northwest corner of Transit Road and Genesee Street, as more particularly shown in an Agreement between the Town of Cheektowaga and 81 And 3 of Florida, Inc., and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga shall be responsible to the Erie County Water Authority for annual hydrant rental fees for this hydrant, and BE IT FURTHER

RESOLVED, that such fees shall be reimbursed to the Town pursuant to a separate agreement with the owner and tenant.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-550

DOC ID: 1640

A **S** **E** **A** **R** **F**
H **A** **G** **S** **T** **R**

S **B**: Councilmember Thomas Johnson

WHEREAS, 81 And 3 of Florida, Inc., (the Company) is the owner of premises located at the northwest corner of Transit Road and Genesee Street in the Town of Cheektowaga and

WHEREAS, the Company is developing a portion of said premises for a proposed retail business (the Project) and

WHEREAS, the Project requires the construction of an additional fire hydrant to service the premises and

WHEREAS, in order to induce 81 And 3 of Florida, Inc., to proceed with the work, the Town has directed the Erie County Water Authority to install a fire hydrant on the northwest corner of Genesee Street and Transit Road, as more particularly described and shown in said Agreement, a copy of which is attached hereto and

WHEREAS, the Company has agreed to pay the Town for any annual fee imposed by the Erie County Water Authority with respect to said hydrant, which fee is to be determined by the Water Authority and

WHEREAS, this Town Board approves of the foregoing and is willing to enter into an agreement with the Company **NOW THEREFORE, BE IT**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned agreement on behalf of the Town of Cheektowaga, subject to approval by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-551

DOC ID: 1647

G **H** **R** **L** **B**

S: Gabryszak, Johnson, Rogowski

WHEREAS, by resolution dated September 18, 2006, this Town Board committed to funding a lighting betterment for the reconstruction of Harlem Road from Genesee Street to Kensington Avenue in the Town of Cheektowaga at a cost of \$139,923.00, and

WHEREAS, said resolution stated that funding for such betterment would be appropriated from the General Lighting District budget, which budget would be reimbursed with any funding provided by Assemblyman Paul A. Tokasz, and

WHEREAS, Assemblyman Tokasz notified this Board that he has secured \$282,000 in Multi-Modal funding for the Town of Cheektowaga to be used for projects consistent with the Multi-Modal program, and

WHEREAS, the aforementioned Harlem Road lighting betterment is eligible for funding under the Multi-Modal program, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests that \$139,923.00 of the aforementioned Multi-Modal funding be secured for the Harlem Road lighting betterment, and BE IT FURTHER

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultant, be authorized and directed to complete the necessary application, forms, etc. to be submitted to acquire the Multi-Modal funding for the Harlem Road lighting betterment project, and BE IT FURTHER

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

RESULT: WITHDRAWN



RESOLUTION 2006-552

DOC ID: 1630

A **G** **V** **F** **M** **S** **D**

S: Councilmember James Rankowiak

WHEREAS, Department of Parks, Recreation and Youth Services has used a gymnastics vault owned by the Maryvale School District every summer for the past 10 years, and

WHEREAS, Maryvale School District no longer will be using this vault and has offered same to the Town of Cheektowaga for use by Department of Parks, Recreation and Youth Services at no cost to the Town provided the Town signs a Release Form releasing Maryvale School District from all liability associated with the use of such vault, and

WHEREAS, Kenneth Popacz, Director, Department of Parks, Recreation and Youth Services, has recommended that the Town accept such vault as a gift and sign the requested Release Form, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned gymnastics vault from the Maryvale School District, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned Release Form on behalf of the Town.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-553

DOC ID: 1638

A **S** **E** **D** **D** **A** **T** **L**

S: Councilmember Laworowicz, Councilmember Rogowski

HEREAS, the Town of Lancaster has requested the Town of Cheektowaga to renew its agreement with it for the proper disposal of dead dogs for the Town of Lancaster, and

HEREAS, the Dog Control Officer has recommended that the Dog Disposal Agreement with Lancaster be renewed for another three (3) years at a cost of \$16.00 per dead dog, and

HEREAS, a new agreement between the Town of Lancaster and the Town of Cheektowaga, for the period beginning September 1, 2006 and ending November 30, 2009, has been prepared and is acceptable as to form by the Town Attorney's Office, and

HEREAS, this Town Board, in an expression of inter-municipal cooperation, is willing to enter into this new agreement with the Town of Lancaster, **NO**, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Dog Disposal Agreement on behalf of the Town of Cheektowaga.

ATTACHMENTS:

[DOG DISPOSAL AGREEMENT 11.1.06](#)

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Ankowiak, Magierski, Rogowski



RESOLUTION 2006-554

DOC ID: 1628

N O T I C E

S P O N S O R E D B Y: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, on the 15th day of May, 1981, 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 list below 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

<u>Name</u>	<u>Address</u>	<u>Expiration Date</u>
Dworak, Keith R	25 Fosson Garden Dr #1, Cheektowaga, N.Y. 14224	1/31/2009
Gibbons, John M	1923 E Quaker Rd, Orchard Park, N.Y. 14120	6/30/2009
Peebles, Brenda	262 Louann Dr, Depew, N.Y. 14043	2/29/2008

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-555

DOC ID: 1639

□ □ □ □ **T** □ □ □ □ □ □ □ □ □ □

S □ □ □ □ □ □ □ □ **B** □ : Supervisor Gabryszak, Councilmember □ ankowiak

BE IT RESO □ □ ED that the individuals listed below be and hereby are transferred in the Department of Parks, Recreation □ Youth Services, from seasonal to regular part-time, effective immediately:

- ennifer Grzebinski
- Charleen □ilijanski
- Mary Elizabeth Maziarz
- Steven □ach

RESULT: **ADO □ TED □ UNANIMOUS □**

MOVER: Dennis Gabryszak, Supervisor

SECONDER: □ames □ankowiak, Councilmember

AYES: Gabryszak, □aworowicz, □ohnson □r., Swiatek, □ankowiak, Magierski,
Rogowski



RESOLUTION 2006-556

DOC ID: 1631

Town of Cheektowaga Resolution 2006-556

Supervisor B: Councilmember Rankowiak, Supervisor Gabryszak

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

POLICE DEPARTMENT Detention Officer \$12.25/hour
Anthony M. Theriault, Cheektowaga, NY
Effective 10/20/06

SANITATION DEPARTMENT Laborer \$11.50/hour
John Polkowiecki, Cheektowaga, NY
Effective 11/06/06

BUILDING AND GROUNDS Laborer \$11.00/hour
Robert Szymkowiak, Cheektowaga, NY
Effective 11/08/06

RESOLVED, that the following individuals be and hereby are as listed:

SANITATION DEPARTMENT

Lesley Esolowski
Effective 10/20/06

Brian Fischer
Effective 9/29/06

Devin Huhn
Effective 9/28/06

PARIS DIVISION

Donald Parkman
Effective 11/06/06

Richard Gramza
Effective 11/06/06

Mason Hartinger
Effective 11/06/06

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-557

DOC ID: 1641

E... **S**... **L**... **D**... **M**... **C**...
D...

S... **B**: Councilmember [ankowiak, Supervisor Gabryszak

[] HEREAS, Dale Marie Parks is employed as a Housing Inspector in the Office of Community Development [] AND

[] HEREAS, this title is included as part of the Town of Cheektowaga Employees Association (TCEA) [] AND

[] HEREAS, pursuant to Section 8.02(e) of the collective bargaining agreement between the Town and the TCEA, the Town Board may authorize extended sick leave [] AND

[] HEREAS, Ms. Parks has respectfully requested authorization by the Town Board for such an extension [] AND

[] HEREAS, the Town Board has approved her request [] NO [] , THEREFORE, BE IT

RESO [] ED, that Dale Marie Parks be and hereby be granted three (3) sick days pursuant to Section 8.02(e) of the collective bargaining agreement between the Town and the TCEA.

RESULT:	ADO [] TED [] UNANIMOUS []
MOVER:	[]ames []ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, []aworowicz, []ohnson []r., Swiatek, []ankowiak, Magierski, Rogowski



RESOLUTION 2006-558

DOC ID: 1634

Councilmember James Rankowski, Supervisor Dennis Gabryszak, Councilmember Dennis Gabryszak, Supervisor Dennis Gabryszak

Supervisor Dennis Gabryszak: Councilmember Rankowski, Supervisor Gabryszak

BE IT RESOLVED, the Town Board hereby creates the position of Senior Program Coordinator (Senior Services) pursuant to Civil Service Laws and Rules effective November 13, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-559

DOC ID: 1627

A A

S B: Councilmember Rogowski, Councilmember Laworowicz

HEREAS, there is a vacancy in the position of Deputy Town Attorney - Prosecutor in the Town of Cheektowaga, and

HEREAS, Cathleen M. McDonald, Esq. of Depew, New York applied for such position, and

HEREAS, Cathleen M. McDonald, Esq. has the necessary experience in prosecuting casers and is fully qualified for such position, NO , THEREFORE, BE IT

RESOED, that Cathleen M. McDonald, Esq., of Depew, New York be and hereby is appointed to the position of Deputy Town Attorney - Prosecutor for the Town of Cheektowaga, effective immediately, at a salary of \$13,336 and otherwise in accordance with the Personnel Policy for Exempt Employees

RESULT: WITHDRAWN



RESOLUTION 2006-560

DOC ID: 1636

A... S... C... S...
S... C... S... A... N...

S... B: Councilmember ankowiak, Supervisor Gabryszak

HEREAS, a vacancy exists in the title of Senior Program Coordinator (Senior Services) in the Senior Services Department AND

HEREAS, 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

HEREAS, said title falls under the competitive class of Erie County Civil Service AND

HEREAS, no bargaining unit member bid on said vacancy AND

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

HEREAS, Sheryl Abel Neal has applied for said position and meets all the necessary qualifications for provisional appointment NO , THEREFORE, BE IT

RESOLVED, Sheryl Abel Neal of Cheektowaga, New York, be and hereby is appointed provisionally to the position of Senior Program Coordinator (Senior Services) in the Senior Services 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 November 13, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski

V. S... R...

COMMENTS - Current Meeting:

Motion by Councilmember Magierski, seconded by Councilmember aworowicz to suspend the rules to include the following three (3) items.



RESOLUTION 2006-561

DOC ID: 1651

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

SUBJECT: Councilmember Alice Magierski

WHEREAS, the Town of Cheektowaga seeks grant monies to prepare a comprehensive master plan to address the community's vision for future land use and development activities, and

WHEREAS, the Town intends to embark upon a process to prepare the comprehensive master plan that will include community visioning, resource mapping, citizen participation efforts, and development of strategic plans for geographic areas and

WHEREAS, the Town intends to form a comprehensive master plan project committee to provide project guidance, and

WHEREAS, the Town seeks input in the form of project committee representation from neighboring municipalities including the Village of Depew, Village of Sloan, Town of Amherst, and Town of Lancaster, and

WHEREAS, the Town of Cheektowaga agrees to commit matching funds in an amount not to exceed \$50,000 should the grant application be awarded, and

WHEREAS, the Cheektowaga Town Supervisor is hereby designated as the representative authorized to act on behalf of the Town of Cheektowaga in all matters related to this financial assistance, and

WHEREAS, the Town of Cheektowaga hereby certifies that the information contained in this application is true and accurate to the best of our knowledge, NO, THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board hereby affirms its support for a Quality Communities grant application to support preparation of the Cheektowaga Comprehensive Master Plan project, and BE IT FURTHER

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of State, for the purpose of securing a Quality Communities Grant for the Cheektowaga Comprehensive Master Plan project, 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.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Thomas Johnson Jr., James Rogowski
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-562

DOC ID: 1652

A A V B

S B: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski

HEREAS, officers and employees in charge of the various administrative units of the government of the Town of Cheektowaga have submitted estimate of revenues and expenditures for the 200 fiscal year, AND

HEREAS, the Supervisor, as the Town's Budget Officer, has caused a tentative budget to be prepared, and the Town Clerk has presented such budget to this Town Board, AND

HEREAS, this Town Board has met and considered the preliminary budget for the fiscal year beginning anuary 1, 200, and a public hearing was conducted there on October 10, 2006 as required by Section 108 of the Town aw, NO, THEREFORE, BE IT

RESOED, that the preliminary budget as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual budget of the Town of Cheektowaga for the fiscal year beginning on anuary 1, 200, and the same shall be entered in the minutes of the Town Board.

RESULT:	ADO TED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-563

DOC ID: 1653

A **B** **B** **B**

S **B**: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski

HEREAS, Dennis H. Gabryszak, Supervisor of the Town of Cheektowaga, New York, presented a Budget and Assessment Roll showing the various sums of money that were and will be required to defray the expenses of the Special Districts respectively and does determine same to be necessary and required as set forth, namely:

Town of Cheektowaga
Final Benefit Basis Budget, AND

HEREAS, a Public Hearing was duly held on the 10th day of October, 2006 at 6:00 P.M. in relation to the Preliminary Benefit Basis Budget, as provided by law, with amendments made to same, NO, THEREFORE, BE IT

RESOLVED, that the Budget and Assessment Roll for Special Districts in the Town of Cheektowaga, be and the same is hereby adopted, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to cause same to be spread on the Tax Roll for the Year 200.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski
AYES: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski

VI. C

A. Departmental Communications

1. Supervisor's Statement of Funds - September 2006
2. Building Permits - October 2006
3. Cheektowaga Conservation Advisory Council: Minutes of October 5, 2006 Meeting
4. Cheektowaga Planning Board: Minutes of Octobr 12, 2006 Meeting
5. Environmental Advisory Committee: Minutes of Meeting of October 11, 2006
6. Earl Loder, Cheektowaga Emergency Services Coordinator: Quarterly Reports - July to September 2006

B. General Communications

1. Summons & Complaint: Mary Gage, Individually and As Administratrix of Estate of Andrew M. Gage
2. Summons & Complaint: Citimortgage, Inc., Vs. Joseph & Cynthia Malkiewicz, Town of Cheektowaga, Etc.
3. Notice of Claim: Maureen Uhteg Vs. Town of Cheektowaga
4. Notice of Claim: Mary Ann Fenske Vs. Town of Cheektowaga
5. Notice of Claim: Irene Czajka Vs. Town of Cheektowaga
6. Notice of Claim: Rolando/Andrea Nati Vs. Town of Cheektowaga
7. Notice of Claim: Christina Chowaniec Vs. Town of Cheektowaga
8. Notice of Claim: Jill Morlock Vs. Town of Cheektowaga
9. Notice of Claim: Leonard Raynor Vs. Town of Cheektowaga
10. Notice of Claim: Marianne Neeley: Vs. Town of Cheektowaga

VII. C

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. C

COMMENTS - Current Meeting:

Motion by Councilmember Johnson, seconded by Councilmember Laworowicz to adjourn the meeting at 5:50 P.M.



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006-00

Meeting: 11/06/06 06:05 PM
Department: Accounting/Payroll
Category: Warrant List
Prepared By: Cathy Travers
Initiator: Cathy Travers
Sponsors: Supervisor Gabryszak, Councilmember Frankowiak
DOC ID: 1632

WHEREAS

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to November 3, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 2,619,924.74
RISK RETENTION FUND	89,313.22
HUD HOUSING REHABILITATION FUND	2,200.00
SPECIAL DISTRICT FUND	796,271.48
HIGHWAY FUND	425,488.93
CAPITAL FUND	94,601.41
TRUST & AGENCY FUND	118,915.30
HUD CDBG FUND	73,656.96
PART TOWN FUND	110,425.58
NYS AFFORDABLE HOUSING FUND	7,883.50
	<u>\$ 4,338,681.12</u>

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006-541

Meeting: 11/06/06 06:05 PM
Department: Accounting/Payroll
Category: Transfer of Funds
Prepared By: Cathy Travers
Initiator: Cathy Travers
Sponsors: Supervisor Gabryszak, Councilmember Laworowicz
DOC ID: 1633

TOWN OF CHEEKTOWAGA

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

GENERAL FUND

FROM:	100-1110-1971	Part Time Regular	\$ 4,000.00
	100-9501-9211	Bond Interest	79,202.00
TO:	100-1110-2105	Equipment	\$ 4,000.00
	100-9950-8729	Transfer to Capital	67,365.00
	100-7110-4451	Repairs & Maintenance	11,837.00

HUD CDBG FUND

FROM:	700-1004-0604	Housing Rehab Mobile Homes	\$ 5,000.00
TO:	700-1004-0606	Disposition	\$ 5,000.00

PART TOWN FUND

FROM:	800-3620-4001	Office Supplies	\$ 1,000.00
TO:	800-3620-4191	Miscellaneous Expense	\$ 1,000.00

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006-02

Meeting: 11/06/06 06:05 PM

Department: Highway

Category: Award of Bid

Prepared By: Judy Golas

Initiator: Christopher Rowal

Sponsors: Councilmember Laworowicz, Councilmember Johnson

DOC ID: 1635

**ARTICLE I: RESOLUTION OF THE TOWN BOARD
EMERGENCY SNOW REMOVAL 2006-02 WORKS**

WHEREAS, bids were duly received and opened by the Town Clerk at a public bid opening held on October 18, 2006 for snow removal if a snow emergency should occur for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis, AND

WHEREAS, one vendor placed a bid and has met the bid specifications, NO THEREFORE, BE IT

RESOLVED, that the bid for labor and materials necessary for the removal of snow during a snow emergency on an as-needed basis be awarded to Custom Topsoil, Inc., 320 Crabapple Lane, Cheektowaga, NY 11520, AND BE IT FURTHERED

RESOLVED, that line item to be used in case of emergency is 0300-512-029

RESULT: ADOPTED UNANIMOUS
MOVER: Patricia Laworowicz, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006

Meeting: 11/06/06 06:05 PM

Department: Town Attorney

Category: Agreements, Bonds, Contracts

Prepared By: Connie Paoletti

Initiator: Connie Paoletti

Sponsors: Supervisor Gabryszak, Councilmember Rogowski

DOC ID: 1618

A **B** **H** **A** **E**
S

WHEREAS, the Town's existing Agreement for Pre-Hospital Emergency Services (for ambulance services for emergencies when called into the Cheektowaga Dispatch Office) expires on December 31, 2006, and

WHEREAS, by resolution dated July 1, 2006, this Town Board requested proposals for a new agreement for Pre-Hospital Emergency Services, and

WHEREAS, proposals were duly received by this Town Board at a bid opening on August 23, 2006 for pre-hospital emergency services, and such bids were referred to the Emergency Medical Services Board for analysis, tabulation, and report and

WHEREAS, such analysis, tabulation, and report has been completed, NO, THEREFORE, BE IT

RESOLVED, that the bid be awarded to Rural/Metro Medical Services, 81 William Gaiter Parkway, Buffalo, New York, 14215, being the lowest responsible bidder meeting the requirements set forth in the Notice to Bidders and Request for Proposal referred to herein, for the period January 1, 2007 to December 31, 2007, with two (2) consecutive renewal years for 2008 and 2009 at the option of the Town and be it further

RESOLVED, that the Supervisor is hereby authorized to execute an agreement and any other documents that may be necessary for said services, subject to approval by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006

Meeting: 11/06/06 06:05 PM

Department: Highway

Category: Award of Bid

Prepared By: Judy Golas

Initiator: Christopher Golas

Sponsors: Councilmember Laworowicz, Councilmember Johnson

DOC ID: 1650

ONE (1) NEW AND UNUSED, 2006 OR NEWER MODEL, TRAILER MOUNTED, SELF CONTAINED BRUSH CHIPPER

WHEREAS, bids were received and opened by the Town Clerks at a public bid opening held on November 1, 2006 for One (1) New and Unused, 2006 or Newer Model, Trailer Mounted, Self Contained Brush Chipper for use by the Town of Cheektowaga Highway Department as a result of advertisement thereof, and such bid was referred to the Superintendent of Highway for analysis, tabulation and reports, AND

WHEREAS, bids were analyzed and completed, NO THEREFORE, BE IT

RESOLVED, that the bid for ONE (1) NEW AND UNUSED 2006 OR NEWER MODEL, TRAILER MOUNTED, SELF CONTAINED BRUSH CHIPPER be awarded to Baschmann Services Inc., 1101 Maple Road, Elma, NY 11059, at a total bid price of \$28,880.00 said bidder meeting specifications, as set forth in the analysis of the Superintendent of Highways. AND, BE IT FURTHER

RESOLVED, that monies be charged to line item 500-5130-200-5020

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11522

ADOPTED

RESOLUTION 2006

Meeting: 11/06/06 06:05 PM

Department: Building

Category: SEQR/Site Plan Recommendations

Prepared By: Daniel Ulatowski

Initiator: Daniel Ulatowski

Sponsors: Councilmember Johnson, Councilmember Magierski

DOC ID: 1600A

NEGATIVE SEQR DECLARATION FOR 600 DOAT STREET

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 Order of the Felician Sisters of St. Francis for the rezoning of a part of 600 Doat Street from CF- Community Facilities to RSC- Senior Citizen Housing District for the conversion of and existing multi-story school building to an apartment complex for senior citizens and additional site improvements elsewhere on the Villa Maria Campus, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on November 1, 2006 recommended a determination of non-significance, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the rezoning and the site plan at their meetings of September 1, 2006 and October 12, 2006 respectively, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The Town Engineer approving the drainage and grading plan.
2. The Zoning Board of Appeals granting the necessary area variances to permit the division of the parcel.
3. The Deputy Town Attorney receives evidence of perpetual access easements necessary for parking, fire access, and any shared infrastructure to facilitate the parcel division.

□ The applicant meeting the regulatory requirements of the NYS Office of Historic Preservation as a site listed on the National Registry of Historic Places.

AND BE IT FURTHER RESOLVED, that the requirement to provide replacement trees on a one to one basis pursuant to section 229-5 of the Town Code will not be required due to lack of on site opportunities and the monies offered to the Town by the applicant in lieu of such trees are hereby gratefully declined.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/06/06 06:05 PM
Department: Building
Category: SEQOR/Site Plan Recommendations
Prepared By: Daniel Ulatowski
Initiator: Daniel Ulatowski
Sponsors: Councilmember Johnson, Councilmember Magierski

ADOPTED
RESOLUTION 2006-06

DOC ID: 1616

NEGATIVE STATEMENT ON THE 111 TRANSITION.

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 Richard Snowden for the construction of a parking area expansion at 5111 Genesee Street, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on September 20, 2006 recommended a determination of non-significance as shown on the attached memorandum dated September 20, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of October 12, 2006, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

- 1. The Town Engineer approving the drainage grading plan.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/06/06 06:05 PM
Department: Town Attorney
Category: Rezoning-SpecialPermit
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Councilmember Magierski, Councilmember Swiatek

ADOPTED

RESOLUTION 2006

DOC ID: 1613

DECISION ON REZONING OF 600 DOAT STREET

WHEREAS, The Order of Felician Sisters of St. Francis petitioned for a rezoning from CF-Community Facilities District to RSC-Senior Citizen Housing District for the conversion of a former high school building to senior apartments for property owned by Stella Maria Senior Living Community, L.P. and located at 600 Doat Street, Cheektowaga, New York, which property is described in the attached legal description, and

WHEREAS, a public hearing on such petition was held before this Town Board on the 16th day of October, 2006 at 6:30 o'clock P.M., after publication and service of the notices required by the provisions of the Code of the Town of Cheektowaga ("Zoning Law"), and the Town Law and all interested parties were given an opportunity to be heard at such hearing, and

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

WHEREAS, this Town Board previously issued a Negative Declaration under SEARA and the Town Environmental Impact Review Ordinance for this rezoning, **NOW, THEREFORE, BE IT**

RESOLVED, that the application of The Order of Felician Sisters of St. Francis for the rezoning from CF-Community Facilities District to RSC-Senior Citizen Housing District of the property described in the attached legal description be and the same is hereby approved, and **BE IT FURTHER**

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

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot 33, Township 11, Range 7 of the Holland Land Company Survey (so-called), bounded and described as follows:

COMMENCING AT THE INTERSECTION of the north line of Doat Street and the west line of the Town of Cheektowaga (said west line of the Town of Cheektowaga being also the east line of the City of Buffalo);

RUNNING THENCE: Northerly, along the division line between the Town of Cheektowaga on the east and the City of Buffalo on the west, a distance of 47.10 feet to a point;

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 77.88 feet to the Point or Place of Beginning of the parcel herein described;

RUNNING THENCE: Northerly, at an exterior angle of 89E-05'-21" with the last described line,

Resolution 2006-5□□

Meeting of November 6, 2006

a distance of 230.19 feet to a point;

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 144.0 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 44.36 feet to a point;

RUNNING THENCE: Westerly, at right angles to the last described line, a distance of 63.26 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 53.0 feet to a point;

RUNNING THENCE: Westerly, at right angles to the last described line, a distance of 5.0 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 24.0 feet to a point;

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 5.0 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 41.81 feet to a point;

RUNNING THENCE: Easterly, at right angles to the last described line, a distance of 13.29 feet to a point;

RUNNING THENCE: Southerly, at right angles to the last described line, a distance of 67.01 feet to a point;

RUNNING THENCE: Westerly, at right angles to the last described line, a distance of 94.02 feet to the POINT OR PLACE OF BEGINNING, containing 0.51 acre, be the same, more or less. SUBJECT to easements, rights of way and restrictions or record.

RESULT:	ADO □ TED □ UNANIMOUS □
MOVER:	Alice Magierski, Councilmember
SECONDER:	□eff Swiatek, Councilmember
AYES:	Gabryszak, □aworowicz, □ohnson □r., Swiatek, □ankowiak, Magierski, Rogowski



Town of **C**heektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/06/06 06:05 PM
Department: Engineering
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Diane Swiatek
Initiator: William Pugh

ADOPTED

Sponsors: Councilmember Johnson, Councilmember Laworowicz

RESOLUTION 2006

DOC ID: 1615

RESOLUTION 2006-548
ADOPTED
UNANIMOUSLY

WHEREAS, a recent inspection of the Rein Road Bridge which spans Ellicott Creek, BIN 221290, by the New York State Department of Transportation Bridge Inspection Unit has identified structural deficiencies for which the Town has maintenance responsibility, AND

WHEREAS, there is a need to promptly perform further inspection and analysis to evaluate the load capacity of said bridge and to determine alternatives and to develop cost estimates for remedial improvements, AND

WHEREAS, the engineering consulting firm of Nussbaumer & Clarke, Inc. has a familiarity with the Rein Road Bridge having assisted the Town with major structural improvements and redecking of this bridge in 1980, NO, THEREFORE, BE IT

RESOLVED, that the proposal of Nussbaumer & Clarke, Inc., dated November 1, 2006 as submitted to the Town Engineer and Town Superintendent of Highways for professional services associated with evaluation of the structural bridge elements, and preparation of a remedial action plan for bridge rehabilitation, is accepted and approved, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, is hereby directed and authorized to sign said agreement with Nussbaumer & Clarke, Inc. for the provision of said professional services, AND, BE IT FURTHER

RESOLVED, that the cost of said professional engineering services in an amount not to exceed \$12,000 shall be chargeable to the Highway Reconstruction Road Bond Account 500-511-9901-591.

RESULT:	ADOPTED UNANIMOUSLY
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006

Meeting: 11/06/06 06:05 PM
Department: Town Attorney
Category: Engineering Misc.
Prepared By: Connie Paoletti

Initiator: Connie Paoletti
Sponsors: Councilmember Thomas Johnson
DOC ID: 1612

RESOLUTION WHEREAS AND BE IT FURTHER

WHEREAS, the owner of premises located at the northwest corner of Transit Road and Genesee Street in the Town of Cheektowaga has requested the installation of an additional fire hydrant for proposed development of the premises and

HEREAS, Hyew Fire District No. 8 has consented to the installation of such additional fire hydrant subject to the terms contained in a letter dated October 10, 2006 from 81 And 3 of Florida, Inc., the owner of said property and

HEREAS, the Town Engineer has reviewed this request and has no objection to same, NO, THEREFORE, BE IT

RESOLVED, that the Erie County Water Authority be and hereby is directed to install a fire hydrant on the northwest corner of Transit Road and Genesee Street, as more particularly shown in an Agreement between the Town of Cheektowaga and 81 And 3 of Florida, Inc., and BE IT FURTHER

RESOLVED, that the Town of Cheektowaga shall be responsible to the Erie County Water Authority for annual hydrant rental fees for this hydrant, and BE IT FURTHER

RESOLVED, that such fees shall be reimbursed to the Town pursuant to a separate agreement with the owner and tenant.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson, Swiatek, Tankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006-00

Meeting: 11/06/06 06:05 PM
Department: Town Attorney
Category: Agreements, Bonds, Contracts
Prepared By: Connie Paoletti
Initiator: Connie Paoletti
Sponsors: Councilmember Thomas Johnson
DOC ID: 1610

A **S** **E** **A** **R** **F**
H **A** **G** **S** **T** **R**

WHEREAS, 81 And 3 of Florida, Inc., (the Company) is the owner of premises located at the northwest corner of Transit Road and Genesee Street in the Town of Cheektowaga and

WHEREAS, the Company is developing a portion of said premises for a proposed retail business (the Project) and

WHEREAS, the Project requires the construction of an additional fire hydrant to service the premises and

WHEREAS, in order to induce 81 And 3 of Florida, Inc., to proceed with the work, the Town has directed the Erie County Water Authority to install a fire hydrant on the northwest corner of Genesee Street and Transit Road, as more particularly described and shown in said Agreement, a copy of which is attached hereto and

WHEREAS, the Company has agreed to pay the Town for any annual fee imposed by the Erie County Water Authority with respect to said hydrant, which fee is to be determined by the Water Authority and

WHEREAS, this Town Board approves of the foregoing and is willing to enter into an agreement with the Company **NOW THEREFORE, BE IT**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned agreement on behalf of the Town of Cheektowaga, subject to approval by the Town Attorney's Office.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/06/06 06:05 PM
Department: Town Attorney
Category: Grant Application
Prepared By: Devin Schenk
Initiator: Devin Schenk
Sponsors: Gabryszak, Johnson Jr., Rogowski
DOC ID: 1600

WITHDRAWN

RESOLUTION 2006-001

Grant for Harlem Road Lighting Betterment

WHEREAS, by resolution dated September 18, 2006, this Town Board committed to funding a lighting betterment for the reconstruction of Harlem Road from Genesee Street to Kensington Avenue in the Town of Cheektowaga at a cost of \$130,923.00, and

WHEREAS, said resolution stated that funding for such betterment would be appropriated from the General Lighting District budget, which budget would be reimbursed with any funding provided by Assemblyman Paul A. Tokasz, and

WHEREAS, Assemblyman Tokasz notified this Board that he has secured \$282,000 in Multi-Modal funding for the Town of Cheektowaga to be used for projects consistent with the Multi-Modal program, and

WHEREAS, the aforementioned Harlem Road lighting betterment is eligible for funding under the Multi-Modal program, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby requests that \$130,923.00 of the aforementioned Multi-Modal funding be secured for the Harlem Road lighting betterment, and BE IT FURTHER

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultant, be authorized and directed to complete the necessary application, forms, etc. to be submitted to acquire the Multi-Modal funding for the Harlem Road lighting betterment project, and BE IT FURTHER

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

RESULT: WITHDRAWN



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006-552

Meeting: 11/06/06 06:05 PM
Department: Town Attorney
Category: Miscellaneous
Prepared By: Devin Schenk
Initiator: Devin Schenk
Sponsors: Councilmember James Rankowski
DOC ID: 1630

A **G** **V** **F** **M** **S** **D**

WHEREAS, Department of Parks, Recreation and Youth Services has used a gymnastics vault owned by the Maryvale School District every summer for the past 10 years, and

WHEREAS, Maryvale School District no longer will be using this vault and has offered same to the Town of Cheektowaga for use by Department of Parks, Recreation and Youth Services at no cost to the Town provided the Town signs a Release Form releasing Maryvale School District from all liability associated with the use of such vault, and

WHEREAS, Kenneth Popacz, Director, Department of Parks, Recreation and Youth Services, has recommended that the Town accept such vault as a gift and sign the requested Release Form, NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned gymnastics vault from the Maryvale School District, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned Release Form on behalf of the Town.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowski, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006

Meeting: 11/06/06 06:05 PM
Department: Town Attorney
Category: Agreements, Bonds, Contracts
Prepared By: Connie Paoletti
Initiator: Connie Paoletti
Sponsors: Councilmember Laworowicz, Councilmember Rogowski
DOC ID: 1638

A **S** **E** **D** **D** **A**
T **L**

WHEREAS, the Town of Lancaster has requested the Town of Cheektowaga to renew its agreement with it for the proper disposal of dead dogs for the Town of Lancaster, and

WHEREAS, the Dog Control Officer has recommended that the Dog Disposal Agreement with Lancaster be renewed for another three (3) years at a cost of \$16.00 per dead dog, and

WHEREAS, a new agreement between the Town of Lancaster and the Town of Cheektowaga, for the period beginning September 1, 2006 and ending November 30, 2009, has been prepared and is acceptable as to form by the Town Attorney's Office, and

WHEREAS, this Town Board, in an expression of inter-municipal cooperation, is willing to enter into this new agreement with the Town of Lancaster, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Dog Disposal Agreement on behalf of the Town of Cheektowaga.

RESULT: ADOPTED UNANIMOUSLY
MOVER: Patricia Laworowicz, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

DOG DISPOSAL AGREEMENT

THIS AGREEMENT, made this ____ day of November, 2006, effective September 1, 2006, authorized by Article 5-G of the General Municipal Law of the State of New York and Article (7) of the New York Agricultural and Markets Law, by and between the **TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK**, a municipal Corporation in the State of New York, having its office and principal place of business at Town Hall, 3301 Broadway, Cheektowaga, New York, 14227-1088, party of the first part, and the **TOWN OF LANCASTER, ERIE COUNTY, NEW YORK**, a municipal corporation in the State of New York, and having its office and principal place of business at the Town Hall, 21 Central Avenue, Lancaster, New York, party of the second part.

W I T N E S S E T H

The party of the first part, in consideration of the payment to it by the party of the second part of the sum of money to be paid in the manner hereinafter particularly described, hereby covenants and agrees that:

FIRST: The party of the first part, through its duly appointed agents and employees, will humanely destroy or dispose of, pursuant to and as provided in Section 118 of the Agricultural and Markets Law, dead dogs delivered to the party of the first part by the party of the second part.

SECOND: In consideration of the performance by the party of the first part of the terms of this Agreement, the party of the second part hereby agrees to pay the party of the first part the sum of Sixteen Dollars (\$16.00) per dead dog.

THIRD: The party of the second part hereby agrees to indemnify and hold harmless the party of the first part from and against all claims, damages, losses and expenses, including attorneys' fees, that shall or may be brought against or occasioned by the party of the first part arising out of the actions of the second part prior to the delivery of the dead dogs to the party of the first part. In no event shall the party of the second part be responsible for damages caused by any negligent acts or omissions on the part of the party of the first part under this Agreement.

FOURTH: The aforesaid sum stated in condition numbered "SECOND of this Agreement is to be billed monthly on a properly-itemized voucher by the party of the first part to the party of the second part.

FIFTH: Said dead dogs shall be delivered to the Cheektowaga Dog Pound by agents or employees of the party of the second part at a time mutually agreeable to both parties.

SIXTH: This Agreement shall commence on the 1st day of September, 2006, and shall continue for a period of five (5) years.

IN WITNESS WHEREOF, the parties hereto have caused their corporate seals to be hereunto affixed and this Agreement to be signed by their duly authorized officers, the day and year first above written.

TOWN OF CHEEKTOWAGA, ERIE COUNTY, NEW YORK

By: _____
Dennis H. Gabryszak, Supervisor

TOWN OF LANCASTER, ERIE COUNTY, NEW YORK

By: _____

Robert H. Giza, Supervisor

STATE OF NEW YORK :
: **SS:**
COUNTY OF ERIE :

On this _____ day of November, 2006, before me, the undersigned, a notary public in and for the said County of Erie, personally appeared **DENNIS H. GABRYSZAK, Supervisor of the Town of Cheektowaga, Erie County, New York**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted executed the instrument.

NOTARY PUBLIC

STATE OF NEW YORK :
: **SS:**
COUNTY OF ERIE :

On this _____ day of November, 2006, before me, the undersigned, a notary public in and for the said County of Erie, personally appeared **ROBERT H. GIZA, Supervisor of the Town of Lancaster, Erie County, New York**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted executed the instrument.

NOTARY PUBLIC



Town of **C**heektowaga
 3301 Broadway
 Cheektowaga, NY 11224

Meeting: 11/06/06 06:05 PM
 Department: Town Clerk's Office
 Category: E M S
 Prepared By: Sharon Styborski
 Initiator: Mary Holtz
 Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
 DOC ID: 1628

ADOPTED

RESOLUTION 2006

Now **R**eading **A**mbulance **D**river/Attendant **L**icense

WHEREAS, on the 11th day of May, 1981, 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 list below 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

<u>Name</u>	<u>Address</u>	<u>Expiration Date</u>
Dworak, Keith R	25 Rosson Garden Dr #1, Cheektowaga, N.Y. 11224	1/31/2009
Gibbons, John M	923 E Quaker Rd, Orchard Park, N.Y. 11212	6/30/2009
Peebles, Brenda	262 Louann Dr, Depew, N.Y. 11003	2/29/2008

RESULT: **ADOPTED UNANIMOUS**
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006-555

Meeting: 11/06/06 06:05 PM

Department: Prys

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Linda Porter

Initiator: Linda Porter

Sponsors: Supervisor Gabryszak, Councilmember Rankowski

DOC ID: 1639

Town of Cheektowaga

BE IT RESOLVED that the individuals listed below be and hereby are transferred in the Department of Parks, Recreation & Youth Services, from seasonal to regular part-time, effective immediately:

- Jennifer Grzebinski
- Charleen Wiljanski
- Mary Elizabeth Maziarz
- Steven Mach

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/06/06 06:05 PM

Department: Personnel

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Beth Lipczynski

Initiator: Beth Lipczynski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1631

ADOPTED

RESOLUTION 2006-56

Town of Cheektowaga Resolution 2006-56

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

POLICE DEPARTMENT Detention Officer 1.25/hour
Anthony M. Theriault, Cheektowaga, NY
Effective 10/2/06

SANITATION DEPARTMENT Laborer 0.50/hour
John Polkowiecki, Cheektowaga, NY
Effective 11/06/06

BUILDING AND GROUNDS Laborer 0.00/hour
Robert Szymkowiak, Cheektowaga, NY
Effective 11/08/06

RESOLVED, that the following individuals be and hereby are hired as listed:

SANITATION DEPARTMENT

Lesley Esolowski
Effective 10/20/06

Brian Fischer
Effective 9/29/06

Kevin Uhn
Effective 9/28/06

PARIS DIVISION

Donald Markman
Effective 11/06/06

Richard Gramza
Effective 11/06/06

Mason Martinger
Effective 11/06/06

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/06/06 06:05 PM

Department: Personnel

Category: Personnel Miscellaneous

Prepared By: Beth Lipczynski

Initiator: Beth Lipczynski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 161

ADOPTED

RESOLUTION 2006

EXTENSION OF SICK LEAVE FOR DALE MARIE PARKS

WHEREAS, Dale Marie Parks is employed as a Housing Inspector in the Office of Community Development AND

WHEREAS, this title is included as part of the Town of Cheektowaga Employees Association (TCEA) AND

WHEREAS, pursuant to Section 8.02(e) of the collective bargaining agreement between the Town and the TCEA, the Town Board may authorize extended sick leave AND

WHEREAS, Ms. Parks has respectfully requested authorization by the Town Board for such an extension AND

WHEREAS, the Town Board has approved her request NO, THEREFORE, BE IT

RESOLVED, that Dale Marie Parks be and hereby be granted three (3) sick days pursuant to Section 8.02(e) of the collective bargaining agreement between the Town and the TCEA.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of **C**heektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006

Meeting: 11/06/06 06:05 PM

Department: Personnel

Category: Personnel Miscellaneous

Prepared By: Beth Lipczynski

Initiator: Beth Lipczynski

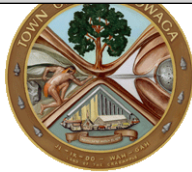
Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 163

Cheektowaga **S**ervices **C**ouncil **S**ession **S**chedule

BE IT RESOLVED, the Town Board hereby creates the position of Senior Program Coordinator (Senior Services) pursuant to Civil Service Laws and Rules effective November 13, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/06/06 06:05 PM
Department: Town Attorney
Category: Appointments/Reappointments
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Councilmember Rogowski, Councilmember Laworowicz

WITHDRAWN
RESOLUTION 2006

DOC ID: 162

A **A**

HEREAS, there is a vacancy in the position of Deputy Town Attorney - Prosecutor in the Town of Cheektowaga, and

HEREAS, Kathleen M. McDonald, Esq. of Depew, New York applied for such position, and

HEREAS, Kathleen M. McDonald, Esq. has the necessary experience in prosecuting casers and is fully qualified for such position, NO , THEREFORE, BE IT

RESOLVED, that Kathleen M. McDonald, Esq., of Depew, New York be and hereby is appointed to the position of Deputy Town Attorney - Prosecutor for the Town of Cheektowaga, effective immediately, at a salary of \$1,336 and otherwise in accordance with the Personnel Policy for Exempt Employees

RESULT: WITHDRAWN



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11522

ADOPTED

RESOLUTION 2006 60

Meeting: 11/06/06 06:05 PM

Department: Personnel

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Beth Lipczynski

Initiator: Beth Lipczynski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1636

ADOPTED UNANIMOUSLY
Sponsored by Councilmembers James Frankowiak and Dennis Gabryszak
Seconded by Councilmember Paul Johnson, Jr., Swiatek, Frankowiak, Magierski, Rogowski

WHEREAS, a vacancy exists in the title of Senior Program Coordinator (Senior Services) 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, said title falls under the competitive class of Erie County Civil Service AND

WHEREAS, no bargaining unit member bid on said vacancy AND

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

WHEREAS, Sheryl Abel Neal has applied for said position and meets all the necessary qualifications for provisional appointment NO, THEREFORE, BE IT

RESOLVED, Sheryl Abel Neal of Cheektowaga, New York, be and hereby is appointed provisionally to the position of Senior Program Coordinator (Senior Services) in the Senior Services 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 November 13, 2006.

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/06/06 06:05 PM
Department: Town Attorney
Category: Grant Application
Prepared By: Connie Paoletti
Initiator: Connie Paoletti
Sponsors: Councilmember Alice Magierski

ADOPTED

RESOLUTION 2006 61

DOC ID: 1651

A **S** **E** **G** **A** **F** **C** **M**

WHEREAS, the Town of Cheektowaga seeks grant monies to prepare a comprehensive master plan to address the community's vision for future land use and development activities, and

WHEREAS, the Town intends to embark upon a process to prepare the comprehensive master plan that will include community visioning, resource mapping, citizen participation efforts, and development of strategic plans for geographic areas and

WHEREAS, the Town intends to form a comprehensive master plan project committee to provide project guidance, and

WHEREAS, the Town seeks input in the form of project committee representation from neighboring municipalities including the Village of Depew, Village of Sloan, Town of Amherst, and Town of Lancaster, and

WHEREAS, the Town of Cheektowaga agrees to commit matching funds in an amount not to exceed \$50,000 should the grant application be awarded, and

WHEREAS, the Cheektowaga Town Supervisor is hereby designated as the representative authorized to act on behalf of the Town of Cheektowaga in all matters related to this financial assistance, and

WHEREAS, the Town of Cheektowaga hereby certifies that the information contained in this application is true and accurate to the best of our knowledge, THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board hereby affirms its support for a Quality Communities grant application to support preparation of the Cheektowaga Comprehensive Master Plan project, and BE IT FURTHER

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of State, for the purpose of securing a Quality Communities Grant for the Cheektowaga Comprehensive Master Plan project, 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.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., James Rogowski
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/06/06 06:05 PM
Department: Accounting/Payroll
Category: Financial
Prepared By: Nancy McNally
Initiator: Brian Krause
DOC ID: 1652

ADOPTED

Sponsors: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski

RESOLUTION 2006 62

ARTICLE V

WHEREAS, officers and employees in charge of the various administrative units of the government of the Town of Cheektowaga have submitted estimate of revenues and expenditures for the 2007 fiscal year, AND

WHEREAS, the Supervisor, as the Town's Budget Officer, has caused a tentative budget to be prepared, and the Town Clerk has presented such budget to this Town Board, AND

WHEREAS, this Town Board has met and considered the preliminary budget for the fiscal year beginning January 1, 2007, and a public hearing was conducted there on October 10, 2006 as required by Section 108 of the Town Law, NOW, THEREFORE, BE IT

RESOLVED, that the preliminary budget as changed, altered and revised and as hereinafter set forth, is hereby adopted as the annual budget of the Town of Cheektowaga for the fiscal year beginning on January 1, 2007, and the same shall be entered in the minutes of the Town Board.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/06/06 06:05 PM
Department: Accounting/Payroll
Category: Financial
Prepared By: Nancy McNally
Initiator: Brian Krause
Sponsors: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
DOC ID: 1653

ADOPTED

RESOLUTION 2006 6

A B B B

WHEREAS, Dennis H. Gabryszak, Supervisor of the Town of Cheektowaga, New York, presented a Budget and Assessment Roll showing the various sums of money that were and will be required to defray the expenses of the Special Districts respectively and does determine same to be necessary and required as set forth, namely:

Town of Cheektowaga
Final Benefit Basis Budget, AND

WHEREAS, a Public Hearing was duly held on the 10th day of October, 2006 at 6:00 P.M. in relation to the Preliminary Benefit Basis Budget, as provided by law, with amendments made to same, NO, THEREFORE, BE IT

RESOLVED, that the Budget and Assessment Roll for Special Districts in the Town of Cheektowaga, be and the same is hereby adopted, AND, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is directed to cause same to be spread on the Tax Roll for the Year 200.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Resident Meeting

Monday, November 20, 2006

Mary F. Holtz
(716) 686-3434

Monday, November 20, 2006

6:45 PM

Council Chambers

I. Comments

COMMENTS - Current Meeting:

6:45 PM Meeting called to order on November 20, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Apologies
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Absent	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Michael Stachowski, Town Attorney
- William Pugh, Town Engineer
- Brian Krause, Director of Finance and Administration
- Thomas Adamczak, Supervising Building and Plumbing Inspector
- Christine Ciemba, Chief of Police
- erry Switalski, Director of Senior Services

II. Council

III. Items

A. Rev. Lowell Avery, Cleveland Drive Presbyterian Church

IV. Resolutions



RESOLUTION 2006-564

DOC ID: 1684

T F

S B: Supervisor Gabryszak, Councilmember Laworowicz

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

CAPITAL FUND

FROM:	500-1910-9399-5017	Administrative Expense	\$ 36,300.30
	500-2550-2001-5017	Sanitary Sewer	6,533.29
	500-1910-9399-5124	Administrative Expense	2,735.35
	500-1910-9399-5125	Administrative Expense	2,771.57

TO:	500-1910-2799-5017	Appropriated Fund Balance	\$ 42,833.59
	500-1910-2799-5124	Appropriated Fund Balance	2,735.35
	500-1910-2799-5125	Appropriated Fund Balance	2,771.57

HUD NYS AFFORDABLE HOUSING

FROM:	900-8600-4910	NYS AHC Revenues	\$ 75,000.00
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TO:	900-8668-4005	AHC Expenses	\$ 75,000.00
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RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-565

DOC ID: 1683

W

S: Supervisor Gabryszak, Councilmember Rankowski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to November 17, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 2,652,773.97
RISK RETENTION FUND	48,518.09
DEBT SERVICE FUND	221,984.90
HUD HOUSING REHABILITATION FUND	6,694.00
SPECIAL DISTRICTS FUND	795,287.99
HIGHWAY FUND	724,294.88
CAPITAL FUND	297,168.79
TRUST & AGENCY FUND	191.25
HUD CDBG FUND	211,826.52
PART TOWN FUND	121,095.02
NYS AFFORDABLE HOUSING FUND	26,651.00
	<hr/>
	\$ 5,106,486.41

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT: Alice Magierski



RESOLUTION 2006-566

DOC ID: 1654

N **H** **A** **S** **W** **L**

S: Councilmember Rankowiak, Councilmember Rogowski

HEREAS, by Local Law No. 5 of the Year 1992, the Cheektowaga Town Board enacted a Solid Waste Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), and

HEREAS, this Town Board wishes to amend Chapter 206 of the Town Code to:

1. Change the definition of "Garbage Container" in Section 206-3.A
2. Change the definition of "Nonrecyclable Refuse and Rubbish" in Section 260-3.A
3. Change the definition of "Recyclable Container" in Section 206-3.A
4. Revise Section 260-4.C.(3) relating to recycling containers
5. Revise Section 260-6.C. to require that containers or receptacles be removed after being emptied to the rear of the premises
6. Revise 206-8.G. to state that the Town of Cheektowaga will not collect or accept waste oil
7. Revise Section 260-10, Penalties for offenses
8. Add a new section, Section 260-10.1, entitled "Costs of removal to constitute lien on property interest collection"

HEREAS, Local Law Intro No. 2006-6 of the Year 2006 was drafted to so amend Chapter 206 of the Town Code, NOW, THEREFORE, BE IT

HEREAS, a public hearing was scheduled for the 18th day of October, 2006, at 6:30 P.M. at the Maryvale Presbyterian Church, 25 Maryvale Drive, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-6 of the Year 2006, entitled "A Local Law to amend the Solid Waste Law of the Town of Cheektowaga", and said hearing had to be cancelled because of weather conditions, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 1st day of December, 2006, at 6:00 P.M. at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-6 of the Year 2006, entitled "A Local Law to amend the Solid Waste Law of the Town of Cheektowaga", and BE IT FURTHER

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

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Town Board of the Town of Cheektowaga on the th day of December, 2006 at :00 P.M. at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon a proposed local law entitled "A local law to Amend the Solid Waste Law of the Town of Cheektowaga". A brief summary of this local law is as follows:

LOCAL LAW NUMBER 2006 6 YEAR 2006

A Local Law To Amend the

Solid Waste Law of the Town of Cheektowaga

1. Change the definition of "Garbage Container" in Section 206-3.A
2. Change the definition of "Nonrecyclable Refuse and Rubbish" in Section 260-3.A
3. Change the definition of "Recyclable Container" in Section 206-3.A
 - Revise Section 260-3.C.(3) relating to recycling containers
5. Revise Section 260-6.C. to require that containers or receptacles be removed after being emptied to the rear of the premises
6. Revise 206-8.G. to state that the Town of Cheektowaga will not collect or accept waste oil
 - Revise Section 260-10, Penalties for offenses
8. Add a new section, Section 260-10.1, entitled "Costs of removal to constitute lien on property interest collection"

A copy of the complete text of this local law with amendments noted above is available in the Town Clerk's Office where the same may be available during regular business hours.

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

Dated: Cheektowaga, New York

November 20, 2006



RESOLUTION 2006-567

DOC ID: 1681

N **B** **T** **R** **C**

S: Supervisor Gabryszak, Councilmember Laworowicz

WHEREAS, by resolution dated October 2, 2006, this Town Board engaged the firm of Edeney Architects to prepare plans and specifications for alterations to the new Town Records Center (formerly the Maryvale North Branch Library), which plans and specifications for Phase I, which includes mechanical (HVAC) and electrical renovations, asbestos removal and related modifications, have been completed enabling the solicitation of competitive bids for said project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for Alterations to the Cheektowaga Records Center, Phase I, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 13th day of December, 2006 at 11:00 AM, local time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town of Cheektowaga on the 13th day of December, 2006 at 11:00 AM, local time, in the Town Hall at Broadway and Union Road, in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for alterations to the new Town Records Center, Phase I (mechanical, electrical and asbestos).

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the office of the Town Engineer at 25 Alexander Avenue, Cheektowaga, New York and the office of Edeney Architects, 200 John James Audubon Parkway, Amherst, New York. Copies of the Contract Documents, Plans, Specifications and Instructions to Bidders may be obtained at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York upon payment of \$50.00 for each set of documents. Deposits should be made in the form of two (2) checks, \$25.00 each, made payable to the Town of Cheektowaga, New York.

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

All bids must be enclosed in a separate, sealed envelope and shall be addressed to

the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway □ Union Roads, Cheektowaga, New York 1□22□ and marked □Bid for Town Records Center, Phase I□

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

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

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

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

Attention of the bidders is further called to Section 103-d of the General Municipal □aw which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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

The work shall be completed within 60 consecutive calendar days to begin five days after the □Order to Commence □ork□ has been issued.

A Pre-Bid Conference will be held on □ ednesday, November 29, 2006 at 9:00 AM at the Cheektowaga Records Center, formerly the North Branch □ibrary, □35 Maryvale Drive, Cheektowaga, New York.

BY ORDER OF:

TO□ N OF CHEE□TO□ AGA

Mary F. Holtz, Town Clerk

DATED: November 20, 2006
PUB□ISHED: November 23, 2006

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski



RESOLUTION 2006-568

DOC ID: 1688

N O T I C E S E R D I C T O R Y 100-120 M O O R M A N D R.

S P O N S O R S: Councilmember Johnson Sr., Councilmember Rogowski

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 M T Architecture, PC for the construction of a 20,200 square foot parking carport at 100-120 Moorman Drive, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on October 11, 2006 recommended a determination of non-significance as shown on the attached memorandum dated October 12, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of August 10, 2006, AND

WHEREAS, the applicant has agreed to re-evaluate the potential negative aesthetic impact the structure may have on the south westerly view shed after the structure is erected and mitigate such impacts by installing decorative architectural treatments to the structure, AND

WHEREAS, the applicant has further agreed to modify his proposed site plan by adding more coniferous trees and a vegetative hedge row to create a visual break to viewers from the southwest direction, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to:

1. The applicant submitting a revised site plan showing more Colorado spruce trees having a minimum height of (6) six feet, and a vegetative hedge row to effectively create a visual break from the south west view shed

ATTACHMENTS:

EAC-October 11 2006 minutes (PDF)

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski



RESOLUTION 2006-569

DOC ID: 1687

A **S** **2006** **U** **R**

S: Councilmember Johnson, Councilmember Swiatek

HEREAS, 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

HEREAS, 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

HEREAS, a development review application and site plan was submitted by Frank T. Brzezinski, RPA representing Garden Gate Health Care Facility for the construction of a parking area expansion at 2365 Union Road, AND

HEREAS, the Town of Cheektowaga Planning Board at its meeting of November 9, 2006 is recommending the approval of the site plan, AND

HEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board, **NO** THEREFORE, BE IT

RESOLVED, that this Town Board determines that the project site plan is acceptable subject to :

1. The Town Engineer approving a drainage and grading plan.
2. The Zoning Board of Appeals approving an area variance for the location of the parking which is less than the required (10) feet to the interior property line.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Cheff Swiatek, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-570

DOC ID: 1689

A **S** **E** **A** **E** **C**

S: Councilmember Laworowicz, Councilmember Rogowski

HEREAS, the New York State Department of Health has appropriated funds to establish a Youth Tobacco Enforcement and Prevention Program with the County of Erie to undertake compliance checks using underage operatives as decoys of merchants who sell tobacco products, and

HEREAS, the County of Erie has made some of this funding available to the Town of Cheektowaga Police Department to assist them with this program, and

HEREAS, the Town of Cheektowaga Police Department has been participating in this program with the County of Erie for the past 5 years, and wishes to continue participating in such program, and

HEREAS, the County of Erie has prepared and submitted to the Town an Intermunicipal Agreement for this program for the period October 1, 2006 through September 30, 2007, NO, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforesaid Intermunicipal Agreement with the County of Erie for the Youth Tobacco Enforcement and Prevention program subject to approval by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-571

DOC ID: 1655

ORDERED 2006 SEPTEMBER 20 2006 ORDERED BY

SENDER: Gabryszak, Frankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 206 Oehman Blvd., Cheektowaga, New York SB 91.06-3-11 that is a danger to the safety of others, and records kept by the Assessors Office identify Richard Donna Battle, Croy Avenue, Buffalo, New York 14215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 206 Oehman Blvd., by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-572

DOC ID: 1656

O **2006 S** **C** **U** **6** **Y** **D**

S: Gabryszak, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 6 Yeager Drive, Cheektowaga, New York SB 80.20-16-63 that is a danger to the safety of others, and records kept by the Assessors Office identify Joseph E. Trowbridge, 6 Yeager Drive, Cheektowaga, New York 1225, as the owner AND

HEREAS, an inspection of such premises was conducted at 6 Yeager Drive, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-573

DOC ID: 1657

ORDINANCE 2006 S C U E W C

SUBJECT: Gabryszak, Ankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 9 E Windwood Court, Cheektowaga, New York SB91.1-2-6 that is a danger to the safety of others, and records kept by the Assessors Office identify Donato Ciminelli, 11580 Alden Avenue, Alden, New York 14001, as the owner AND

WHEREAS, an inspection of such premises was conducted at 9 E Windwood Court, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-574

DOC ID: 1658

ORDINANCE 2006 S C U 1 E W C

SUBJECT: Gabryszak, Rankowski, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 19 E Windwood Court, Cheektowaga, New York SB91.1-2-13 that is a danger to the safety of others, and records kept by the Assessors Office identify Marie M. Hayes, 19D Windwood Court, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 19E Windwood Court, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-575

DOC ID: 1659

O 2006 **S** **C** **U** 22 **S** **D**

S: Gabryszak, Ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 22 Shelby Drive, Cheektowaga, New York SB 91.1-6-18 that is a danger to the safety of others, and records kept by the Assessors Office identify Timothy A. Eckert, 22 Shelby Drive, Cheektowaga, New York 1225, as the owner AND

HEREAS, an inspection of such premises was conducted at 22 Shelby Drive, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-576

DOC ID: 1660

ORDINANCE 2006 S C U 1 W

Subject: Gabryszak, Ankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 155 Ellworth Place, Cheektowaga, New York SB 91.20-11-2 that is a danger to the safety of others, and records kept by the Assessors Office identify Lynn Ernest, 593 Beach Road, Cheektowaga, New York 1225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 155 Ellworth Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-577

DOC ID: 1661

O **2006 S** **C** **U** **20 W** **R**

S: Gabryszak, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 20 ilshire Road, Cheektowaga, New York SB 80.19-6 that is a danger to the safety of others, and records kept by the Assessors Office identify ulia enner, 20 ilshire Road, Cheektowaga, New York 1225, as the owner AND

HEREAS, an inspection of such premises was conducted at 20 ilshire Road, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-578

DOC ID: 1662

ORDINANCE 2006 SUPPLEMENTAL COUNCIL ACTION

SUBJECT: Gabryszak, Rankowski, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 3 Chapel Avenue, Cheektowaga, New York SB 91.20-2-5 that is a danger to the safety of others, and records kept by the Assessors Office identify Darwin Perwin, 3 Chapel Avenue, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted on 3 Chapel Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-579

DOC ID: 1663

ORDINANCE 2006 S C U C D

Subject: Gabryszak, Ankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 9 Cleveland Drive, Cheektowaga, New York SB 80.19-3-29 that is a danger to the safety of others, and records kept by the Assessors Office identify Michael Suice, P.O. Box 661, Buffalo, New York 14201, as the owner AND

WHEREAS, an inspection of such premises was conducted on 9 Cleveland Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-580

DOC ID: 1664

ORDINANCE 2006 S C U G D

SUBJECT: Gabryszak, Rankowski, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 89 Gardenvale Drive, Cheektowaga, New York SB 91.06-1-19 that is a danger to the safety of others, and records kept by the Assessors Office identify George Young Jr. and Wife, 89 Gardenvale Drive, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 89 Gardenvale Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-581

DOC ID: 1666

ORDINANCE 2006 S C U 06 G S

SUBJECT: Gabryszak, Ankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 3063 Genesee Street, Cheektowaga, New York SB 91.18-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Huge Inc., 1815 Eggert Road, Amherst, New York 1226, as the owner AND

WHEREAS, an inspection of such premises was conducted on at 3063 Genesee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-582

DOC ID: 1667

ORDINANCE 2006 S C U 211 O

SUBJECT: Gabryszak, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 211 Orchard Place, Cheektowaga, New York SB 92.1 that is a danger to the safety of others, and records kept by the Assessors Office identify John Koszka and wife, 211 Orchard Place, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 211 Orchard Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-583

DOC ID: 1668

O 2006 **S** **C** **U** 21 **O**

S: Gabryszak, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 21 Orchard Place, Cheektowaga, New York SB 92.1-8.1 that is a danger to the safety of others, and records kept by the Assessors Office identify John Koszka and wife, 211 Orchard Place, Cheektowaga, New York 1225, as the owner AND

HEREAS, an inspection of such premises was conducted at 21 Orchard Place, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-584

DOC ID: 1669

O **2006 S** **C** **U** **21** **O**

S: Gabryszak, Ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 219 Orchard Place, Cheektowaga, New York SB 92.1-10 that is a danger to the safety of others, and records kept by the Assessors Office identify John Koszka and wife, 211 Orchard Place, Cheektowaga, New York 1225, as the owner AND

HEREAS, an inspection of such premises was conducted at 219 Orchard Place, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-585

DOC ID: 1670

ORDINANCE 2006 SUPPLEMENTAL TO THE TOWN OF CHEEKTOWAGA CODES

SECTION 1: Gabryszak, Frankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 21E Glenwood Court, Cheektowaga, New York SB91.15-1-12 that is a danger to the safety of others, and records kept by the Assessors Office identify Gerald Godfrey and wife, Rosalinda Casalle, Buffalo, New York 14215, as the owner AND

WHEREAS, an inspection of such premises was conducted on 21E Glenwood Court Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUSLY
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-586

DOC ID: 1671

ORDINANCE 2006 COUNCIL U

SUBJECT: Gabryszak, Frankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 95 Pinehurst Avenue, Cheektowaga, New York SB 91.19-3-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Thomas William Mauerman, 95 Pinehurst Avenue, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 95 Pinehurst Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-587

DOC ID: 1672

ORDINANCE 2006 S C U E E A

SUBJECT: Gabryszak, Ankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 85 East End Avenue, Cheektowaga, New York SB 90.8-1-28 that is a danger to the safety of others, and records kept by the Assessors Office identify Scott Houseknecht and Holli Cooper, 85 East End Avenue, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 85 East End Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-588

DOC ID: 1673

ORDERED 2006 SEPTEMBER 20 2006

BY: Gabryszak, Frankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 25 Hedwig Avenue, Cheektowaga, New York SB 102.53-3-26 that is a danger to the safety of others, and records kept by the Assessors Office identify Rick Scharski, PO Box 2901, Buffalo, New York 14200, as the owner AND

WHEREAS, an inspection of such premises was conducted at 25 Hedwig Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-589

DOC ID: 1674

ORDINANCE 2006 S 0000 C 0000 U 010 0000000000 A 00

S 00000000 B: Gabryszak, Rankowski, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 180 Kensington Avenue, Cheektowaga, New York SB 80.1-1-21 that is a danger to the safety of others, and records kept by the Assessors Office identify Christopher Koerb, 985 Jefferson Parkway, Unit E2, Englewood, CO 80112, as the owner AND

WHEREAS, an inspection of such premises was conducted at 180 Kensington Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-0A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-590

DOC ID: 1675

O **2006 S** **C** **U** **20 R** **A**

S: Gabryszak, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 20 Randolph Avenue, Cheektowaga, New York SB 101.60-1-11 that is a danger to the safety of others, and records kept by the Assessors Office identify James Forville, 20 Randolph Avenue, Cheektowaga, New York 1211, as the owner AND

HEREAS, an inspection of such premises was conducted at 20 Randolph Avenue, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-591

DOC ID: 1676

O **2006 S** **C** **U** **O R** **A**

S: Gabryszak, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 0 Reo Avenue, Cheektowaga, New York SB 102.53- that is a danger to the safety of others, and records kept by the Assessors Office identify ym McBride, 92 Milburn, Buffalo, New York 1212, as the owner AND

HEREAS, an inspection of such premises was conducted at 0 Reo Avenue, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-592

DOC ID: 1678

O **2006 S** **C** **U** **R** **R**

S: Gabryszak, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Pine Ridge Road, Cheektowaga, New York SB 101.60-3- that is a danger to the safety of others, and records kept by the Assessors Office identify Gebrielle McIver and Emanuel Jones, 8 Pine Ridge Road, Cheektowaga, New York 1211, as the owner AND

HEREAS, an inspection of such premises was conducted at 8 Pine Ridge Road, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-593

DOC ID: 1679

ORDINANCE 2006 S C U 2 1 G S

SUBJECT: Gabryszak, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 2301 Genesee Street, Cheektowaga, New York SB00101.28-8-6.1 that is a danger to the safety of others, and records kept by the Assessors Office identify James Nowaczewski, 2301 Genesee Street, Cheektowaga, New York 14225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 2301 Genesee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-0A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-594

DOC ID: 1680

ORDINANCE 2006 SUPPLEMENTAL COUNCIL 1 GRANTING

SECTION B: Gabryszak, Ankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 18 Grand Prix Drive, Cheektowaga, New York SB 125.10-11-5 that is a danger to the safety of others, and records kept by the Assessors Office identify Lawrence Parker, 18 Grand Prix Drive, Cheektowaga, New York 1422, as the owner AND

WHEREAS, an inspection of such premises was conducted at 18 Grand Prix Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-595

DOC ID: 1682

O **2006 S** **C** **U** **1** **H** **A**

S: Gabryszak, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 139 Hedwig Avenue, Cheektowaga, New York SB 102.5-3-1 that is a danger to the safety of others, and records kept by the Assessors Office identify Hestin Brown and Andrea Brown, 139 Hedwig Avenue, Cheektowaga, New York 1211, as the owner AND

HEREAS, an inspection of such premises was conducted at 139 Hedwig Avenue, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-596

DOC ID: 1685 B

RESOLUTION OF THE TOWN OF CHEEKTOWAGA

SUBJECT: Councilmember Frankowiak, Supervisor Gabryszak

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

RECORDS CENTER Clerk 11/hour
Jennifer Christiano, Depew NY
Effective 11/20/06

RESOLVED, that the following part-time employee be and hereby are terminated as listed:

POLICE DEPARTMENT - Traffic Maintenance
Sean M. Trapper
Effective 9/01/06

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT: Alice Magierski



RESOLUTION 2006-597

DOC ID: 1686 A

RESOLUTION ENROLLMENT RECORD C. Bielefeld, Jr. APPROVED Elected Officers

Subject: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, Donald C. Bielefeld, Jr. was appointed to the position of Assistant Code Enforcement Officer by Town Board Resolution July 1, 2006 AND

WHEREAS, that in compliance with the local law known as the Residency Law of the Town of Cheektowaga, Donald C. Bielefeld, Jr., was ordered to obtain residency within the Town of Cheektowaga within six (6) months from the date of his appointment AND

WHEREAS, present real estate market conditions have made it difficult for Donald C. Bielefeld, Jr. to sell his present home and take residence in the Town NO, THEREFORE, BE IT

RESOLVED, that in compliance with the local law known as the Residency Law of the Town of Cheektowaga, Donald C. Bielefeld, Jr. is hereby granted an additional six (6) months from the expiration of the prior resolution until July 1, 2006

Table with 2 columns: Category and Value. Rows include RESULT (ADOPTED UNANIMOUS), MOVER (James Frankowiak), SECONDER (Dennis Gabryszak), AYES (Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski), and ABSENT (Alice Magierski).

V.C. VOTING RECORD

A. Departmental Communications

- 1. Minutes - Town Environmental Advisory Committee - November 1, 2006
2. Minutes: Cheektowaga Conservation Advisory Council - November 2, 2006

B. General Communications

- 1. Summons: US Bank National Association (Bank One) Vs. Daniel Zilliox, Ann Zilliox, Town of Cheektowaga Etal
2. Summons & Complaint: Connie L. Borden Vs. Town of Cheektowaga
3. Notice of Claim: Chris Adamczak Vs. Town of Cheektowaga
4. Notice of Claim: Norman Brzezinski Vs. Town of Cheektowaga
5. Notice of Claim: Shannon Gibson Vs. Town of Cheektowaga

- 6. Notice of Claim: Dennis Grabowski Vs. Town of Cheektowaga
- 7. Notice of Claim: Rolando Nati/Travelers Insurance Vs. Town of Cheektowaga
- 8. Notice of Claim: Beatriz Olmstead Vs. Town of Cheektowaga
- 9. Notice of Claim: William & Joann O'Rourke Vs. Town of Cheektowaga
- 10. Notice of Claim: Nancy Paner Vs. Town of Cheektowaga
- 11. Notice of Claim: Louise Reisch Vs. Town of Cheektowaga
- 12. New York State Department of Transportation: Designation of Restricted Highway: a Portion of Genesee Street, State Highway 1212, Beginning East of the Intersection with Dick/Cayuga Road At Station E 104000 and Ending West of the Intersection with Holtz Drive At Station E 11+946. This Includes Buell Avenue and the Entrance and Exit of the Kensington Expressway to the Limits Shown In the Contract Plans. All In the Town of Cheektowaga In Erie County.

VI. C

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VII. S R

- 1. Motion To: Motion to suspend the Rules to Include the Following Resolutions:

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Ankowiak, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Tr., Swiatek, Ankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-598

DOC ID: 1690

A **C** **E** **S**
U **R** **S** **O**

S: Councilmember Johnson, Councilmember Laworowicz

HEREAS, in order for the Town of Cheektowaga to perform sanitary sewer repair work on the east side of Union Road south of Orchard Place, the Town has requested the owner of 3959 Union Road to grant a 20 foot-wide sanitary sewer easement (1,956 square feet) to the Town, and

HEREAS, the owner of such property has agreed to convey such easement to the Town in exchange for a 26 foot-wide easement (1,312 square feet) from the Town to permit it to pave over a small portion of Town-owned property (S.B. 91.20-5-8.1) which is adjacent to 3959 Union Road for parking of vehicles and placement of a dumpster, and

HEREAS, the Town Engineer has recommended that the Town convey the aforementioned easement in exchange for the easement from the owner of 3959 Union Road, and

HEREAS, the aforementioned land owned by the Town of Cheektowaga is not needed by the Town, and the proposed easement to be granted by the Town will still permit the Town to enter such property if the need arises in the future, and

HEREAS, the value of the easement to be acquired by the Town meets or exceeds the value of the easement to be conveyed by the Town, **NO**, **THEREFORE, BE IT**

RESOLVED, that this Town Board concurs with the request for a sanitary sewer easement from the owner of 3959 Union Road, and the granting of a parking/pavement easement over Town-owned land (S.B. 91.20-5-8.1) to the owner of 3959 Union Road, and **BE IT FURTHER**

RESOLVED, that the Town Attorney's Office, in conjunction with the Town Engineer's Office, be and hereby is directed to prepare the necessary easements as referenced above, and **BE IT FURTHER**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned easement to the owner of 3959 Union Road, subject to the receipt of the sanitary sewer easement, and **BE IT FURTHER**

RESOLVED, that this resolution is subject to permissive referendum under Article 17 of the Town Law of the State of New York, and **BE IT FURTHER**

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

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, by resolution dated November 20, 2006, authorized the acceptance by the Town of a 1,956 square foot sanitary sewer easement from the owner of 3959 Union Road and the granting by the Town of a 1,312 square foot easement over Town-owned land (located to the rear/east of 3959 Union Road) to the owner of 3959 Union Road for the parking of vehicles and the placement of a dumpster.

Copies of such easements are on file in the Town Clerk's Office where the same may be examined during regular business hours.

NOTICE IS FURTHER GIVEN that this resolution is subject to permissive referendum under Article 17 of the Town Law of the State of New York.

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

Dated: November 20, 2006

MARY F. HORTON
Town Clerk

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-599

DOC ID: 1692

ADOPTED **E**RIE COUNTY **A**NDERSON ROAD **R**OAD **S**EWER **S**ANITATION

SUBJECT: Councilmember Johnson *r.*, Councilmember Rogowski

WHEREAS, as part of the Anderson Road Storm Sewer Improvements Project, the Town of Cheektowaga requested storm sewer easements from various property owners along Anderson Road, and

WHEREAS, storm sewer easements for the following property have been signed and submitted to the Town for its approval:

- 10 Anderson Road (permanent and temporary easement)

and,

WHEREAS, the Town Engineer and Town Attorney's Office have reviewed these easements and have recommended that the Town accept same, and

WHEREAS, it was agreed that the Town of Cheektowaga would reimburse the owner of 10 Anderson Road for legal expenses incurred in connection with the review of documents relating to this transaction, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced easements, and BE IT FURTHER

RESOLVED, that the legal expenses incurred by the owner of 10 Anderson Road for this matter, in an amount not to exceed \$1,000.00, shall be appropriated from budget line item number 500-100-9910-552, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson <i>r.</i> , Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson <i>r.</i> , Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-600

DOC ID: 1677

ORDINANCE 2006 S C U S A

SUBJECT: Gabryszak, Ankowski, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 9 Sugnet Avenue, Cheektowaga, New York SB 80.1-1-21 that is a danger to the safety of others, and records kept by the Assessors Office identify O Neal Heard Mallory Heard, 9 Sugnet Avenue, Cheektowaga, New York 1215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 9 Sugnet Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowski, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-601

DOC ID: 1691

All members of the Board of Trustees of the Town of Cheektowaga, Ohio, do hereby **S**upport and **D**irect the **T**own Board of Trustees to

Support and **B**udget: Councilmember James Rankowiak, Supervisor Gabryszak

WHEREAS, a vacancy exists in the position of laborer in the Sanitation Department, AND

WHEREAS, Justin Tricoli of Cheektowaga meets the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Justin Tricoli hereby is appointed to the position of laborer in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective November 21, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



RESOLUTION 2006-602

DOC ID: 1693

RESOLUTION 2006-602

SE: Councilmember Rogowski, Councilmember Laworowicz

WHEREAS, in 2005, the Town was awarded a Division of Justice Services Byrne Grant ("DCS Byrne Grant"), a portion of which enabled the Town to engage the services of a Consultant to perform services as a Drug Court Case Coordinator and

WHEREAS, this Town Board, by resolution dated May 2, 2005 engaged the services of Irene Miotek to perform said services until September 30, 2005 and

WHEREAS, the DCS Byrne Grant was continued, and Irene Miotek continued to perform the required Drug Court Case Coordinator duties throughout the remainder of 2005 NO THEREFORE BE IT

RESOLVED, that this Town Board hereby continues the retention of the services of Irene Miotek of Depew, New York, as Consultant to perform the duties of Drug Court Case Coordinator in accordance with the terms and conditions of the Agreement attached hereto for the months of October, November and December of 2005, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to execute said Agreement, subject, however, to approval of same by the Town Attorney's Office.

COMMENTS - Current Meeting: This resolution will need to be updated for 2006 at the next meeting.

RESULT: ADOPTED UNANIMOUS
MOVER: James Rogowski, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski

7. Motion To: Motion to adjourn the meeting at 7:35 P>M>

RESULT: ADOPTED UNANIMOUS
MOVER: Jeff Swiatek, Councilmember
SECONDER: James Rankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Accounting/Payroll
Category: Transfer of Funds
Prepared By: Cathy Travers
Initiator: Cathy Travers
Sponsors: Supervisor Gabryszak, Councilmember Laworowicz
DOC ID: 168

ADOPTED

RESOLUTION 2006 6

Town of Cheektowaga Finance

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

CAPITAL FUND

FROM:	500-1910-9399-5017	Administrative Expense	\$ 36,300.30
	500-2550-2001-5017	Sanitary Sewer	6,533.29
	500-1910-9399-5124	Administrative Expense	2,735.35
	500-1910-9399-5125	Administrative Expense	2,771.57

TO:	500-1910-2799-5017	Appropriated Fund Balance	\$ 42,833.59
	500-1910-2799-5124	Appropriated Fund Balance	2,735.35
	500-1910-2799-5125	Appropriated Fund Balance	2,771.57

HUD NYS AFFORDABLE HOUSING

FROM:	900-8600-4910	NYS AHC Revenues	\$ 75,000.00
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TO:	900-8668-4005	AHC Expenses	\$ 75,000.00
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RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Accounting/Payroll
Category: Warrant List
Prepared By: Cathy Travers
Initiator: Cathy Travers
Sponsors: Supervisor Gabryszak, Councilmember Rankowiak
DOC ID: 1683

ADOPTED

RESOLUTION 2006 6

WHEREAS

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to November 17, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 2,652,773.97
RISK RETENTION FUND	48,518.09
DEBT SERVICE FUND	221,984.90
HUD HOUSING REHABILITATION FUND	6,694.00
SPECIAL DISTRICTS FUND	795,287.99
HIGHWAY FUND	724,294.88
CAPITAL FUND	297,168.79
TRUST & AGENCY FUND	191.25
HUD CDBG FUND	211,826.52
PART TOWN FUND	121,095.02
NYS AFFORDABLE HOUSING FUND	26,651.00
	\$ 5,106,486.41

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/20/06 06:05 PM
Department: Town Attorney
Category: Local Law
Prepared By: Devin Schenk
Initiator: Devin Schenk

ADOPTED

Sponsors: Councilmember Rankowiak, Councilmember Rogowski

RESOLUTION 2006 66

DOC ID: 165

NOTICE OF HEARING TO AMEND SOLID WASTE LAW

WHEREAS, by Local Law No. 5 of the Year 1992, the Cheektowaga Town Board enacted a Solid Waste Law (now known as Chapter 206 of the Code of the Town of Cheektowaga), and

WHEREAS, this Town Board wishes to amend Chapter 206 of the Town Code to:

1. Change the definition of "Garbage Container" in Section 206-3.A
2. Change the definition of "Nonrecyclable Refuse and Rubbish" in Section 260-3.A
3. Change the definition of "Recyclable Container" in Section 206-3.A
4. Revise Section 260-4.C.(3) relating to recycling containers
5. Revise Section 260-6.C. to require that containers or receptacles be removed after being emptied to the rear of the premises
6. Revise 206-8.G. to state that the Town of Cheektowaga will not collect or accept waste oil
7. Revise Section 260-10, Penalties for offenses
8. Add a new section, Section 260-10.1, entitled "Costs of removal to constitute lien on property interest collection"

WHEREAS, Local Law Intro No. 2006-6 of the Year 2006 was drafted to so amend Chapter 206 of the Town Code, NOW, THEREFORE, BE IT

WHEREAS, a public hearing was scheduled for the 18th day of October, 2006, at 6:30 P.M. at the Maryvale Presbyterian Church, 25 Maryvale Drive, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-6 of the Year 2006, entitled "A Local Law to amend the Solid Waste Law of the Town of Cheektowaga", and said hearing had to be cancelled because of weather conditions, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on the 1st day of December, 2006, at 6:00 P.M. at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-6 of the Year 2006, entitled "A Local Law to amend the Solid Waste Law of the Town of Cheektowaga", and BE IT FURTHER

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

NOTICE OF HEARING

NOTICE IS HEREBY GIVEN, that a public hearing will be held before the Town Board of the Town of Cheektowaga on the th day of December, 2006 at :00 P.M. at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York to consider and discuss and, if need be, act upon a proposed local law entitled "A local law to Amend the Solid Waste Law of the Town of Cheektowaga". A brief summary of this local law is as follows:

LOCAL LAW NUMBER 2006 6 YEAR 2006

A Local Law To Amend the

Solid Waste Law of the Town of Cheektowaga

1. Change the definition of "Garbage Container" in Section 206-3.A
2. Change the definition of "Nonrecyclable Refuse and Rubbish" in Section 260-3.A
3. Change the definition of "Recyclable Container" in Section 206-3.A
 - Revise Section 260-.C.(3) relating to recycling containers
5. Revise Section 260-6.C. to require that containers or receptacles be removed after being emptied to the rear of the premises
6. Revise 206-8.G. to state that the Town of Cheektowaga will not collect or accept waste oil
 - Revise Section 260-10, Penalties for offenses
8. Add a new section, Section 260-10.1, entitled "Costs of removal to constitute lien on property interest collection"

A copy of the complete text of this local law with amendments noted above is available in the Town Clerk's Office where the same may be available during regular business hours.

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



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Engineering
Category: Notice to Bidders
Prepared By: Diane Swiatek
Initiator: William Pugh

Sponsors: Supervisor Gabryszak, Councilmember Laworowicz

DOC ID: 1681

ADOPTED

RESOLUTION 2006 6

NOTICE TO BIDDERS

WHEREAS, by resolution dated October 2, 2006, this Town Board engaged the firm of Edeney Architects to prepare plans and specifications for alterations to the new Town Records Center (formerly the Maryvale North Branch Library), which plans and specifications for Phase I, which includes mechanical (HVAC) and electrical renovations, asbestos removal and related modifications, have been completed enabling the solicitation of competitive bids for said project, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for Alterations to the Cheektowaga Records Center, Phase I, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 13th day of December, 2006 at 11:00 AM, local time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that sealed proposals will be received and considered by the Town of Cheektowaga on the 13th day of December, 2006 at 11:00 AM, local time, in the Town Hall at Broadway and Union Road, in the Town of Cheektowaga, New York, for furnishing all labor, materials, tools, equipment and incidentals required for alterations to the new Town Records Center, Phase I (mechanical, electrical and asbestos).

Copies of the proposed Contract Documents, Plans, Specifications and Instructions to Bidders may be examined at the office of the Town Engineer at 25 Alexander Avenue, Cheektowaga, New York and the office of Edeney Architects, 200 John James Audubon Parkway, Amherst, New York. Copies of the Contract Documents, Plans, Specifications and Instructions to Bidders may be obtained at the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York upon payment of \$50.00 for each set of documents. Deposits should be made in the form of two (2) checks, \$25.00 each, made payable to the Town of Cheektowaga, New York.

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

All bids must be enclosed in a separate, sealed envelope and shall be addressed to the Town Clerk of the Town of Cheektowaga, Town Hall, Broadway Union Roads, Cheektowaga, New York 1122 and marked Bid for Town Records Center, Phase I.

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

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

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

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

Attention of the bidders is further called to Section 103-d of the General Municipal Law which requires a bidder's Certificate of Non-Collusion. Such certificate is part of the bid or proposal form and, unless complied with, such bid will not be accepted.

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

The work shall be completed within 60 consecutive calendar days to begin five days after the Order to Commence work has been issued.

A Pre-Bid Conference will be held on Wednesday, November 29, 2006 at 9:00 AM at the Cheektowaga Records Center, formerly the North Branch Library, 35 Maryvale Drive, Cheektowaga, New York.

BY ORDER OF:

TOWN OF CHEEKTOWAGA

Resolution 2006-56

Meeting of November 20, 2006

Mary F. Holtz, Town Clerk

DATED: November 20, 2006
PUBLISHED: November 23, 2006

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6

Meeting: 11/20/06 06:05 PM

Department: Building

Category: SEQR/Site Plan Recommendations

Prepared By: Daniel Ulatowski

Initiator: Daniel Ulatowski

Sponsors: Councilmember Johnson, Councilmember Rogowski

DOC ID: 1688

NEGATIVE STATEMENT OF FINDINGS FOR 100-120 MOORMAN DRIVE

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 M/T Architecture, PC for the construction of a 20,200 square foot parking carport at 100-120 Moorman Drive, AND

WHEREAS, the Environmental Advisory Committee at its meetings held on October 11, 2006 recommended a determination of non-significance as shown on the attached memorandum dated October 12, 2006, AND

WHEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of August 10, 2006, AND

WHEREAS, the applicant has agreed to re-evaluate the potential negative aesthetic impact the structure may have on the south westerly view shed after the structure is erected and mitigate such impacts by installing decorative architectural treatments to the structure, AND

WHEREAS, the applicant has further agreed to modify his proposed site plan by adding more coniferous trees and a vegetative hedge row to create a visual break to viewers from the southwest direction, AND

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

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to:

1. The applicant submitting a revised site plan showing more Colorado spruce trees having a minimum height of (6) six feet, and a vegetative hedge row to effectively create a visual break from the south west view shed

RESULT: **ADOPTED UNANIMOUS**
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski

The Town of Cheektowaga



- Office of Building and Plumbing Inspections
3301 Broadway
Cheektowaga, NY 14227
(716) 686-3490
- Neighborhood Preservation Office
275 Alexander Avenue
Cheektowaga, NY 14211
(716) 897-7281
- Fire Inspection Office
275 Alexander Avenue
Cheektowaga, NY 14211
(716) 961-6501

MEMORANDUM

TO: Supervisor Dennis Gabryszak
Honorable Town Board Members
Mary Holtz, Town Clerk
Michael Stachowski, Town Attorney

FROM: Thomas Adamczak
Supervising Code Enforcement Officer

DATE: October 12, 2006

The following is a summary of the proposals that have been reviewed by the Town Environmental Advisory Committee at a meeting on October 11, 2006 in the Town Hall Council Office Conference Room. (Absent: Traffic Safety representative)

ITEM I **100.120 M** **D** **20,020 S. F.** **C**

A: **MWT A**

The architect was present at the meeting and indicated that the budget constraints restrict the carport to a metal building. This building is intended to provide covered parking for the senior citizens housing complex on Moorman Drive. The proposal includes a knee wall on three sides of the building which would have a lattice work on which ivy and roses could grow. In addition to the ivy and roses, conifers would be planted along the south and west side of the building to further enhance looks of the carport.

After some discussion it was determined that the building would need further enhancement as it would look like a shelter that you find at the Erie County Fair. As suggestions to the architect a number of ideas were presented. These included: encapsulating the columns with decorative masonry, providing a solid wall at the west end to prevent snow drifting in winter, landscaped berms of up to three feet in height along the south and /or west sides, additional conifer plantings along the south knee wall.

The committee does not find the concept in anyway resulting in adverse impacts, however, the appearance of the carport to the neighbors and motoring public is most important.

The committee would recommend that a Negative Declaration be issued for this project provided the applicant provides additional plantings and/or other architectural treatments to the building.

ITEM II **G** **D** **C** **L** **B** **O** **S**

A: **C** **B**

The mall manager was present and indicted that a 138 car parking lot must be created to satisfy parking requirements for the mall stores. The lot would be satellite parking utilized primarily during the busy holiday season. It would have a lockable gate to prevent parking by others and will have four light standards to illuminate the lot.

EAC **O** **11, 2006**
O **12, 2006**
: 2

In order to create this parking lot a forested area must be removed. The applicant indicated that a tree survey was conducted but did not have the survey to present to the committee.

The drainage would be handled by underground storm water detention and a sidewalk would be constructed along Galleria Drive. A number of trees would be planted to replace those trees that would be removed which he had indicated are primarily "garbage trees".

This item will remain tabled for further review and comment.

ITEM III **2** **G** **S** **H** **2R**
A: **B** **D** **C**.

This project has been referred to the Erie County Department of Environment and Planning, NYSDOT, NFTA, FAA and U-Crest Fire District. The proposal is to raze the existing hotel complex formerly known as the Executive Ramada Renaissance. In its place would be constructed 3 hotels, a four story-132 room court yard by Marriotta, a four story-125 room Fairfield Inn and a four story-100 room "to be determined" hotel. Attached to the Fairfield Inn would be a 5,000 square foot water feature. The applicant's representative indicated that this water feature is more in order of a mini-water park. Due to the cost of constructing a water park it was downsized considerably.

The two restaurants would be located closer to Genesee. One is proposed to have 280 seats and have approximately 11,500 square feet of floor area. The second would have 200 seats and approximately 9,800 square feet of floor area. In addition to the two restaurants there would be space for small boutiques / retail space.

This item will remain tabled for further review and comment by various reviewing agencies.

EAC **O** **11, 2006**

O **12, 2006**

:

**THE NEXT MEETING OF THE ENVIRONMENTAL
ADVISORY COMMITTEE MEETING WILL BE
HELD
WEDNESDAY NOVEMBER 1, 2006
AT 10:00 A.M.
IN THE COUNCIL OFFICE CONFERENCE ROOM**



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Building
Category: SEIR/Site Plan Recommendations
Prepared By: Daniel Ulatowski
Initiator: Daniel Ulatowski

Sponsors: Councilmember Johnson, Councilmember Swiatek
DOC ID: 168

ADOPTED

RESOLUTION 2006 6

A S 2006 U R

HEREAS, 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

HEREAS, 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

HEREAS, a development review application and site plan was submitted by Frank T. Brzezinski, R/A representing Garden Gate Health Care Facility for the construction of a parking area expansion at 2365 Union Road, AND

HEREAS, the Town of Cheektowaga Planning Board at its meeting of November 9, 2006 is recommending the approval of the site plan, AND

HEREAS, this Town Board has reviewed the development review application and recommendations made by the Planning Board, **NO THEREFORE, BE IT**

RESOLVED, that this Town Board determines that the project site plan is acceptable subject to :

1. The Town Engineer approving a drainage and grading plan.
2. The zoning Board of Appeals approving an area variance for the location of the parking which is less than the required (10) feet to the interior property line.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Jeff Swiatek, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006-0

Meeting: 11/20/06 06:05 PM
Department: Town Attorney
Category: Agreements, Bonds, Contracts
Prepared By: Connie Paoletti
Initiator: Connie Paoletti
Sponsors: Councilmember Laworowicz, Councilmember Rogowski
DOC ID: 1689

A **S** **E** **A** **E** **C**

HEREAS, the New York State Department of Health has appropriated funds to establish a Youth Tobacco Enforcement and Prevention Program with the County of Erie to undertake compliance checks using underage operatives as decoys of merchants who sell tobacco products, and

HEREAS, the County of Erie has made some of this funding available to the Town of Cheektowaga Police Department to assist them with this program, and

HEREAS, the Town of Cheektowaga Police Department has been participating in this program with the County of Erie for the past 5 years, and wishes to continue participating in such program, and

HEREAS, the County of Erie has prepared and submitted to the Town an Intermunicipal Agreement for this program for the period October 1, 2006 through September 30, 2007, NO, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforesaid Intermunicipal Agreement with the County of Erie for the Youth Tobacco Enforcement and Prevention program subject to approval by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Patricia Laworowicz, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1655

ADOPTED

RESOLUTION 2006 1

ORDERED 2006 SUPERVISOR COUNCIL UNANIMOUSLY 206 OEHMAN BLVD. B.

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 206 Oehman Blvd., Cheektowaga, New York SB 91.06-3-11 that is a danger to the safety of others, and records kept by the Assessors Office identify Richard Donna Battle, Croy Avenue, Buffalo, New York 1215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 206 Oehman Blvd., by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11522

ADOPTED

RESOLUTION 2006-572

Meeting: 11/20/06 06:05 PM

Department: Housing

Category: Building/Housing

Prepared By: Sue Sanscrainte

Initiator: Sue Sanscrainte

Sponsors: Gabryszak, Frankowiak, Swiatek

DOC ID: 1656

OCTOBER 2006 STORM CLEAN-UP 64 YEAGER DRIVE

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 64 Yeager Drive, Cheektowaga, New York SB 80.20-16-63 that is a danger to the safety of others, and records kept by the Assessors Office identify Joseph E. Trowbridge, 64 Yeager Drive, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 64 Yeager Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Rankowski, Swiatek
DOC ID: 165

ADOPTED

RESOLUTION 2006

ORDERED 2006 STORM CLEAN-UP CODES

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 9 E Windwood Court, Cheektowaga, New York SB91.1-2-6 that is a danger to the safety of others, and records kept by the Assessors Office identify Donato Ciminelli, 11580 Alden Avenue, Alden, New York 14001, as the owner AND

WHEREAS, an inspection of such premises was conducted at 9 E Windwood Court, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1658

ADOPTED

RESOLUTION 2006-574

ORDERED 2006 SEPT 11 NEW YORK STATE

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 19 E Windwood Court, Cheektowaga, New York SB91.1-2-13 that is a danger to the safety of others, and records kept by the Assessors Office identify Marie M. Hayes, 19D Windwood Court, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 19E Windwood Court, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1659

ADOPTED

RESOLUTION 2006

OCTOBER 2006 STORM CLEAN-UP / 22 SHELBY DRIVE

WHEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 22 Shelby Drive, Cheektowaga, New York SB91.1-6-18 that is a danger to the safety of others, and records kept by the Assessors Office identify Timothy A. Eckert, 22 Shelby Drive, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 22 Shelby Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Rankowski, Swiatek
DOC ID: 1660

ADOPTED

RESOLUTION 2006-06

Ordinance 2006 Supplemental Clean-Up of 155 We

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 155 Ellworth Place, Cheektowaga, New York SB091.20-11-2 that is a danger to the safety of others, and records kept by the Assessors Office identify Lynn Ernest, 593 Beach Road, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 155 Ellworth Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1661

ADOPTED

RESOLUTION 2006

October 2006 Storm Clean-Up/ 20 Wilshire

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 20 Wilshire Road, Cheektowaga, New York SB080.19-06 that is a danger to the safety of others, and records kept by the Assessors Office identify Julia Jenner, 20 Wilshire Road, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 20 Wilshire Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-1A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Rankowiak, Swiatek
DOC ID: 1662

ADOPTED

RESOLUTION 2006

ORDERED 2006 STORM CLEAN-UP CODES ABATED

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 3 Chapel Avenue, Cheektowaga, New York SB 91.20-2-5 that is a danger to the safety of others, and records kept by the Assessors Office identify Darwin Perwin, 3 Chapel Avenue, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted on 3 Chapel Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Rankowski, Swiatek
DOC ID: 1663

ADOPTED

RESOLUTION 2006

ORDINANCE 2006 SUBJECT CONCERN D

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 944 Cleveland Drive, Cheektowaga, New York SB 80.19-3-29 that is a danger to the safety of others, and records kept by the Assessors Office identify Michael Suice, P.O. Box 661, Buffalo, New York 14201, as the owner AND

WHEREAS, an inspection of such premises was conducted on 944 Cleveland Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 166

ADOPTED

RESOLUTION 2006 0

Ordinance 2006 S C U G D

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 89 Gardenvale Drive, Cheektowaga, New York SB 91.06-1-19 that is a danger to the safety of others, and records kept by the Assessors Office identify George Young, Jr. and wife, 89 Gardenvale Drive, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 89 Gardenvale Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1666

ADOPTED

RESOLUTION 2006 1

ORDERED 2006 SEPTEMBER 11 2006 GENESSEE STREET

WHEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 3063 Genessee Street, Cheektowaga, New York SB 91.18-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Huge Inc., 1815 Eggert Road, Amherst, New York 1226, as the owner AND

WHEREAS, an inspection of such premises was conducted on at 3063 Genessee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 166

ADOPTED

RESOLUTION 2006-2

Ordinance 2006 Supplemental Code of Ordinances 211

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 211 Orchard Place, Cheektowaga, New York SB 92.1 that is a danger to the safety of others, and records kept by the Assessors Office identify John Koszka and wife, 211 Orchard Place, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 211 Orchard Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Rankowski, Swiatek
DOC ID: 1668

ADOPTED

RESOLUTION 2006

ORDINANCE 2006 SUBJECT TO 21 ORDINANCE

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 21 Orchard Place, Cheektowaga, New York SB 92.1-8.1 that is a danger to the safety of others, and records kept by the Assessors Office identify John Kokoszka and wife, 211 Orchard Place, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 21 Orchard Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1669

ADOPTED

RESOLUTION 2006

ORDINANCE 2006 SUPPLEMENTAL TO 210 ORDINANCE

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 219 Orchard Place, Cheektowaga, New York SB92.1-10 that is a danger to the safety of others, and records kept by the Assessors Office identify John Kokoszka and wife, 211 Orchard Place, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 219 Orchard Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1610

ADOPTED

RESOLUTION 2006-585

ORDINANCE 2006 SUBJECT TO THE TOWN OF CHEEKTOWAGA

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 24E Glenwood Court, Cheektowaga, New York SB091.15-1-12 that is a danger to the safety of others, and records kept by the Assessors Office identify Gerald Godfrey and wife, Pasalle, Buffalo, New York 14215, as the owner AND

WHEREAS, an inspection of such premises was conducted on 24E Glenwood Court Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 161

ADOPTED

RESOLUTION 2006-6

Ordinance 2006 Chapter 1 Article 1

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 95 Pinehurst Avenue, Cheektowaga, New York SB 91.19-3-3 that is a danger to the safety of others, and records kept by the Assessors Office identify Thomas William Mauerman, 95 Pinehurst Avenue, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 95 Pinehurst Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1612

ADOPTED

RESOLUTION 2006-0000

ORDINANCE 2006 STORM CLEAN-UP AND ABATE

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 85 East End Avenue, Cheektowaga, New York SB 90.8-1-28 that is a danger to the safety of others, and records kept by the Assessors Office identify Scott Houseknecht and Holli Cooper, 85 East End Avenue, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 85 East End Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1613

ADOPTED

RESOLUTION 2006

ORDINANCE 2006 SUBJECT TO HOURS

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 25 Hedwig Avenue, Cheektowaga, New York SB 102.53-3-26 that is a danger to the safety of others, and records kept by the Assessors Office identify Rick Scharski, PO Box 2901, Buffalo, New York 1420, as the owner AND

WHEREAS, an inspection of such premises was conducted at 25 Hedwig Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 16

ADOPTED

RESOLUTION 2006

ORDERED 2006 SEPTEMBER 10

WHEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 180 Kensington Avenue, Cheektowaga, New York SB 80.1-1-21 that is a danger to the safety of others, and records kept by the Assessors Office identify Christopher Koerb, 985 Jefferson Parkway, Unit E2, Englewood, CO 80112, as the owner AND

WHEREAS, an inspection of such premises was conducted at 180 Kensington Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1615

ADOPTED

RESOLUTION 2006-0

ORDINANCE 2006 S C U 20 R A

WHEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 20 Randolph Avenue, Cheektowaga, New York SB 101.60-1-11 that is a danger to the safety of others, and records kept by the Assessors Office identify James Forville, 20 Randolph Avenue, Cheektowaga, New York 11521, as the owner AND

WHEREAS, an inspection of such premises was conducted at 20 Randolph Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Rankowski, Swiatek
DOC ID: 1616

ADOPTED

RESOLUTION 2006-1

ORDER

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 40 Reo Avenue, Cheektowaga, New York SB 102.53- that is a danger to the safety of others, and records kept by the Assessors Office identify Jim McBride, 92 Milburn, Buffalo, New York 14212, as the owner AND

WHEREAS, an inspection of such premises was conducted at 40 Reo Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1618

ADOPTED

RESOLUTION 2006-02

ORDINANCE 2006 SCHEDULE C UNIFORM REPAIR

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Pine Ridge Road, Cheektowaga, New York SB 101.60-3- that is a danger to the safety of others, and records kept by the Assessors Office identify Gebrielle McIver and Emanuel Jones, 8 Pine Ridge Road, Cheektowaga, New York 11521, as the owner AND

WHEREAS, an inspection of such premises was conducted at 8 Pine Ridge Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1619

ADOPTED

RESOLUTION 2006

ORDERED 2006 SEPTEMBER 21 11:00 AM

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 2301 Genesee Street, Cheektowaga, New York SB00101.28-8-6.1 that is a danger to the safety of others, and records kept by the Assessors Office identify James Nowaczewski, 2301 Genesee Street, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 2301 Genesee Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1680

ADOPTED

RESOLUTION 2006-11

ORDINANCE 2006 SECT 11-10

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 18 Grand Prix Drive, Cheektowaga, New York SB 125.10-11-5 that is a danger to the safety of others, and records kept by the Assessors Office identify Lawrence Parker, 18 Grand Prix Drive, Cheektowaga, New York 11520, as the owner AND

WHEREAS, an inspection of such premises was conducted at 18 Grand Prix Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1682

ADOPTED

RESOLUTION 2006

ORDINANCE 2006 SUPPLEMENTAL TO THE HOURS AND

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 139 Hedwig Avenue, Cheektowaga, New York SB 102.5-3-1 that is a danger to the safety of others, and records kept by the Assessors Office identify Hestin Brown and Andrea Brown, 139 Hedwig Avenue, Cheektowaga, New York 11521, as the owner AND

WHEREAS, an inspection of such premises was conducted at 139 Hedwig Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Personnel
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Beth Lipczynski
Initiator: Beth Lipczynski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
DOC ID: 1685 B

ADOPTED

RESOLUTION 2006-06

TOWN OF CHEEKTOWAGA RESOLUTION

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

RECORDS CENTER Clerk 10/hour
Jennifer Christiano, Depew NY
Effective 11/20/06

RESOLVED, that the following part-time employee be and hereby are terminated as listed:

POICE DEPARTMENT - Traffic Maintenance
Sean M. Trapper
Effective 9/01/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM

Department: Personnel

Category: Personnel Miscellaneous

Prepared By: Beth Lipczynski

Initiator: Beth Lipczynski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1686 A

ADOPTED

RESOLUTION 2006

RESOLUTION OF THE TOWN BOARD OF CHEEKTOWAGA, NEW YORK, ADOPTED, ENFORCED, AND CONFIRMED BY THE TOWN BOARD OF CHEEKTOWAGA, NEW YORK, ON JULY 1, 2006.

WHEREAS, Donald C. Bielefeld, Sr. was appointed to the position of Assistant Code Enforcement Officer by Town Board Resolution July 1, 2006 AND

WHEREAS, that in compliance with the local law known as the Residency Law of the Town of Cheektowaga, Donald C. Bielefeld, Sr., was ordered to obtain residency within the Town of Cheektowaga within six (6) months from the date of his appointment AND

WHEREAS, present real estate market conditions have made it difficult for Donald C. Bielefeld, Sr. to sell his present home and take residence in the Town NO, THEREFORE, BE IT

RESOLVED, that in compliance with the local law known as the Residency Law of the Town of Cheektowaga, Donald C. Bielefeld, Sr. is hereby granted an additional six (6) months from the expiration of the prior resolution until July 1, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Sr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 11/20/06 06:05 PM
Department: Town Attorney
Category: Engineering Misc.
Prepared By: Devin Schenk
Initiator: Devin Schenk

ADOPTED

Sponsors: Councilmember Johnson, Councilmember Laworowicz

RESOLUTION 2006

DOC ID: 1690

A **C** **E** **S**
U **R** **S** **O**

HEREAS, in order for the Town of Cheektowaga to perform sanitary sewer repair work on the east side of Union Road south of Orchard Place, the Town has requested the owner of 3959 Union Road to grant a 20 foot-wide sanitary sewer easement (1,956 square feet) to the Town, and

HEREAS, the owner of such property has agreed to convey such easement to the Town in exchange for a 26 foot-wide easement (1,312 square feet) from the Town to permit it to pave over a small portion of Town-owned property (S.B. 91.20-5-8.1) which is adjacent to 3959 Union Road for parking of vehicles and placement of a dumpster, and

HEREAS, the Town Engineer has recommended that the Town convey the aforementioned easement in exchange for the easement from the owner of 3959 Union Road, and

HEREAS, the aforementioned land owned by the Town of Cheektowaga is not needed by the Town, and the proposed easement to be granted by the Town will still permit the Town to enter such property if the need arises in the future, and

HEREAS, the value of the easement to be acquired by the Town meets or exceeds the value of the easement to be conveyed by the Town, NO, THEREFORE, BE IT

RESOLVED, that this Town Board concurs with the request for a sanitary sewer easement from the owner of 3959 Union Road, and the granting of a parking/pavement easement over Town-owned land (S.B. 91.20-5-8.1) to the owner of 3959 Union Road, and BE IT FURTHER

RESOLVED, that the Town Attorney's Office, in conjunction with the Town Engineer's Office, be and hereby is directed to prepare the necessary easements as referenced above, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned easement to the owner of 3959 Union Road, subject to the receipt of the sanitary sewer easement, and BE IT FURTHER

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

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

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, by resolution dated November 20, 2006, authorized the acceptance by the Town of a 1,956 square foot sanitary sewer easement from the owner of 3959 Union Road and the granting by the Town of a 1,312 square foot easement over Town-owned land (located to the rear/east of 3959 Union Road) to the owner of 3959 Union Road for the parking of vehicles and the placement of a dumpster.

Copies of such easements are on file in the Town Clerk's Office where the same may be examined during regular business hours.

NOTICE IS FURTHER GIVEN that this resolution is subject to permissive referendum under Article 17 of the Town Law of the State of New York.

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

Dated: November 20, 2006

MARY F. HORTON
Town Clerk

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Patricia Jaworowicz, Councilmember
AYES: Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT: Alice Magierski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006

Meeting: 11/20/06 06:05 PM
Department: Town Attorney
Category: Engineering Misc.
Prepared By: Devin Schenk
Initiator: Devin Schenk
Sponsors: Councilmember Johnson, Councilmember Rogowski
DOC ID: 1692

A **E** **A** **R** **S** **S**

HEREAS, as part of the Anderson Road Storm Sewer Improvements Project, the Town of Cheektowaga requested storm sewer easements from various property owners along Anderson Road, and

HEREAS, storm sewer easements for the following property have been signed and submitted to the Town for its approval:

- 10 Anderson Road (permanent and temporary easement)

and,

HEREAS, the Town Engineer and Town Attorney's Office have reviewed these easements and have recommended that the Town accept same, and

HEREAS, it was agreed that the Town of Cheektowaga would reimburse the owner of 10 Anderson Road for legal expenses incurred in connection with the review of documents relating to this transaction, **NO**, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced easements, and BE IT FURTHER

RESOLVED, that the legal expenses incurred by the owner of 10 Anderson Road for this matter, in an amount not to exceed \$1,000.00, shall be appropriated from budget line item number 500-100-9910-552, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Gabryszak, Frankowiak, Swiatek
DOC ID: 1600

ADOPTED

RESOLUTION 2006 600

ORDINANCE 2006 SUSPENSION AND ABOLITION

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 9 Sugnet Avenue, Cheektowaga, New York SB 80.1-1-21 that is a danger to the safety of others, and records kept by the Assessors Office identify O'Neal Heard Mallory Heard, 9 Sugnet Avenue, Cheektowaga, New York 115215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 9 Sugnet Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT:	Alice Magierski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 11/20/06 06:05 PM
Department: Personnel
Category: Appointments/Reappointments
Prepared By: Nancy McNally
Initiator: Anthony Romano
Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
DOC ID: 1691

ADOPTED

RESOLUTION 2006 601

All persons eligible to vote in the Town of Cheektowaga
Let it be the sense of the Town Board that
Since the position of Laborer in the Sanitation Department
Department is vacant,
The Town Board hereby

RESOLVED, that a vacancy exists in the position of Laborer in the Sanitation Department,
AND

RESOLVED, that Justin Tricoli of Cheektowaga meets the necessary qualifications, NO
THEREFORE, BE IT

RESOLVED, that Justin Tricoli hereby is appointed to the position of Laborer in the
Sanitation Department in accordance with the terms and conditions of the Town's collective
bargaining agreement with the Town of Cheektowaga Employees Association, effective
November 21, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Rogowski
ABSENT: Alice Magierski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 602

Meeting: 11/20/06 06:05 PM
Department: Town Attorney
Category: Agreements, Bonds, Contracts
Prepared By: Devin Schenk
Initiator: Devin Schenk
Sponsors: Councilmember Rogowski, Councilmember Laworowicz
DOC ID: 1693

RESOLUTION 2006 602

WHEREAS, in 2005, the Town was awarded a Division of Justice Services Byrne Grant ("DCS Byrne Grant"), a portion of which enabled the Town to engage the services of a Consultant to perform services as a Drug Court Case Coordinator and

WHEREAS, this Town Board, by resolution dated May 2, 2005 engaged the services of Irene Piotek to perform said services until September 30, 2005 and

WHEREAS, the DCS Byrne Grant was continued, and Irene Piotek continued to perform the required Drug Court Case Coordinator duties throughout the remainder of 2005 NO THEREFORE BE IT

RESOLVED, that this Town Board hereby continues the retention of the services of Irene Piotek of Depew, New York, as Consultant to perform the duties of Drug Court Case Coordinator in accordance with the terms and conditions of the Agreement attached hereto for the months of October, November and December of 2005, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to execute said Agreement, subject, however, to approval of same by the Town Attorney's Office.

COMMENTS COMMENT:

This resolution will need to be updated for 2006 at the next meeting.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Patricia Laworowicz, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Rogowski
ABSENT:	Alice Magierski



Town of **C**heektowaga

3301 Broadway
Cheektowaga, NY 14227

Regular **M**eeting

Minutes

Mary F. Holtz
(716) 686-3434

Monday, December, 4, 2006

6:45 PM

Council Chambers

I. Current **O**rders

COMMENTS - Current Meeting:

6:45 PM Meeting called to order on December 4, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

A ttendee N ame	O rganization	T itle	S tatus	A ction
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Absent	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Michael Stachowski, Town Attorney
- Brian Krause, Director of Finance and Administration
- Thomas Adamczak, Supervising Building and Plumbing Inspector
- Anthony Romano, Coordinator of Employee Relations
- Christine Niemba, Chief of Police
- Merry Switalski, Senior Services Director
- John Karoszewski, Working Crew Chief
- Kenneth Popacz, Executive Director of Parks, Recreation and Youth Services

II. Council Recommendations

III. Information

A. Very Rev. Thomas Kadlec, St. Mary's Orthodox Church

IV. Hearings

1. Amend Solid Waste Law at 7:00 PM

COMMENTS - Current Meeting:

The Supervisor announced that comments would be heard from the audience. Hearing was closed. Decision was reserved.

RESULT: CLOSED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski
ABSENT: Patricia Laworowicz

V. R



RESOLUTION 2006-603

DOC ID: 1707

T F

S B: Supervisor Gabryszak, Councilmember ankowiak

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

GENERAL FUND

FROM:	100-1110-2655	Misc. Revenues	\$ 5,286.25
	100-7110-2303	Over the Road Vehicles	5,890.00
	100-7110-4141	Chemicals	6,837.00
	100-7110-4491	Special Events	3,520.00
TO:	100-1110-2105	Equipment	\$ 5,286.25
	100-7110-4451	Maintenance & Repair	5,890.00
	100-7110-4451	Maintenance & Repair	6,837.00
	100-7110-4451	Maintenance & Repair	1,400.00
	100-7110-4162	Gasoline & Oil	2,120.00

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James ankowiak, Councilmember
AYES: Gabryszak, Johnson r., Swiatek, ankowiak, Magierski, Rogowski
ABSENT: Patricia aworowicz



RESOLUTION 2006-604

DOC ID: 1708

WARRANT

Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to December 1, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 5,473,642.94
RISK RETENTION FUND	17,353.65
DEBT SERVICE FUND	280,000.00
HUD HOUSING REHABILITATION FUND	210.71
SPECIAL DISTRICTS FUND	1,712,940.37
HIGHWAY FUND	1,158,605.06
CAPITAL FUND	204,368.39
TRUST & AGENCY FUND	9,304.17
HUD CDBG FUND	41,493.88
PART TOWN FUND	147,650.94
NYS AFFORDABLE HOUSING FUND	20,773.50
	\$ 9,066,343.61

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowski, Councilmember
AYES: Gabryszak, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski
ABSENT: Patricia Laworowicz



RESOLUTION 2006-605

DOC ID: 1665

N **B**: 200 **C** **T**

S **B**: Councilmember **ankowiak**, Supervisor **Gabryszak**

HEREAS, The Town of Cheektowaga Department of Parks, Recreation Youth Services, Parks Division, utilizes Portable Chemical Toilets at various locations to service their recreational activities and Special Events, **NO BE IT**

RESOLVED, that the Town Clerk be directed to publish a Notice To Bidders for the Leasing and Servicing of Portable Chemical Toilets, **AND BE IT FURTHER**

RESOLVED, that specifications for said Leasing and Servicing of Portable Chemical Toilets be obtained from the Town Clerk's Office in Cheektowaga Town Hall, **AND BE IT FURTHER**

RESOLVED, that sealed bids will be received on the 13th day of December, 2006 at 11:00 AM Eastern Standard Time at a Public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

Town of Cheektowaga
Notice to Bidders

Sealed proposals will be received by the Town Clerk on December 13, 2006, at 11:00 AM Eastern Standard Time at the Town Hall, 3301 Broadway, for Leasing and Servicing of Portable Chemical Toilets for the year 200.

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

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

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

Mary F. Holtz
Town Clerk

Date: December , 2006

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT: Patricia Laworowicz



RESOLUTION 2006-606

DOC ID: 1698

A **L** **N**. **Y** **2006** **A**
N **L**

S: Councilmember Magierski, Councilmember Johnson.

WHEREAS, by resolution dated September 16, 2002, the Cheektowaga Town Board enacted Local Law No. 2 of the Year 2002, entitled "a Local Law for Noise in the Town of Cheektowaga", and

WHEREAS, a change to this Noise Law has been recommended, and

WHEREAS, Local Law Intro No.2006- 5 of the Year 2006, entitled "A Local Law to Amend the Noise Law in the Town of Cheektowaga" has been drafted, and

WHEREAS, a public hearing was held on the 16th day of October, 2006 at 6:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-5 of the Year 2006, entitled "A Local Law to Amend the Noise Law in the Town of Cheektowaga", and

WHEREAS, it is in the public interest to enact such law, **NOW, THEREFORE, BE IT**

RESOLVED, that this Town Board determines it is in the public interest to adopt Local Law No. 3 of the Year 2006 entitled A Local Law to Amend the Noise Law in the Town of Cheektowaga and said Local Law is hereby adopted and enacted, **BE IT FURTHER**

RESOLVED, that the Town Clerk shall file one (1) certified copy of this local law in her office and one (1) certified copy with the Secretary of State, and **BE IT FURTHER**

RESOLVED, that Local Law No. 3 of the Year 2006 shall take effect upon filing with the Secretary of State.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson, Councilmember
AYES:	Gabryszak, Johnson, Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-607

DOC ID: 1699

RESOLUTION 2006-607

SUBJECT: Councilmember Magierski, Supervisor Gabryszak

WHEREAS, by resolution dated October 21, 1985, the Cheektowaga Town Board adopted the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga (now known as Chapter 5 of the Code of the Town of Cheektowaga, entitled "Unsafe Buildings"), and

WHEREAS, the Building Inspections Department and the Zoning and Petitions Committee have recommended that this ordinance be repealed and that a new "Local Law for Unsafe Buildings in the Town of Cheektowaga" be enacted in its place and

WHEREAS, a draft of the proposed Local Law Intro No. 2006- of the Year 2006, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga" has been prepared, and

WHEREAS, a public hearing was held on the 6th day of November, 2006, at 8:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the repeal of the existing Unsafe Buildings and Collapsed Structures Law of the Town of Cheektowaga and the adoption of Local Law Intro No. 2006- of the Year 2006, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga", and

WHEREAS, it is in the public interest to repeal the existing Unsafe Buildings and Collapsed Structures Ordinance and to adopt "A Local Law for Unsafe Buildings in the Town of Cheektowaga", NOW, THEREFORE, BE IT

RESOLVED, that the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga be and hereby is repealed, and BE IT FURTHER

RESOLVED, that Local Law No. of the Year 2006, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga" be and hereby is adopted and enacted, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) copy of this local law in her office and one (1) certified copy with the Secretary of State, and BE IT FURTHER

RESOLVED, that the repeal of the Unsafe Buildings and Collapsed Structures Ordinance and Local Law No. of the Year 2006 shall take effect upon filing with the Secretary of State.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Jaworowicz



RESOLUTION 2006-608

DOC ID: 1695 A

O S H C

S B: Johnson Jr., Gabryszak, Laworowicz, Swiatek, Rankowiak, Magierski, Rogowski

WHEREAS, in 2005, New York State created the “New York State Commission on Health Care Facilities in the 21st Century” (hereinafter referred to as “Commission”) to reorganize the hospital system in New York State, and to otherwise make hard choices for the hospital system, which has been plagued by financial difficulties, and

WHEREAS, this Commission is comprised of 18 permanent members, with 12 appointed by Governor Pataki, and 3 each appointed by the Senate and Assembly, and

WHEREAS, one of the responsibilities of the Commission is to reduce the number of and downsize hospitals to control costs and improve quality, and

WHEREAS, the Commission made its recommendations to Governor Pataki on November 28, 2006, and

WHEREAS, the Commission’s recommendations take effect unless the State Legislature rejects them in their entirety by December 31, 2006, and will be carried out by 2008, and

WHEREAS, a recommendation has been made to close St. Joseph Hospital in Cheektowaga, and

WHEREAS, Assembly Majority Leader Paul A. Tokasz is introducing a concurrent resolution in the New York State Assembly to reject the findings of the Commission, and

WHEREAS, this recommendation has been opposed by the Catholic Health System, and

WHEREAS, the Catholic Health System has already taken action to reduce costs and make its hospitals more efficient by converting Our Lady of Victory Hospital in Lackawanna to other uses and merging St. Jerome Hospital in Batavia into another facility, and

WHEREAS, the Catholic Health System is currently promoting a proposal to reduce the number of beds at St. Joseph Hospital from 208 to 158, and at Sisters Hospital from 113 to 313, and

WHEREAS, residents in the Town of Cheektowaga rely heavily upon the accessibility of St. Joseph Hospital, and, without this hospital in our Town, the lives and health of our residents would be severely jeopardized by requiring them to travel long distances to access the emergency room and health care, and

WHEREAS, the closing of St. Joseph Hospital would have a devastating effect on the local economy by the loss of jobs and the loss of business in the area, and

WHEREAS, St. Joseph Hospital is vital to preserving quality health care and access to health care for Town of Cheektowaga residents, and

WHEREAS, the loss of St. Joseph Hospital would severely affect the poor and uninsured in this area, and

WHEREAS, any suggestion that St. Joseph Hospital should close would be based on cold data rather than the very human needs of the local community, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board strongly urges Governor Pataki, Assemblyman Paul A. Tokasz, Senator William T. Stachowski and all other State representatives from Western New York to help us protect the residents of the Town of Cheektowaga by rejecting the recommendation from the Commission to close St. Joseph Hospital, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Governor George Pataki, Assemblyman Paul A. Tokasz, Senator William T. Stachowski and all other State legislative delegates from Western New York, and BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to immediately forward a copy of this Resolution by facsimile and electronic messaging (e-mail) to Governor George Pataki, the Western New York Delegation of State Senators, and New York State Members of the Assembly.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Gabryszak, Swiatek, Rankowiak, Magierski, Rogowski
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-609

DOC ID: 1697

Housing and Community Development Act of 1974

Supervisor Gabryszak, Councilmember Rogowski

WHEREAS, the Town has received federal funding under the Housing and Community Development Act of 1974, as amended, one of the purposes of which is to expand and improve the quality and quantity of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities, and

WHEREAS, the provision of comprehensive housing counseling, rent delinquency and mortgage default counseling, and the provision of housing-related services information to low & moderate-income residents would assist in achieving these goals and are consistent with the purposes of the Housing & Community Development Act, as amended,

WHEREAS, the Town and Belmont entered into an Agreement dated April 1, 2005 for the provision of Housing Counseling Services, and

WHEREAS, the Town and Belmont desire to renew said Agreement for the 2006-2007 Program Year under the same terms and conditions, NOW, THEREFORE BE IT

RESOLVED, that the Agreement dated April 1, 2005 between the Town and Belmont Shelter Corp. is hereby renewed for the 2006-2007 program year in the amount of \$8,000 under the same terms and conditions contained in said Agreement, said Agreement to be in effect until March 31, 2007, and BE IT

FURTHER RESOLVED, that the Supervisor is hereby is authorized to execute said Agreement Renewal which will be funded with Community Development Block Grant funds.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Johnson, Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-610

DOC ID: 1709

W... S... A...

S... B: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, the Town of Cheektowaga has received funding for the 2006 program year from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 19...

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

HEREAS, Supportive Services Corporation of ... eastern New York has requested funding for assisting in providing energy conservation and weatherization services for low-moderate income Town residents, and

HEREAS, funding for such services is available in the 2006-200... Community Development Block Grant program budget, NO..., THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with Supportive Services Corporation of ... eastern New York for an amount not to exceed \$6,000 to provide energy conservation and weatherization services for income-eligible Town residents for the 2006-200... Program Year.

Table with 2 columns: Field (RESULT, MOVER, SECONDER, AYES, ABSENT) and Value (ADOPTED UNANIMOUS, Dennis Gabryszak, James Rogowski, Gabryszak, Johnson et al., Patricia Laworowicz)



RESOLUTION 2006-611

DOC ID: 1696

ANNOUNCEMENTS

Subject: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, on the 1st day of May, 1981, 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 list below 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

Table with 3 columns: Name, Address, Expiration Date. Rows include Bielinski, Joseph S; Burkley, Devin D; Hughes, Sharon A.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT: Patricia Laworowicz



RESOLUTION 2006-612

DOC ID: 1715

A **E** **A** **U** **R**

S: Councilmember Johnson, Councilmember Rogowski

HEREAS, by resolution dated November 20, 2006, this Town Board requested the owner of property at 3959 Union Road to grant the Town of Cheektowaga a sanitary sewer easement over a portion of his property in order to perform sewer repair work in the area, and

HEREAS, Thomas M. Montante, the owner of such property, has submitted the requested easement to the Town, and

HEREAS, the Town Engineer and Town Attorney's Office have reviewed such easement document and have recommended that the Town accept same, **NO**, **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.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Johnson, Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-613

DOC ID: 1700

ORDINANCE 2006 S C U 22 A S

SUBJECT: Magierski, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 223 Alaska Street, Cheektowaga, New York SB 113.61-28.1 that is a danger to the safety of others, and records kept by the Assessors Office identify Irene Slisz, 62 Gorski Street, Buffalo, New York 14206, as the owner AND

WHEREAS, an inspection of such premises was conducted at 223 Alaska Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-614

DOC ID: 1701

O 2006 **S** **C** **U** **D** **D**

S: Magierski, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Danbury Drive, Cheektowaga, New York SB 91.09-2-21 that is a danger to the safety of others, and records kept by the Assessors Office identify Deborah Forant, 385 Harrison Ridge Road, Duncan, SC 2933, as the owner AND

HEREAS, an inspection of such premises was conducted at 8 Danbury Drive, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, Johnson r., Swiatek, ankowiak, Magierski, Rogowski
ABSENT:	Patricia aworowicz



RESOLUTION 2006-615

DOC ID: 1703

ORDINANCE 2006 S C U M

SUBJECT: Magierski, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at Meadowbrook Parkway, Cheektowaga, New York SB 123.36-5-6 that is a danger to the safety of others, and records kept by the Assessors Office identify Julia Allis, Meadowbrook Parkway, Buffalo, New York 14206, as the owner AND

WHEREAS, an inspection of such premises was conducted at Meadowbrook Parkway, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-616

DOC ID: 1704

ORDINANCE 2006 S U C R

SUBJECT: Magierski, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 3 Cedar Road, Cheektowaga, New York SB 90.08-69 that is a danger to the safety of others, and records kept by the Assessors Office identify Mr. Mrs. Martin Slaughter, 3 Cedar Road Cheektowaga, New York 1215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 3 Cedar Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-617

DOC ID: 1705

O **2006 S** **C** **U** **C** **R**

S: Magierski, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Cedar Road, Cheektowaga, New York SB 90.08-66 that is a danger to the safety of others, and records kept by the Assessors Office identify James Alexander, 8 Cedar Road, Cheektowaga, New York 1215, as the owner AND

HEREAS, an inspection of such premises was conducted at 8 Cedar Road, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, Johnson r., Swiatek, ankowiak, Magierski, Rogowski
ABSENT:	Patricia aworowicz



RESOLUTION 2006-618

DOC ID: 1706

ORDINANCE 2006 S C U E

SUBJECT: Magierski, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Evergreen Place, Cheektowaga, New York SB 91.19-16 that is a danger to the safety of others, and records kept by the Assessors Office identify Gwendolyn Pabellon, 8 Evergreen Place, Cheektowaga, New York 1225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 8 Evergreen Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz

17. Motion To: Motion to waive reading the names on Resolutions 619 through 621

RESULT: ADOPTED UNANIMOUS
MOVER: Jeff Swiatek, Councilmember
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT: Patricia Laworowicz



RESOLUTION 2006-619

DOC ID: 1714

██████ **T**██████████████

S██████████ **B**: Supervisor Gabryszak, Councilmember █████ankowiak

BE IT RESO████ED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation █████ Youth Services, effective as indicated:

--Michelle Troidl - 12/01/06

--Mary █████athleen Dusing - 06/1████/06

RESULT:	ADO████TED █████UNANIMOUS████
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	████ames █████ankowiak, Councilmember
AYES:	Gabryszak, █████ohnson █████r., Swiatek, █████ankowiak, Magierski, Rogowski
ABSENT:	Patricia █████aworowicz



RESOLUTION 2006-620

DOC ID: 1716

U

S: Supervisor Gabryszak, Councilmember Rankowski

WHEREAS Michelle Troidl has resigned from her position as Recreation Attendant (head teacher) in the Department of Parks, Recreation & Youth Services Pre-K program, BE IT

RESOLVED that Michele Radlich be elevated to fill her vacancy at the rate of \$9.80 per hour, effective 12/01/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-621

DOC ID: 1710

T S H T

S B: Councilmember ankowiak, Supervisor Gabryszak

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

JUSTICE COURT - Court Officer - \$13.2/hour
John E. Stronka, Cheektowaga, NY
Effective 12/0/06

RESOLVED, that the following employees be and hereby are as listed:

MAIN PUMP STATION

Jacob odowski
Effective 11/1/06

SEWER MAINTENANCE DIVISION

Christopher Buczek
Effective 3/31/06

Jeremy Buczek
Effective 8/2/06

Brandon Hill
Effective 8/2/06

John Lockhart
Effective 8/20/06

Joseph Martin
Effective 8/20/06

Justin Nowak
Effective 8/1/06

Michael O'Sullivan
Effective 11/05/06

William Olewniczak
Effective 8/2/06

David Profic
Effective 3/31/06

Sean Ross
Effective 11/19/06

SANITATION DEPARTMENT

Effective 11/18/06:
David Saskowski
Michael Draper

Effective 12/02/06:
Christopher Ahrens
Thomas Build
Lesse Herr
Paul Herr
Bryan Mazmierczak
Darren Mazmierczak
Thomas Manley
David Minci
Gene Raczka
Andrew Mastchak
Gene Millard

POLICE DEPARTMENT

Joan Krakowiak
Effective 11/14/06

PARIS DIVISION

Kevin Daugherty
Effective 11/20/06

Michael Beyer
Effective 12/02/06

Justin Henzler
Effective 12/02/06

Benjamin Philipps
Effective 12/02/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-623

DOC ID: 1713

RESOLUTION 2006

SUBJECT: Councilmember Rogowski, Councilmember Magierski

WHEREAS, in 2006, the Town was awarded a Division of Justice Services Byrne Grant ("DCJS Byrne Grant"), a portion of which enabled the Town to engage the services of a Consultant to perform services as a Drug Court Case Coordinator and

WHEREAS, this Town Board, by resolutions dated May 2, 2005 and November 20, 2006, engaged the services of Irene Miotek to perform said services until December 31, 2006 and

WHEREAS, the DCJS Byrne Grant was continued, and Irene Miotek continued to perform the required Drug Court Case Coordinator duties to date; NO THEREFORE BE IT

RESOLVED, that this Town Board hereby continues the retention of the services of Irene Miotek of Depew, New York, as Consultant to perform the duties of Drug Court Case Coordinator in accordance with the terms and conditions of the Agreement attached hereto for the calendar year 2006, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to execute said Agreement, subject, however, to approval of same by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Johnson, Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



RESOLUTION 2006-624

DOC ID: 1711

Town of **A** Cheektowaga **D**epartment of Public Works

Subject: **B**: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, the Motor Vehicle Identification and Auto Theft Symposium is being held February 26 through March 2, 2007 in Miami, Florida AND

WHEREAS, Detective Mark Redd has requested authorization to attend said symposium AND

WHEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, no cost shall be incurred as all expenses are to be reimbursed by Motor Vehicle Theft and Insurance Fraud grant NO. 06-001, THEREFORE, BE IT

RESOLVED, that Detective Mark Redd be and hereby is authorized to attend the Motor Vehicle Identification and Auto Theft Symposium being held February 26 through March 2, 2007 in Miami, Florida.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz

24. Motion To: Motion to waive the rules to include the following resolution

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz

V. Subject **R**esolution



RESOLUTION 2006-625

DOC ID: 1717

A... E... C... S... R... C... M... F... S...

S... B: Supervisor Gabryszak, Councilmember Rogowski

HEREAS, the Town of Cheektowaga wishes to investigate the most efficient and effective provision of future sanitary sewer service for the residents of the Town, and

HEREAS, the most efficient and effective provision of future sanitary services may require a merger of sewer services between the Town of Cheektowaga and other local sewer service providers, and

HEREAS the Town of Cheektowaga and other local service providers determined that the complexity associated with evaluating the potential merger of sewer services requires retaining a consulting firm with the requisite experience and skills to complete the analyses, and

HEREAS, representatives from the Town of Cheektowaga, Village of Sloan, Town of West Seneca, and the Erie County Department of Environment and Planning reviewed qualification packages for this project and selected Red Oak Consulting to perform a "Sewer Rate Comparison and Merger Feasibility Study", and

HEREAS, the Erie County Department of Environment and Planning and other local sanitary sewer service providers have agreed to finance and manage the project on behalf of the Town, and

HEREAS, the Erie County Department of Environment and Planning has submitted a grant application to New York State through the Shared Municipal Services Incentive grant program, with the Town listed as a co-applicant, and

HEREAS, the Erie County Department of Environment and Planning has requested formal support of the Shared Municipal Services Incentive grant program, and

HEREAS, this Town Board supports the concept of evaluating the potential mergers to ensure that the residents of the Town of Cheektowaga receive the most efficient and effective provisions for future sanitary sewer service, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board and the Supervisor direct all necessary Town employees to assist the Erie County Department of Environment and Planning and Red Oak Consulting in the study of the potential sewer service mergers, and BE IT FURTHER

RESOLVED, that Erie County Department of Environment and Planning and Red Oak Consulting be granted access to Town public records necessary for the completion of the study of the potential sewer service mergers, and BE IT FURTHER

RESOLVED, that the Town Engineer be listed as the primary contact on behalf of the Town as a co-applicant for the Shared Municipal Services Incentive grant application submitted by the Erie County Department of Environment and Planning for the study of the potential sewer service mergers, and BE IT FURTHER

RESOLVED, that the Erie County Department of Environment and Planning be directed to provide a copy of the final report for the merger analysis to the Town Board and Supervisor for review, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Thomas Hetham, Deputy Commissioner, Erie County Department of Environment and Planning, and the Erie County Sewer District No. 1 Board of Managers.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz

VII. COUNCIL COMMUNICATIONS

A. Departmental Communications

1. Supervisor’s Statement of Funds: October 2006
2. Building Permits - November 2006
3. Environmental Advisory Committee - Minutes of November 22, 2006 Meeting

B. General Communications

1. Notice of Claim: Christopher Bonnas Vs. Town of Cheektowaga
2. Notice of Claim: Timothy F. Blach Vs. Town of Cheektowaga
3. Notice of Claim - Josephine A. Scinta Vs. Town of Cheektowaga
4. Notice of Claim: Frank Pagels Vs. Town of Cheektowaga
5. Notice of Claim: David C. Mount Vs. Town of Cheektowaga
6. Notice of Claim: Holly Allard Vs. Town of Cheektowaga

VIII. COUNCIL COMMENTS

A. Supervisor’s Comments

B. Councilmember’s Comments

IX. COUNCIL COMMENTS

COMMENTS - Current Meeting:

Motion by Supervisor Gabryszak, seconded by Councilmember Johnson to adjourn the meeting at 8:20 P.M.



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 60

Meeting: 12/07/06 06:05 PM
Department: Accounting/Payroll
Category: Transfer of Funds
Prepared By: Cathy Travers
Initiator: Cathy Travers
Sponsors: Supervisor Gabryszak, Councilmember Rankowiak
DOC ID: 100

Town of Cheektowaga

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

GENERAL FUND

FROM:	100-1110-2655	Misc. Revenues	\$ 5,286.25
	100-7110-2303	Over the Road Vehicles	5,890.00
	100-7110-4141	Chemicals	6,837.00
	100-7110-4491	Special Events	3,520.00
TO:	100-1110-2105	Equipment	\$ 5,286.25
	100-7110-4451	Maintenance & Repair	5,890.00
	100-7110-4451	Maintenance & Repair	6,837.00
	100-7110-4451	Maintenance & Repair	1,400.00
	100-7110-4162	Gasoline & Oil	2,120.00

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowiak, Councilmember
AYES: Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT: Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Accounting/Payroll
Category: Warrant List
Prepared By: Cathy Travers
Initiator: Cathy Travers
Sponsors: Supervisor Gabryszak, Councilmember Rankowski
DOC ID: 108

ADOPTED

RESOLUTION 2006 60

WHEREAS

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to December 1, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 5,473,642.94
RISK RETENTION FUND	17,353.65
DEBT SERVICE FUND	280,000.00
HUD HOUSING REHABILITATION FUND	210.71
SPECIAL DISTRICTS FUND	1,712,940.37
HIGHWAY FUND	1,158,605.06
CAPITAL FUND	204,368.39
TRUST & AGENCY FUND	9,304.17
HUD CDBG FUND	41,493.88
PART TOWN FUND	147,650.94
NYS AFFORDABLE HOUSING FUND	20,773.50
	<u>\$ 9,066,343.61</u>

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski
ABSENT: Patricia Laworowicz



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 60

Meeting: 12/07/06 06:05 PM

Department: Parks Division

Category: Notice to Bidders

Prepared By: Maureen MacDonald

Initiator: John Jaroszewski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1665

NOTICE TO BIDDERS: 2007 PORTABLE CHEMICAL TOILETS

WHEREAS, The Town of Cheektowaga Department of Parks, Recreation & Youth Services, Parks Division, utilizes Portable Chemical Toilets at various locations to service their recreational activities and Special Events, NOW BE IT

RESOLVED, that the Town Clerk be directed to publish a Notice To Bidders for the Leasing and Servicing of Portable Chemical Toilets, AND BE IT FURTHER

RESOLVED, that specifications for said Leasing and Servicing of Portable Chemical Toilets be obtained from the Town Clerk's Office in Cheektowaga Town Hall, AND BE IT FURTHER

RESOLVED, that sealed bids will be received on the 13th day of December, 2006 at 11:00 AM Eastern Standard Time at a Public bid opening to be held in the Council Chambers at Cheektowaga Town Hall.

Town of Cheektowaga
Notice to Bidders

Sealed proposals will be received by the Town Clerk on December 13, 2006, at 11:00 AM Eastern Standard Time at the Town Hall, 3301 Broadway, for Leasing and Servicing of Portable Chemical Toilets for the year 2007.

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

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

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

Mary F. Holtz
Town Clerk

Date: December 7, 2006

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT: Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Town Attorney
Category: Local Law
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Councilmember Magierski, Councilmember Johnson

ADOPTED

RESOLUTION 2006 606

DOC ID: 1698

ARTICLE I LOCAL LAW No. 3 of the Year 2006 Amending Local Law No. 2

WHEREAS, by resolution dated September 16, 2002, the Cheektowaga Town Board enacted Local Law No. 2 of the Year 2002, entitled "a Local Law for Noise in the Town of Cheektowaga", and

WHEREAS, a change to this Noise Law has been recommended, and

WHEREAS, Local Law Intro No.2006- 5 of the Year 2006, entitled "A Local Law to Amend the Noise Law in the Town of Cheektowaga" has been drafted, and

WHEREAS, a public hearing was held on the 16th day of October, 2006 at 8:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the adoption of Local Law Intro No. 2006-5 of the Year 2006, entitled "A Local Law to Amend the Noise Law in the Town of Cheektowaga", and

WHEREAS, it is in the public interest to enact such law, **NOW, THEREFORE, BE IT**

RESOLVED, that this Town Board determines it is in the public interest to adopt Local Law No. 3 of the Year 2006 entitled A Local Law to Amend the Noise Law in the Town of Cheektowaga and said Local Law is hereby adopted and enacted, **BE IT FURTHER**

RESOLVED, that the Town Clerk shall file one (1) certified copy of this local law in her office and one (1) certified copy with the Secretary of State, and **BE IT FURTHER**

RESOLVED, that Local Law No. 3 of the Year 2006 shall take effect upon filing with the Secretary of State.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11220

Meeting: 12/06/06 06:05 PM
Department: Town Attorney
Category: Local Law
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Councilmember Magierski, Supervisor Gabryszak
DOC ID: 1699

ADOPTED

RESOLUTION 2006 60

RESOLUTION OF THE TOWN BOARD OF CHEEKTOWAGA, NEW YORK, ENACTED ON 12/06/06, ENTITLED "2006 LOCAL LAW NO. 1 OF 2006 REPEALING CHAPTER 75 OF THE TOWN CODE AND ADOPTING LOCAL LAW NO. 1 OF 2006"

WHEREAS, by resolution dated October 21, 1985, the Cheektowaga Town Board adopted the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga (now known as Chapter 75 of the Code of the Town of Cheektowaga, entitled "Unsafe Buildings"), and

WHEREAS, the Building Inspections Department and the Zoning and Petitions Committee have recommended that this ordinance be repealed and that a new "Local Law for Unsafe Buildings in the Town of Cheektowaga" be enacted in its place and

WHEREAS, a draft of the proposed Local Law Intro No. 2006-1 of the Year 2006, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga" has been prepared, and

WHEREAS, a public hearing was held on the 6th day of November, 2006, at 6:00 P.M. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the repeal of the existing Unsafe Buildings and Collapsed Structures Law of the Town of Cheektowaga and the adoption of Local Law Intro No. 2006-1 of the Year 2006, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga", and

WHEREAS, it is in the public interest to repeal the existing Unsafe Buildings and Collapsed Structures Ordinance and to adopt "A Local Law for Unsafe Buildings in the Town of Cheektowaga", NOW, THEREFORE, BE IT

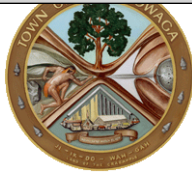
RESOLVED, that the Unsafe Buildings and Collapsed Structures Ordinance of the Town of Cheektowaga be and hereby is repealed, and BE IT FURTHER

RESOLVED, that Local Law No. 1 of the Year 2006, entitled "A Local Law for Unsafe Buildings in the Town of Cheektowaga" be and hereby is adopted and enacted, and BE IT FURTHER

RESOLVED, that the Town Clerk shall file one (1) copy of this local law in her office and one (1) certified copy with the Secretary of State, and BE IT FURTHER

RESOLVED, that the repeal of the Unsafe Buildings and Collapsed Structures Ordinance and Local Law No. 1 of the Year 2006 shall take effect upon filing with the Secretary of State.

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT: Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/07/06 06:05 PM
Department: Town Attorney
Category: Miscellaneous
Prepared By: Devin Schenk
Initiator: Devin Schenk
Sponsors: Johnson Jr., Gabryszak, Laworowicz, Swiatek, Rankowiak, Magierski, Rogowski
DOC ID: 1695 A

ADOPTED

RESOLUTION 2006 60

OPPOSED St. Joseph Hospital Closure

WHEREAS, in 2005, New York State created the "New York State Commission on Health Care Facilities in the 21st Century" (hereinafter referred to as "Commission") to reorganize the hospital system in New York State, and to otherwise make hard choices for the hospital system, which has been plagued by financial difficulties, and

WHEREAS, this Commission is comprised of 18 permanent members, with 12 appointed by Governor Pataki, and 3 each appointed by the Senate and Assembly, and

WHEREAS, one of the responsibilities of the Commission is to reduce the number of and downsize hospitals to control costs and improve quality, and

WHEREAS, the Commission made its recommendations to Governor Pataki on November 28, 2006, and

WHEREAS, the Commission's recommendations take effect unless the State Legislature rejects them in their entirety by December 31, 2006, and will be carried out by 2008, and

WHEREAS, a recommendation has been made to close St. Joseph Hospital in Cheektowaga, and

WHEREAS, Assembly Majority Leader Paul A. Tokasz is introducing a concurrent resolution in the New York State Assembly to reject the findings of the Commission, and

WHEREAS, this recommendation has been opposed by the Catholic Health System, and

WHEREAS, the Catholic Health System has already taken action to reduce costs and make its hospitals more efficient by converting Our Lady of Victory Hospital in Lackawanna to other uses and merging St. Jerome Hospital in Batavia into another facility, and

WHEREAS, the Catholic Health System is currently promoting a proposal to reduce the number of beds at St. Joseph Hospital from 208 to 158, and at Sisters Hospital from 113 to 313, and

WHEREAS, residents in the Town of Cheektowaga rely heavily upon the accessibility of St. Joseph Hospital, and, without this hospital in our Town, the lives and health of our residents would be severely jeopardized by requiring them to travel long distances to access the emergency room and health care, and

WHEREAS, the closing of St. Joseph Hospital would have a devastating effect on the local economy by the loss of jobs and the loss of business in the area, and

WHEREAS, St. Joseph Hospital is vital to preserving quality health care and access to health care for Town of Cheektowaga residents, and

WHEREAS, the loss of St. Joseph Hospital would severely affect the poor and uninsured in this area, and

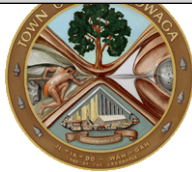
WHEREAS, any suggestion that St. Joseph Hospital should close would be based on cold data rather than the very human needs of the local community, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board strongly urges Governor Pataki, Assemblyman Paul A. Tokasz, Senator William T. Stachowski and all other State representatives from Western New York to help us protect the residents of the Town of Cheektowaga by rejecting the recommendation from the Commission to close St. Joseph Hospital, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Governor George Pataki, Assemblyman Paul A. Tokasz, Senator William T. Stachowski and all other State legislative delegates from Western New York, and BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to immediately forward a copy of this Resolution by facsimile and electronic messaging (e-mail) to Governor George Pataki, the Western New York Delegation of State Senators, and New York State Members of the Assembly.

RESULT:	ADOPTED UNANIMOUSLY
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	Gabryszak, Swiatek, Rankowiak, Magierski, Rogowski
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/07/06 06:05 PM
Department: Community Development
Category: Community Development
Prepared By: Terry Gabryszak
Initiator: Terry Gabryszak
Sponsors: Supervisor Gabryszak, Councilmember Rogowski

ADOPTED

RESOLUTION 2006 60

DOC ID: 169

Housing and Community Development Act of 1974

WHEREAS, the Town has received federal funding under the Housing and Community Development Act of 1974, as amended, one of the purposes of which is to expand and improve the quality and quantity of community services, principally for persons of low and moderate income, which are essential for sound community development and for the development of viable urban communities, and

WHEREAS, the provision of comprehensive housing counseling, rent delinquency and mortgage default counseling, and the provision of housing-related services information to low & moderate-income residents would assist in achieving these goals and are consistent with the purposes of the Housing & Community Development Act, as amended,

WHEREAS, the Town and Belmont entered into an Agreement dated April 1, 2005 for the provision of Housing Counseling Services, and

WHEREAS, the Town and Belmont desire to renew said Agreement for the 2006-2007 Program Year under the same terms and conditions, NOW, THEREFORE BE IT

RESOLVED, that the Agreement dated April 1, 2005 between the Town and Belmont Shelter Corp. is hereby renewed for the 2006-2007 program year in the amount of \$8,000 under the same terms and conditions contained in said Agreement, said Agreement to be in effect until March 31, 2007, and BE IT

FURTHER RESOLVED, that the Supervisor is hereby is authorized to execute said Agreement Renewal which will be funded with Community Development Block Grant funds.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 610

Meeting: 12/07/06 06:05 PM
Department: Community Development
Category: Community Development
Prepared By: Terry Gabryszak
Initiator: Terry Gabryszak
Sponsors: Supervisor Gabryszak, Councilmember Rogowski
DOC ID: 1109

WHEREAS

HEREAS, the Town of Cheektowaga has received funding for the 2006 program year from the U.S. Department of Housing and Urban Development under the Housing and Community Development Act of 1992, as amended, and

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

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

HEREAS, funding for such services is available in the 2006-2007 Community Development Block Grant program budget, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute an agreement with Supportive Services Corporation of Western New York for an amount not to exceed \$6,000 to provide energy conservation and weatherization services for income-eligible Town residents for the 2006-2007 Program Year.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14224

ADOPTED

RESOLUTION 2006 611

Meeting: 12/07/06 06:05 PM
Department: Town Clerk's Office
Category: E M S
Prepared By: Sharon Styborski
Initiator: Mary Holtz
Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
DOC ID: 1696

Ambulance **N**ew/Renewal **D**river/Attendant **L**icense

WHEREAS, on the 14th 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 list below 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

<u>Name</u>	<u>Address</u>	<u>Expiration Date</u>
Bielinski, Joseph S	891 Clinton St, West Seneca, N.Y. 14224	2/28/2009
Burkley, Kevin D	311 Seneca St, West Seneca, N.Y. 14224	2/28/2009
Hughes, Sharon A	65 Tonawanda Creek Rd, Lockport, N.Y. 14094	9/30/2008

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT: Patricia Laworowicz



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 612

Meeting: 12/07/06 06:05 PM
Department: Town Attorney
Category: Sewers
Prepared By: Devin Schenk
Initiator: Devin Schenk
Sponsors: Councilmember Johnson Jr., Councilmember Rogowski
DOC ID: 1015

A C C E P T E D A U T H O R I Z E D

WHEREAS, by resolution dated November 20, 2006, this Town Board requested the owner of property at 3959 Union Road to grant the Town of Cheektowaga a sanitary sewer easement over a portion of his property in order to perform sewer repair work in the area, and

WHEREAS, Thomas M. Montante, the owner of such property, has submitted the requested easement to the Town, and

WHEREAS, the Town Engineer and Town Attorney's Office have reviewed such easement document and have recommended that the Town accept same, 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.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson Jr., Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/07/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 100

ADOPTED

RESOLUTION 2006 61

ORDERED 2006 SEPTEMBER 22 AM 11:00

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 223 Alaska Street, Cheektowaga, New York SB 113.61-28.1 that is a danger to the safety of others, and records kept by the Assessors Office identify Irene Slisz, 62 Gorski Street, Buffalo, New York 14206, as the owner AND

WHEREAS, an inspection of such premises was conducted at 223 Alaska Street, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 101

ADOPTED

RESOLUTION 2006 61

ORDINANCE 2006 SUBJECT TO CLEAN-UP AND DETERIORATED

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Danbury Drive, Cheektowaga, New York SB 91.09-2-21 that is a danger to the safety of others, and records kept by the Assessors Office identify Deborah Forant, 385 Harrison Ridge Road, Duncan, SC 29333, as the owner AND

WHEREAS, an inspection of such premises was conducted at 8 Danbury Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/07/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 103

ADOPTED

RESOLUTION 2006 61

Ordinance 2006 Supplemental Clean-Up of Meadowbrook Parkway

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at Meadowbrook Parkway, Cheektowaga, New York SB 123.36-5-6 that is a danger to the safety of others, and records kept by the Assessors Office identify Julia Allis, Meadowbrook Parkway, Buffalo, New York 10206, as the owner AND

WHEREAS, an inspection of such premises was conducted at Meadowbrook Parkway, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/07/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 100

ADOPTED

RESOLUTION 2006 616

ORDERED 2006 STORM CLEAN-UP CODES

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 3 Cedar Road, Cheektowaga, New York SB 90.08-69 that is a danger to the safety of others, and records kept by the Assessors Office identify Mr. Mrs. Martin Slaughter, 3 Cedar Road Cheektowaga, New York 11521, as the owner AND

WHEREAS, an inspection of such premises was conducted at 3 Cedar Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 105

ADOPTED

RESOLUTION 2006 61

ORDERED 2006 STORM CLEAN-UP CODES

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Cedar Road, Cheektowaga, New York SB 90.08-66 that is a danger to the safety of others, and records kept by the Assessors Office identify James Alexander, 8 Cedar Road, Cheektowaga, New York 115215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 8 Cedar Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 106

ADOPTED

RESOLUTION 2006 61

ORDINANCE 2006 S U E

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 8 Evergreen Place, Cheektowaga, New York SB 91.19-16 that is a danger to the safety of others, and records kept by the Assessors Office identify Gwendolyn Pabellon, 8 Evergreen Place, Cheektowaga, New York 1225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 8 Evergreen Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 619

Meeting: 12/01/06 06:05 PM

Department: Prys

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Linda Porter

Initiator: Linda Porter

Sponsors: Supervisor Gabryszak, Councilmember Frankowiak

DOC ID: 1111

Town of Cheektowaga

BE IT RESOLVED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effective as indicated:

--Michelle Troidl - 12/01/06

--Mary Kathleen Dusing - 06/15/06

RESULT: ADOPTED UNANIMOUS

MOVER: Dennis Gabryszak, Supervisor

SECONDER: James Frankowiak, Councilmember

AYES: Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski

ABSENT: Patricia Jaworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Prys
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Linda Porter
Initiator: Angela Ruchalski
Sponsors: Supervisor Gabryszak, Councilmember Frankowiak
DOC ID: 1116

ADOPTED

RESOLUTION 2006 620

UNANIMOUS

WHEREAS Michelle Troidl has resigned from her position as Recreation Attendant (head teacher) in the Department of Parks, Recreation & Youth Services Pre-Program, BE IT

RESOLVED that Michele Radlich be elevated to fill her vacancy at the rate of \$9.80 per hour, effective 12/07/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowiak, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Personnel
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Beth Cipczynski
Initiator: Beth Cipczynski
Sponsors: Councilmember Tankowiak, Supervisor Gabryszak
DOC ID: 1110

ADOPTED

RESOLUTION 2006 621

Town of Cheektowaga

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

JUSTICE COURT - Court Officer - \$13.2/hour
John E. Stronka, Cheektowaga, NY
Effective 12/07/06

RESOLVED, that the following employees be and hereby are as listed:

MAIN PUMP STATION

Jacob Rodowski
Effective 11/17/06

SEWER MAINTENANCE DIVISION

Christopher Buczek
Effective 7/31/06

Jeremy Buczek
Effective 8/27/06

Brandon Hill
Effective 8/27/06

John Lockhart
Effective 8/20/06

Joseph Martin
Effective 8/20/06

Justin Nowak
Effective 8/17/06

Michael O'Sullivan
Effective 11/05/06

William Olewniczak
Effective 8/27/06

David Profic
Effective 7/31/06

Resolution 2006-621

Meeting of December 12, 2006

Sean Ross
Effective 11/19/06

SANITATION DEPARTMENT

Effective 11/18/06:

David Saskowski
Michael Draper

Effective 12/02/06:

Christopher Ahrens
Thomas Build
Lesse Herr
Paul Herr
Bryan Mazmierczak
Darren Mazmierczak
Thomas Manley
David Minci
Gene Raczka
Andrew Mastchak
Gene Millard

POLICE DEPARTMENT

Joan Krakowiak
Effective 11/12/06

PARADE DIVISION

Kevin Daugherty
Effective 11/20/06

Michael Beyer
Effective 12/02/06

Justin Henzler
Effective 12/02/06

Benjamin Philipps
Effective 12/02/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Personnel
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Beth Lipczynski
Initiator: Beth Lipczynski
Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
DOC ID: 1112

ADOPTED

RESOLUTION 2006 622

ARTICLE I. COMMUNICATIONS

WHEREAS, a vacancy exists 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 NO, THEREFORE, BE IT

RESOLVED, that Michael Curtis of Cheektowaga, New York, be and hereby is appointed to the position of Police Officer at a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club AND, BE IT FURTHER

RESOLVED, that said appointment shall become effective December 22, 2006, and is subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/05/06 06:05 PM
Department: Town Attorney
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Councilmember Rogowski, Councilmember Magierski

ADOPTED

RESOLUTION 2006 62

DOC ID: 1113

RESOLUTION 2006 62

WHEREAS, in 2006, the Town was awarded a Division of Justice Services Byrne Grant ("DCS Byrne Grant"), a portion of which enabled the Town to engage the services of a Consultant to perform services as a Drug Court Case Coordinator and

WHEREAS, this Town Board, by resolutions dated May 2, 2005 and November 20, 2006, engaged the services of Irene Miotek to perform said services until December 31, 2006 and

WHEREAS, the DCS Byrne Grant was continued, and Irene Miotek continued to perform the required Drug Court Case Coordinator duties to date **NO** THEREFORE BE IT

RESOLVED, that this Town Board hereby continues the retention of the services of Irene Miotek of Depew, New York, as Consultant to perform the duties of Drug Court Case Coordinator in accordance with the terms and conditions of the Agreement attached hereto for the calendar year 2006, and BE IT FURTHER

RESOLVED, that the Supervisor is authorized and directed to execute said Agreement, subject, however, to approval of same by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rogowski, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Johnson, Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/07/06 06:05 PM
Department: Personnel
Category: Personnel Miscellaneous
Prepared By: Beth Lipczynski
Initiator: Beth Lipczynski
Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
DOC ID: 111

ADOPTED

RESOLUTION 2006 62

Town of Cheektowaga Ordinance

WHEREAS, the Motor Vehicle Identification and Auto Theft Symposium is being held February 26 through March 2, 2007 in Miami, Florida AND

WHEREAS, Detective Mark Redd has requested authorization to attend said symposium AND

WHEREAS, Police Chief Christine Ciemba has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, no cost shall be incurred as all expenses are to be reimbursed by Motor Vehicle Theft and Insurance Fraud grant NO. 06-001, THEREFORE, BE IT

RESOLVED, that Detective Mark Redd be and hereby is authorized to attend the Motor Vehicle Identification and Auto Theft Symposium being held February 26 through March 2, 2007 in Miami, Florida.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11222

Meeting: 12/06/06 06:05 PM
Department: Town Attorney
Category: Sewers
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Supervisor Gabryszak, Councilmember Rogowski

ADOPTED

RESOLUTION 2006 62

DOC ID: 111

A **E** **C** **S** **R** **C** **M**
F **S**

HEREAS, the Town of Cheektowaga wishes to investigate the most efficient and effective provision of future sanitary sewer service for the residents of the Town, and

HEREAS, the most efficient and effective provision of future sanitary services may require a merger of sewer services between the Town of Cheektowaga and other local sewer service providers, and

HEREAS the Town of Cheektowaga and other local service providers determined that the complexity associated with evaluating the potential merger of sewer services requires retaining a consulting firm with the requisite experience and skills to complete the analyses, and

HEREAS, representatives from the Town of Cheektowaga, Village of Sloan, Town of West Seneca, and the Erie County Department of Environment and Planning reviewed qualification packages for this project and selected Red Oak Consulting to perform a "Sewer Rate Comparison and Merger Feasibility Study", and

HEREAS, the Erie County Department of Environment and Planning and other local sanitary sewer service providers have agreed to finance and manage the project on behalf of the Town, and

HEREAS, the Erie County Department of Environment and Planning has submitted a grant application to New York State through the Shared Municipal Services Incentive grant program, with the Town listed as a co-applicant, and

HEREAS, the Erie County Department of Environment and Planning has requested formal support of the Shared Municipal Services Incentive grant program, and

HEREAS, this Town Board supports the concept of evaluating the potential mergers to ensure that the residents of the Town of Cheektowaga receive the most efficient and effective provisions for future sanitary sewer service, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board and the Supervisor direct all necessary Town employees to assist the Erie County Department of Environment and Planning and Red Oak Consulting in the study of the potential sewer service mergers, and BE IT FURTHER

RESOLVED, that Erie County Department of Environment and Planning and Red Oak Consulting be granted access to Town public records necessary for the completion of the study of the potential sewer service mergers, and BE IT FURTHER

RESOLVED, that the Town Engineer be listed as the primary contact on behalf of the Town as a co-applicant for the Shared Municipal Services Incentive grant application submitted by the Erie County Department of Environment and Planning for the study of the potential sewer service mergers, and BE IT FURTHER

RESOLVED, that the Erie County Department of Environment and Planning be directed to provide a copy of the final report for the merger analysis to the Town Board and Supervisor for review, and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Thomas Hetham, Deputy Commissioner, Erie County Department of Environment and Planning, and the Erie County Sewer District No. 1 Board of Managers.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski
ABSENT:	Patricia Laworowicz



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Resident Meeting

Monday

Mary F. Holtz
(716) 686-3434

Monday, December 18, 2006

6:45 PM

Council Chambers

Item 1

A. Scott A. Scharlau, 328th Airlift Squadron, Niagara Falls ARS NY

II. Council

COMMENTS - Current Meeting:

6:45 PM Meeting called to order on December 18, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Address	Title	Status	Notes
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Paul Tokasz, New York State Assemblyman
- Michael Stachowski, Town Attorney
- William Pugh, Town Engineer
- Brian Krause, Director of Finance and Administration
- Christine Ciemba, Chief of Police
- Ben Lopacz, Director of Parks, Recreation and Youth Services
- Merry Switalski, Director of Senior Services
- Don Nichy, Superintendent, Wastewater Pump Station
- James Tammaro, New York State Archives
- Anthony Romano, Coordinator of Employee Relations
- John Karoszewski, Working Crew Chief

III. Council

IV. Item

A. Pastor Dean Hunneshagen, Lord of Life Lutheran Church

V. Resolution



RESOLUTION 2006-626

DOC ID: 1730

W

S: Supervisor Gabryszak, Councilmember Rankowski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to December 15, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 1,975,414.14
RISK RETENTION FUND	128,145.13
DEBT SERVICE FUND	46,800.00
SPECIAL DISTRICT FUND	3,908,838.75
HIGHWAY FUND	463,467.96
CAPITAL FUND	4,202.71
TRUST & AGENCY FUND	785.00
HUD CDBG FUND	30,554.61
PART TOWN FUND	109,136.89
NYS AFFORDABLE HOUSING FUND	8,377.00
	<u>\$ 6,675,722.19</u>

RESULT: ADOPTED UNANIMOUS

MOVER: Dennis Gabryszak, Supervisor

SECONDER: James Rankowski, Councilmember

AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-627

DOC ID: 1732

A C T

S B: Councilmember ankowiak, Supervisor Gabryszak

HEREAS, Bid proposals were received for the Leasing and Servicing of Portable Chemical Toilets on December 13, 2006, AND

HEREAS, said proposals have been reviewed for compliance under the terms of the specifications, NO THEREFORE BE IT,

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

B. New York Enterprises Inc. DBA
Ball Toilet Septic Services
P. O. Box 202
325 Jeffrey Boulevard
Blasdell, NY 14219

- Category A - Single Units - \$1.98 per day per unit Items I through III
Category B - Handicapped Units \$2.88 per day per unit Item I
Category C - Special Events \$0.00 per day, per unit, Items I through III

RESULT: ADOPTED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-628

DOC ID: 1742

A **B** **A** **C** **R** **C**,
I

S: Supervisor Gabryszak, Councilmember Laworowicz

HEREAS, a Notice to Bidders was duly published for the receipt of bids for Alterations to the Cheektowaga Records Center - Phase 1 (formerly the Maryvale North Branch Library), which bids were duly received and opened on December 13, 2006, AND

HEREAS, said bids were referred to the Town Engineer and to Bidney Architects, P.C., Project Architect, for analysis, tabulation and report and they have recommended in letters dated December 14, 2006 that the following bidders be awarded the respective contracts for this project, AND

HEREAS, said letters recommend that the contract for Asbestos Abatement be awarded to Arric Corporation, the contract for Heating, Ventilating and Air Conditioning work be awarded to M Mechanical Services, Inc. and the contract for Electrical work be awarded to Goodwin Electric Corporation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for Asbestos Abatement be and hereby is awarded to Arric Corporation, 5033 Transit Road, Depew, New York 14043 at the bid price of \$60,300.00, including the acceptance of Alternate #1, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the contract for Heating, Ventilating and Air Conditioning work be and hereby is awarded to M Mechanical Services, Inc., 200 Military Road, Tonawanda, New York 14150 at the bid price of \$13,650.00, including the acceptance of Alternate #1, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the contract for Electrical work be and hereby is awarded to Goodwin Electric, 121 California Drive, Williamsville, New York 14221 at the bid price of \$28,100.00, including the acceptance of Alternate #1, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute contracts with said firms and any other documents necessary to effectuate completion of this project, AND, BE IT FURTHER

RESOLVED, that funding for said projects shall be appropriated from budget line item No. 500-1685-2520-5622.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-629

DOC ID: 1694

RESOLUTION 2006-629

SUBJECT: Councilmember Frankowiak, Supervisor Gabryszak

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

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

RESOLVED that sealed bids will be received on January 3, 2007 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, Broadway and Union Roads.

NOTICE TO BIDDERS

Sealed bid 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 January 3, 2007 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 her office located in the Cheektowaga Town Hall.

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

Mary Holtz
Town Clerk

DATED: December 18, 2006

PUBLISHED: December 21, 2006

Table with 2 columns: Field (RESULT, MOVER, SECONDER, AYES) and Value (ADOPTED UNANIMOUS, James Frankowiak, Councilmember, Dennis Gabryszak, Supervisor, Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski)



RESOLUTION 2006-630

DOC ID: 1736

N **B** **W** **U**

S: Councilmember **B**: Councilmember

HEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 200 for the Town of Cheektowaga, AND

HEREAS, the Engineering Department is hereby requested to prepare specifications, NO , THEREFORE, BE IT

RESOED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of work uniforms for the Town of Cheektowaga for the year of 200, said notice to be published in the CHEE TO AGA TIMES, AND, BE IT FURTHER

RESOED, that sealed bids will be received on the 10th day of anuary, 200 at 11:00 a.m., at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on anuary 10, 200 at 11:00 a.m., at the Town Hall, corner of Broadway and Union Roads, for the furnishing of ork Uniforms for the 200 calendar year.

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

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

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

Mary F. Holtz
Town Clerk

DATED: December 18, 2006

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-631

DOC ID: 1740

CHEEKTOWAGA TOWNSHIP ENERGY

SECONDED BY: Councilmember Frankowiak, Councilmember Rogowski

WHEREAS, the Town is constantly trying to find ways to cut costs, and

WHEREAS, under NYSEG's Choice Your Choice program, the Town can choose an electricity supplier and decide whether to pay a fixed or variable price for the Town's electricity supply, and

WHEREAS, the Town has done research on Advantage Energy and believes that its fixed price program will supply electricity and is the Town's best cost solution, NOW, THEREFORE, BE IT

RESOLVED, the Town Board agrees to change the Town's electricity supplier to Advantage Energy under its fixed price program, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to effectuate this change in electricity supplier.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-632

DOC ID: 1741

A... L... S... N... S... R... C... O...

S... B: Councilmember Johnson r., Councilmember Rogowski

HEREAS, IN 195... the Town of Cheektowaga obtained a license from Conrail for the placement of a Town sanitary sewer district pipeline on Conrail property in former Sewer District Number ... and

HEREAS, the Town currently pays Norfolk Southern Railway Company, the successor to Conrail, \$192.6... as an annual license fee for said license, and

HEREAS, pursuant to the terms of this license agreement, the annual fee increases in line with increases in the Consumer Price Index, and

HEREAS, Norfolk Southern Railway Company has proposed concerting these annual license fee payments to a one-time lump sum occupancy fee of \$2,008.00 for this license, and

HEREAS, this one-time lump sum payment would save the Town money and also eliminate a lot of paperwork by the Town, NO... , THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the lump sum payment for this license, and BE IT FURTHER

RESOLVED, that the lump sum payment of \$2,008.00 shall be appropriated from the following 2006 budget line:

line item number 2550-8125-581 (sanitary sewer district)

and BE IT FURTHER

RESOLVED, that the Town Engineer and Town Attorney's Office be and hereby are directed to negotiate the terms of an agreement with Norfolk Southern Railway Company for this lump sum payment, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents with Norfolk Southern Railway Company for this matter.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson r., Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson r., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-633

DOC ID: 1733

A **C** **E** **T** **L** **F**
T **C**

S: Councilmember Johnson, Councilmember Rogowski

HEREAS, as part of the approval for the Target store on Transit Road at Osborn Road, the Town of Cheektowaga requested a conservation easement from the developer, and

HEREAS, the developer has submitted the requested easement, and

HEREAS, the Town Engineer and Town Attorney's Office have reviewed this easement and have recommended that the Town accept same, **NO**, **THEREFORE, BE IT**

RESOLVED, that this Town Board hereby accepts the above referenced conservation easement, and **BE IT FURTHER**

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned conservation easement, 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.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-634

DOC ID: 1739

A **C** **E** **22** **2** **U** **R** **C**
A **S**

S: Councilmember Johnson, Councilmember Rogowski

HEREAS, as part of the approval for the Culinary Arts Specialties building at 22 Union Road, the Town of Cheektowaga requested a conservation easement from the developer/owner, and

HEREAS, the developer/owner and ECIDA have submitted the requested easement, and

HEREAS, the Town Engineer and Town Attorney's Office have reviewed this easement and have recommended that the Town accept same, NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced conservation easement, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned conservation easement, 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.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-635

DOC ID: 1721

N O T I C E A D V A N C I N G

SUBJECT: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, on the 15th day of May, 1981, 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 list below 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

<u>Name</u>	<u>Address</u>	<u>Expiration Date</u>
Barsi, Thomas S	30 Camelot Dr, West Seneca, N.Y. 14224	9/30/2009
Bartel, Richard R	111 Houston St, Depew, N.Y. 14043	8/31/2009
Bartell, Deandra D	88 Arnold St, Buffalo, N.Y. 14213	9/30/2009
Bowen, Eric H	118 Windover Ln, Derby, N.Y. 14034	3/31/2009
Burt, Patricia M	11 Nagel Dr, Cheektowaga, N.Y. 14225	9/30/2009
Busch, Matthew P	109 E. Felton, N. Tonawanda, N.Y. 14120	7/31/2009
Castello, Anthony J	11 Louise Dr, Cheektowaga, N.Y. 14224	11/30/2009
Ciesla, Thomas G	5283 Fairgrounds Rd, Hamburg, N.Y. 14045	8/31/2009
Cruse, Gordon R	6818 Pin Oak Dr, Boston, N.Y. 14025	1/31/2009
Denz, Warren M	16 Rugby, Buffalo, N.Y. 14216	10/31/2009
Dorney, Bryant A	9 Simson St, Tonawanda, N.Y. 14150	6/30/2009
Edwards, Markita J	1160 Kensington Ave, Buffalo, N.Y. 14215	9/30/2009
Fleming, Chalka T	8 Fernon Pl, Buffalo, N.Y. 14214	9/30/2009
Gorczyca, Paul J	11 Smith Dr, Lackawanna, N.Y. 14218	9/30/2008
Hamilton, Eric S	6511 Basswood Dr, Lakeview, N.Y. 14085	7/30/2009
Hill, Brian Matthew	108 LeHavre Dr, Cheektowaga, N.Y. 14224	8/31/2009
Hoffstetter, William T	233 Hamilton Blvd, Kenmore, N.Y. 14214	9/30/2009
Hughey, Dennis J	100 Parker Rd, Hamburg, N.Y. 14045	7/31/2009

Jim, Eesun I	5 Sturbridge Ln, Grand Island, N.Y. 1002	9/30/2009
Engel, Daniel T	93 Olcott, Upper, Buffalo, N.Y. 1220	8/31/2009
Evitsky, Melissa G	651 Boston State Rd, Hamburg, N.Y. 1005	7/31/2009
Indner, Christy Ann	36 Lafayette St, Buffalo, N.Y. 1213	8/31/2009
Lockett, Antwan	2 Avery, Buffalo, N.Y. 1216	9/30/2009
Mann, Robert E	P O Box 2 12269 Savage Rd, Sardinia, N.Y.	11/30/2009
Nati, Frank A	815 Beach Road, Cheektowaga, N.Y. 1225	6/30/2008
Niedzialek, Michael R	10 Seventh St, Solvay, N.Y. 13209	6/30/2009
Ohlson, Fred	293 Lemke Dr, No Tonawanda, N.Y. 120	3/31/2009

<u>Name</u>	<u>Address</u>	<u>Expiration Date</u>
Olecharki, Desiree I	55 Garden Village Dr Apt 1, Cheektowaga, N.Y.	9/30/2009
Page, Joshua H	6 Manser Dr, Amherst, N.Y. 14226	1/31/2009
Pecoraro, Anthony M	83 Tulane Rd, Kenmore, N.Y. 14214	9/30/2009
Piracci, Gabrielle M	66 Walnut St, Lackawanna, N.Y. 14218	9/30/2009
Poole, Kimberly A	61 Narragansett Rd, Buffalo, N.Y. 14220	9/30/2009
Porter, William T	82 Colette Ave, Cheektowaga, N.Y. 14224	8/31/2009
Powell, Melissa	360 Langfield Dr, Buffalo, N.Y. 14215	9/30/2009
Rath, Gregory A	142 Berkshire Ave, Buffalo, N.Y. 14215	8/31/2008
Rezabek, Daniela A	49 W. Rouen Dr, Cheektowaga, N.Y. 14224	7/31/2009
Roberts, James A	344 Ward Ct, Buffalo, N.Y. 14220	9/30/2009
Roma, Timothy P	25 Hillpine Rd, Cheektowaga, N.Y. 14224	7/31/2009
Schilling, Sean M	12369 Alleghany Rd, Silver Creek, N.Y. 14136	9/30/2009
Seibel, Susanne E	31 Knapp Rd 6D, Akron, N.Y. 14001	7/31/2009
Sheedy, Ryan M	13148 Main St Apt 5, Alden, N.Y. 14004	7/31/2009
Skok, Tiffany N	5406 Broadway, Lancaster, N.Y. 14086	9/30/2009
Skrzypek, Christopher P	1469 E Quaker, Orchard Park, N.Y. 14124	9/30/2009
Stearns, Brian G	422 8th St, Niagara Falls, N.Y. 14304	10/31/2009
Taylor, Timothy M	299 N Rexham Ct, Tonawanda, N.Y. 14150	9/30/2009
VanDeWater, Jason M	155 Milbourne Rd, Cheektowaga, N.Y. 14225	3/31/2009
Verner, Steven C	38 Hillside Ave, Buffalo, N.Y. 14210	8/31/2009
Wilder, John S	344 West Falls Rd, West Falls, N.Y. 14140	8/31/2009
Wright, Evelyn A	262 Stockbridge Ave, Buffalo, N.Y. 14215	9/30/2009
Young, Christopher C	109 Lake Street, Upper, Angola, N.Y. 14006	7/31/2009

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-636

DOC ID: 1727

A **A** **A** **T** **M**

S: Supervisor Gabryszak, Councilmember Magierski

HEREAS, the Association of Towns of the State of New York Year 200 Training School and Annual Meeting will be held at Hilton Hotel and Towers in New York City from February 18th - 21st, 200 and

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

HEREAS, it is advantageous to the Town to have certain town officials attend such meeting, NO , THEREFORE, BE IT

RESOED, that the following individuals be and hereby are authorized to attend the 200 Training School and Annual Meeting of the Association of Towns:

- Town Supervisor/Deputy Town Supervisor
- Town Engineer William Pugh
- Town Attorney Michael Stachowski
- Councilmember Alice Magierski
- Councilmember Patricia A. Laworowicz
- Director of Administration and Finance Brian M. Krause
- Town Judge Thomas S. Olbert
- Town Judge James Malone
- Superintendent of Highways, Christopher Rowal

and BE IT FURTHER

RESOED, that the Supervisor/Deputy Supervisor be and hereby is designated as the Official Voting Delegate to represent the Town at the Association of Towns meeting, and BE IT FURTHER

RESOED, 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 100-1220-088, 100-1910-082, 100-1010-080, 100-1315-088 and 100-1110-082.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-637

DOC ID: 1562

M E C R C E C F T F

S: Councilmember Johnson, Supervisor Gabryszak

□ HEREAS, there existed in the County the need for emergency services, and more specifically the fire service First Responders, to be trained in the latest methods and techniques of firefighting, hazardous materials control and a variety of potential incidents, AND

□ HEREAS, the Town of Cheektowaga, in an effort to foster such training, had given the County of Erie land in the 19□0's to construct a fire training facility for use by all fire departments in Erie County, AND

□ HEREAS, such a facility was constructed and became known as the Erie County Fire Training Academy at 3359 Broadway consisting of an administrative/classroom building with indoor tower, a smokehouse and exterior tower for practical training exercises, AND

□ HEREAS, the County had constructed additional, specialized, facilities to further the training of First Responders such as an oil pit and flashover simulation building, AND

□ HEREAS, the facilities, over the last 5-10 years have suffered from lack of maintenance and deterioration resulting in the First Responders inability to use various portions of the facility and the buildings becoming unsafe and not functioning as originally designed or intended, AND

□ HEREAS, because of the state of world affairs, the need for usable, state-of-the-art, fire emergency training facilities is now even more critical to local safety and security, AND

□ HEREAS, the Cheektowaga Fire Chiefs Mutual Aid Association has brought the deteriorated conditions to the attention of the Cheektowaga Town Board because of the hazards presented to the firefighters using the facility and the loss of effective training facilities, AND

□ HEREAS, the Erie County Fire Advisory Board has recommended and is seeking funding from the County to repair, and in some cases replace, certain buildings with state-of-the-art training buildings, AND

□ HEREAS, the Board is seeking □2 million funding in 200□, □1.5 million in 2008 and □1.5 million in 2009 from the County of Erie, with said funding being made available irregardless of grants or other funding being made available, AND

□ HEREAS, this Town Board has always seen the need for disaster preparedness and, specifically, a well trained fire service, and to that end, has supported the fire service throughout the years, THEREFORE BE IT

RESO□ED, that the Cheektowaga Town Board, in the name of public safety, hereby memorializes the Erie County Executive and the Erie County Legislature to provide such funding and undertake the renovation or replacement of these desperately needed facilities and annually budget for their maintenance.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-638

DOC ID: 1735

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Supervisor Gabryszak, Councilmember Rankowski

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, 2007 through December 31, 2007 with a total cost not to exceed \$19,163.00 and BE IT FURTHER

RESOLVED that Child and Family Services will reimburse the Town for up to \$15,000.00 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 \$21,100.00 leaving the actual cost to the Town at \$113,056.00

CONTRACT # (BUDGET LINE ITEM) 01-310-68

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-639

DOC ID: 1737

A **S** **S** **A** **C**

S: Supervisor Gabryszak, Councilmember [ankowiak

HEREAS, 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 Catholic Charities of Buffalo, 525 Washington Street, Buffalo, New York, AND

HEREAS, said program, which prepares and provides teenagers with opportunities to assist their community in various projects that have a need for volunteers and is open to all Cheektowaga youth regardless of race, color, or creed, NO, 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 of Buffalo to continue said program for a twelve month period, January 1, 200 through December 31, 200 with a total payment to Catholic Charities not to exceed the sum of \$2,293.00.

CONTRACT (BUDGET LINE ITEM) 01-310-685

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James [ankowiak, Councilmember
AYES: Gabryszak, [aworowicz, [ohnson r., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-640

DOC ID: 1738

A **S** **S** **A** **C** **L**

S: Supervisor Gabryszak, Councilmember **A**nkowskiak

HEREAS, 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 Cheektowaga's two branch libraries, to provides special activities that encourage children to read and become more familiar with the library, AND

HEREAS, said program is open to all Cheektowaga youth regardless of race, color or creed, NO, 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, 200 through December 31, 200 with a total cost not to exceed \$2,200.00.

CONTRACT (BUDGET LINE ITEM) 01-310-65

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Ankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Ankowski, Magierski, Rogowski



RESOLUTION 2006-641

DOC ID: 1734

A **S** **S** **A** **C**

S **B**: Supervisor Gabryszak, Councilmember Rankowski

WHEREAS, the Cheektowaga Department of Parks, Recreation & Youth Services is desirous of continuing the operation of a joint program with Catholic Charities of Buffalo 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 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 Catholic Charities Metropolitan Services Department, to continue said program for a twelve month period, January 1, 2007 through December 31, 2007 with a total cost not to exceed the sum of \$181,21.00 and BE IT FURTHER

RESOLVED that Catholic Charities Metropolitan Services will reimburse the Town \$3,006.00 of the total budget for said program and the New York State Office of Children and Family services will reimburse the Town \$2,236.00 leaving the actual cost to the Town at \$111,009.00

CONTRACT (BUDGET LINE ITEM) 01-310-600

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-642

DOC ID: 1722

ORDINANCE 2006 S C U O A

SUBJECT: Magierski, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 0 Alpine Place, Cheektowaga, New York SB 101.28-12-20 that is a danger to the safety of others, and records kept by the Assessors Office identify Thomas Bistoff, 0 Alpine Place, Cheektowaga, New York 1225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 0 Alpine Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-643

DOC ID: 1702

ORDINANCE 2006 S 0000 C 0000 U 002 L H 0000 D 0000

S 00000000 B: Magierski, ankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 32 Le Havre Drive, Cheektowaga, New York SB 125.06-1-9 that is a danger to the safety of others, and records kept by the Assessors Office identify Janice R. Rausch, 13605 Schlang Road, East Aurora, New York 14052, as the owner AND

WHEREAS, an inspection of such premises was conducted at 32 Le Havre Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-1A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-644

DOC ID: 1729

O **2006 S** **C** **U** **6 C** **R**

S: Magierski, ankowiak, Swiatek

HEREAS, Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

HEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 86 Cayuga Road, Cheektowaga, New York SB 92.09-23 that is a danger to the safety of others, and records kept by the Assessors Office identify Donald Boye, 192 Gates Street, Cheektowaga, New York 1212, as the owner AND

HEREAS, an inspection of such premises was conducted at 86 Cayuga Road, by the Housing and Neighborhood Preservation Office, AND

HEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

HEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

HEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NO , THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James ankowiak, Councilmember
AYES:	Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-645

DOC ID: 1718 A

T S H T

S B: Councilmember ankowiak, Supervisor Gabryszak

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

MAIN PUMP STATION - Laborer - \$15.50/hour
Ronald Strong, Cheektowaga, NY
Effective 1/02/06

SANITATION DEPARTMENT - Laborer - \$15.50/hour - effective 10/20/06
Eugene Raczka, Cheektowaga, NY
Thomas Manley, Jr., Depew, NY
Eugene Millard, Cheektowaga, NY
Lesse Herr, Depew, NY
Paul Herr, Depew, NY
Christopher Ahrens, Cheektowaga, NY
Darren Mazmierczak, Cheektowaga, NY
Bryan Mazmierczak, Cheektowaga, NY
Thomas Buil, Depew, NY
David Minci, Depew, NY
Andrew Mastchak, Cheektowaga, NY

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

TOWN CLERK'S OFFICE - Clerk - \$8.00/hour
Regina Singer, Cheektowaga, NY
Effective 12/05/06

Maren Swiatek, Cheektowaga, NY
Effective 1/01/06

Amanda Burgett, Cheektowaga, NY
Effective 1/01/06

POLICE DEPARTMENT - Clerk - \$6.25/hour
Paul Hockwater III, Cheektowaga, NY
Effective 12/18/06

PARIS DIVISION - Laborer - \$12.25/hour

Robert O’Sullivan, Cheektowaga, NY

BE IT RESOLVED, that the following individual hired as a **PART TIME EMPLOYEE** in the department listed, be and hereby is amended as follows:

JUSTICE COURT - *amend from permanent to temporary Court Officer* - \$13.2/hour
John E. Stronka, Cheektowaga, NY
Effective 12/01/06

RESOLVED, that the following **EMPLOYEES** be and hereby are **REMOVED** as listed:

TOWN CLERK’S OFFICE - Clerk (Seasonal) - effective 12/31/06
Karen Swiatek
Amanda Burgett

LABOR DEPARTMENT - effective 12/09/06
Maureen McMahan

PARADE DIVISION - effective 12/18/06
Peter Treavy

COMMENTS - Current Meeting:
Motion by Councilmember Magierski seconded by Councilmember Rogowski to give the Reading of Names.

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-646

DOC ID: 1728

A L A S C D M
C O T A

S B: Councilmember ankowiak, Supervisor Gabryszak

HEREAS, Dawn M. Cartenuto is employed by the Town of Cheektowaga as a Senior Clerk in the Office of the Town Assessor AND

HEREAS, Ms. Cartenuto has requested a leave of absence from her Town job for a period of six (6) months AND

HEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Employee's Association states that a union employee may be granted a leave of absence for no more than one (1) year for reasonable purpose NO , THEREFORE, BE IT

RESOLVED, that Dawn M. Cartenuto be and hereby is granted a leave of absence for a period of six (6) months, commencing January 18, 200 through July 18, 200 from her position of Senior Clerk in the Office of the Town Assessor.

RESULT: ADOPTED UNANIMOUS
MOVER: James ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-647

DOC ID: 1725

A **M** **W** **N**
C **T** **D** **H**

S: Councilmember [ankowiak, Supervisor Gabryszak

HEREAS, a temporary vacancy exists in the title of Maintenance [orker in the Parks Division[AND

HEREAS, 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

HEREAS, no full-time bargaining unit bid on said vacancy[AND

HEREAS, [ustin Henzler, applied for said position and meets the necessary qualifications for appointment[NO], THEREFORE BE IT

RESO[ED, that [ustin Henzler of Cheektowaga, New York, be and hereby is appointed to the temporary position of Maintenance [orker in the Parks Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 12, 2006.

RESULT: **ADO[TED [UNANIMOUS[**
MOVER: [ames [ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, [aworowicz, [ohnson [r., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-648

DOC ID: 1726

A **R** **S**
C **S** **S** **D** **H**

S: Councilmember [ankowiak, Supervisor Gabryszak

HEREAS, a contingent/permanent vacancy exists in the position of Recreation Supervisor in the Senior Services Department AND

HEREAS, 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

HEREAS, such job title is in the competitive class of civil service AND

HEREAS, Dawn M. Hunger, currently employed as a Recreation leader in the Senior Services Department, appears on the civil service list and meets all the necessary qualifications for contingent/permanent appointment NO , THEREFORE, BE IT

RESOLVED, that Dawn M. Hunger of Cheektowaga, New York be and hereby is appointed to the contingent/permanent position of Recreation Supervisor in the Senior Services Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 19, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James [ankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, [aworowicz, [ohnson r., Swiatek, [ankowiak, Magierski, Rogowski



RESOLUTION 2006-649

DOC ID: 1731

ASSEMBLED AND ORDERED:
S: Councilmember Frankowski, Supervisor Gabryszak
M:
S:
C:
D. G.

S: Councilmember Frankowski, Supervisor Gabryszak

WHEREAS, a vacancy currently exists in the position of Assistant Superintendent of Wastewater Pump Station in the Main Pump Station 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 Supervisory Unit AND

WHEREAS, said vacancy falls under the competitive class of civil service AND

WHEREAS, a current list is not in existence for said title AND

WHEREAS, Joseph D. Glab, currently employed as a Pump Operator in the Main Pump Station, bid on said vacancy, and meets the necessary qualifications for provisional appointment NO, THEREFORE, BE IT

RESOLVED, that Joseph D. Glab of Cheektowaga, New York, be and hereby is appointed to the provisional position of Assistant Superintendent of Wastewater Pump Station in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective January 1, 2007.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowski, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski

VI. C

A. Departmental Communications

- 1. Minutes - Cheektowaga Planning Board - November 9, 2006
2. Minutes - Traffic Safety Commission - October 17, 2006
3. Minutes - Cheektowaga Traffic Safety Commission - November 21, 2006
4. Minutes - Cheektowaga Conservation Advisory Council - November 18, 2006

B. General Communications

- 1. Summons: US Bank National Association Vs. Suzanne Caya, Town of Cheektowaga & Etal
- 2. Notice of Claim: Christopher Klodzinski Vs. Town of Cheektowaga
- 3. Notice of Claim: Patricia Knaszak Vs. Town of Cheektowaga
- 4. Notice of Claim: Daniel Krawczyk Vs. Town of Cheektowaga

VII. C

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VIII. S R



RESOLUTION 2006-650

DOC ID: 1743

N **D** **W** **G** **S**
L

S: Johnson Cr., Magierski, Rogowski

□ HEREAS, 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

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

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

□ HEREAS, an application was submitted by James L. Soos of Pyramid Management Group, Inc. for the construction of a satellite parking area along the south side of Galleria Drive, 350 feet west of Union Road, AND

□ HEREAS, the Environmental Advisory Committee at its meetings held on December 13, 2006 recommended a determination of non-significance , AND

□ HEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of December 14, 2006, AND

□ HEREAS, the Town of Cheektowaga Conservation Advisory Committee has reviewed the subject project and is recommending the preservation of as many trees as practical on the periphery of the subject parking area, AND

□ HEREAS, the construction of the subject parking area will require the removal of 266 trees, AND

□ HEREAS, the applicant has committed to mitigating for the tree losses by planting 265 trees in and around the Galleria Mall property, AND

□ HEREAS, pursuant to section 229-5 of the Town Code, trees must be replaced on a 1 for 1 basis, therefore the applicant has further committed to offering the Town monies in lieu of 21 replacement trees, as provided for in section 229-5B of the Town Code and as memorialized in the attached correspondence dated December 14, 2006 from the applicant, AND

□ HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee and the 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 BE IT

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The applicant providing detailed planting plans for the replacement trees.
2. Increasing the size of the westerly interior islands as previously promised.
3. The Town Engineer approving the grading and drainage plan.

COMMENTS - Current Meeting:

Motion by Councilmember Rogowski, Seconded by Councilmember Magierski to Suspend the Rules to Include the Following Resolution.

ATTACHMENTS:

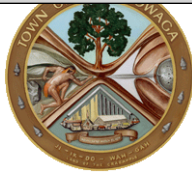
EAC Tree Mitigation Commitment Letter 12-18-06 (PDF)

RESULT: ADOPTED UNANIMOUSLY

MOVER: Thomas Johnson Jr., Councilmember

SECONDER: Alice Magierski, Councilmember

AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/18/06 06:05 PM
Department: Accounting/Payroll
Category: Warrant List
Prepared By: Cathy Travers
Initiator: Cathy Travers
Sponsors: Supervisor Gabryszak, Councilmember Rankowiak
DOC ID: 1130

ADOPTED

RESOLUTION 2006 626

WHEREAS

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to December 15, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 1,975,414.14
RISK RETENTION FUND	128,145.13
DEBT SERVICE FUND	46,800.00
SPECIAL DISTRICT FUND	3,908,838.75
HIGHWAY FUND	463,467.96
CAPITAL FUND	4,202.71
TRUST & AGENCY FUND	785.00
HUD CDBG FUND	30,554.61
PART TOWN FUND	109,136.89
NYS AFFORDABLE HOUSING FUND	8,377.00
	<u>\$ 6,675,722.19</u>

RESULT: **ADOPTED UNANIMOUS**

MOVER: Dennis Gabryszak, Supervisor

SECONDER: James Rankowiak, Councilmember

AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 62

Meeting: 12/18/06 06:05 PM

Department: Parks Division

Category: Award of Bid

Prepared By: Maureen MacDonald

Initiator: John Jaroszewski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1132

ACTION

WHEREAS, Bid proposals were received for the Leasing and Servicing of Portable Chemical Toilets on December 13, 2006, 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:

B. New York Enterprises Inc. DBA
Ball Toilet & Septic Services
P. O. Box 2002
3025 Jeffrey Boulevard
Blasdell, NY 11529

- Category A - Single Units - \$1.98 per day per unit Items I through III
- Category B - Handicapped Units \$2.88 per day per unit Item I
- Category C - Special Events \$0.00 per day, per unit, Items I through III

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/18/06 06:05 PM
Department: Engineering
Category: Award of Bid
Prepared By: Diane Swiatek
Initiator: William Pugh

Sponsors: Supervisor Gabryszak, Councilmember Laworowicz

ADOPTED

RESOLUTION 2006 62

DOC ID: 102

A **B** **A** **C** **R** **C**,
I

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for Alterations to the Cheektowaga Records Center - Phase 1 (formerly the Maryvale North Branch Library), which bids were duly received and opened on December 13, 2006, AND

WHEREAS, said bids were referred to the Town Engineer and to Lindeney Architects, P.C., Project Architect, for analysis, tabulation and report and they have recommended in letters dated December 14, 2006 that the following bidders be awarded the respective contracts for this project, AND

WHEREAS, said letters recommend that the contract for Asbestos Abatement be awarded to Arric Corporation, the contract for Heating, Ventilating and Air Conditioning work be awarded to M Mechanical Services, Inc. and the contract for Electrical work be awarded to Goodwin Electric Corporation, NOW, THEREFORE, BE IT

RESOLVED, that the contract for Asbestos Abatement be and hereby is awarded to Arric Corporation, 5033 Transit Road, Depew, New York 14043 at the bid price of \$60,300.00, including the acceptance of Alternate #1, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the contract for Heating, Ventilating and Air Conditioning work be and hereby is awarded to M Mechanical Services, Inc., 2000 Military Road, Tonawanda, New York 14150 at the bid price of \$103,650.00, including the acceptance of Alternate #1, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the contract for Electrical work be and hereby is awarded to Goodwin Electric, 121 California Drive, Williamsville, New York 14221 at the bid price of \$28,100.00, including the acceptance of Alternate #1, said being the lowest bid meeting the requirements of the specifications, AND, BE IT FURTHER

RESOLVED, that the Supervisor, on behalf of this Town Board, be and hereby is authorized and directed to execute contracts with said firms and any other documents necessary to effectuate completion of this project, AND, BE IT FURTHER

RESOLVED, that funding for said projects shall be appropriated from budget line item No. 500-1685-2520-5622.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/18/06 06:05 PM
Department: Prys
Category: Notice to Bidders
Prepared By: Linda Porter
Initiator: Linda Porter
Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
DOC ID: 169

ADOPTED

RESOLUTION 2006 62

NOTICE TO BIDDERS FOR THE PURCHASE OF BASEBALL AND SOFTBALL EQUIPMENT 2006

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

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

RESOLVED that sealed bids will be received on January 3, 2006 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, Broadway and Union Roads.

NOTICE TO BIDDERS

Sealed bid 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 January 3, 2006 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 her office located in the Cheektowaga Town Hall.

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

Mary Holtz
Town Clerk

DATED: December 18, 2006

PUBLISHED: December 21, 2006

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/18/06 06:05 PM
Department: Engineering
Category: Notice to Bidders
Prepared By: Diane Swiatek
Initiator: William Pugh

Sponsors: Councilmember Cankowiak, Councilmember Laworowicz

ADOPTED

RESOLUTION 2006 6 0

DOC ID: 1136

NOTICE TO BIDDERS FOR THE PURCHASE OF WORK UNIFORMS

WHEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 2006 for the Town of Cheektowaga, AND

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

RESOLVED, that the Town Clerk be directed to publish a Notice to Bidders for the furnishing of work uniforms for the Town of Cheektowaga for the year of 2006, said notice to be published in the CHEEKTOWAGA TIMES, AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 10th day of January, 2006 at 11:00 a.m., at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

NOTICE TO BIDDERS

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 10, 2006 at 11:00 a.m., at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Work Uniforms for the 2006 calendar year.

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

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

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

Mary F. Holtz
Town Clerk

Resolution 2006-630

Meeting of December 18, 2006

DATED: December 18, 2006

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Patricia Laworowicz, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6 1

Meeting: 12/18/06 06:05 PM
Department: Town Attorney
Category: Miscellaneous
Prepared By: Connie Paoletti
Initiator: Connie Paoletti

Sponsors: Councilmember Rankowiak, Councilmember Rogowski

DOC ID: 100

CHEEKTOWAGA TOWN ENGINEERS

WHEREAS, the Town is constantly trying to find ways to cut costs, and

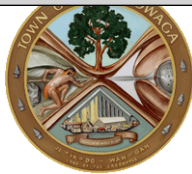
WHEREAS, under NYSEG's Choice Your Choice program, the Town can choose an electricity supplier and decide whether to pay a fixed or variable price for the Town's electricity supply, and

WHEREAS, the Town has done research on Advantage Energy and believes that its fixed price program will supply electricity and is the Town's best cost solution, NOW, THEREFORE, BE IT

RESOLVED, the Town Board agrees to change the Town's electricity supplier to Advantage Energy under its fixed price program, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents necessary to effectuate this change in electricity supplier.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/18/06 06:05 PM
Department: Town Attorney
Category: Agreements, Bonds, Contracts
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Councilmember Johnson, Councilmember Rogowski

ADOPTED

RESOLUTION 2006 6 2

DOC ID: 1001

A **L** **S** **N** **S** **R**
C **O**

HEREAS, IN 195, the Town of Cheektowaga obtained a license from Conrail for the placement of a Town sanitary sewer district pipeline on Conrail property in former Sewer District Number , and

HEREAS, the Town currently pays Norfolk Southern Railway Company, the successor to Conrail, \$192.6 as an annual license fee for said license, and

HEREAS, pursuant to the terms of this license agreement, the annual fee increases in line with increases in the Consumer Price Index, and

HEREAS, Norfolk Southern Railway Company has proposed concerting these annual license fee payments to a one-time lump sum occupancy fee of \$2,008.00 for this license, and

HEREAS, this one-time lump sum payment would save the Town money and also eliminate a lot of paperwork by the Town, NO , THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the lump sum payment for this license, and BE IT FURTHER

RESOLVED, that the lump sum payment of \$2,008.00 shall be appropriated from the following 2006 budget line:

line item number 2550-8125-581 (sanitary sewer district)

and BE IT FURTHER

RESOLVED, that the Town Engineer and Town Attorney's Office be and hereby are directed to negotiate the terms of an agreement with Norfolk Southern Railway Company for this lump sum payment, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute any and all documents with Norfolk Southern Railway Company for this matter.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11522

ADOPTED

RESOLUTION 2006 6

Meeting: 12/18/06 06:05 PM
Department: Town Attorney
Category: Engineering Misc.
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Councilmember Johnson, Councilmember Rogowski

DOC ID: 1133

ACCEPTED EASEMENT FOR TARGET STORE

WHEREAS, as part of the approval for the Target store on Transit Road at Gosson Road, the Town of Cheektowaga requested a conservation easement from the developer, and

WHEREAS, the developer has submitted the requested easement, and

WHEREAS, the Town Engineer and Town Attorney's Office have reviewed this easement and have recommended that the Town accept same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced conservation easement, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned conservation easement, 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.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6

Meeting: 12/18/06 06:05 PM
Department: Town Attorney
Category: Engineering Misc.
Prepared By: Devin Schenk
Initiator: Devin Schenk

Sponsors: Councilmember Johnson, Councilmember Rogowski

DOC ID: 1139

A **C** **E** **22 2 U** **R** **C**
A **S**

HEREAS, as part of the approval for the Culinary Arts Specialties building at 22 Union Road, the Town of Cheektowaga requested a conservation easement from the developer/owner, and

HEREAS, the developer/owner and ECIDA have submitted the requested easement, and

HEREAS, the Town Engineer and Town Attorney's Office have reviewed this easement and have recommended that the Town accept same, NO, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the above referenced conservation easement, and BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned conservation easement, 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.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson, Councilmember
SECONDER: James Rogowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 14224

ADOPTED

RESOLUTION 2006 6

Meeting: 12/18/06 06:05 PM
Department: Town Clerk's Office
Category: E M S
Prepared By: Sharon Styborski
Initiator: Mary Holtz

Sponsors: Councilmember Rankowiak, Supervisor Gabryszak

DOC ID: 121

NEW/RENEWAL AMBULANCE DRIVER/ATTENDANT LICENSE LIST

WHEREAS, on the 15th 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 list below 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.

TOWN OF CHEEKTOWAGA DRIVER/ATTENDANT LICENSE LIST

<u>Name</u>	<u>Address</u>	<u>Expiration Date</u>
Barsi, Thomas S	30 Camelot Dr, West Seneca, N.Y. 14224	9/30/2009
Bartel, Richard R	111 Houston St, Depew, N.Y. 14033	8/31/2009
Bartell, Candrea D	88 Arnold St, Buffalo, N.Y. 14213	9/30/2009
Bowen, Eric H	118 Windover Ln, Derby, N.Y. 14034	3/31/2009
Burt, Patricia M	11 Nagel Dr, Cheektowaga, N.Y. 14225	9/30/2009
Busch, Matthew P	109 E. Felton, N. Tonawanda, N.Y. 14120	7/31/2009
Castello, Anthony J	11 Louise Dr, Cheektowaga, N.Y. 14224	11/30/2009
Ciesla, Thomas G	5283 Fairgrounds Rd, Hamburg, N.Y. 14055	8/31/2009
Cruse, Gordon R	6818 Pin Oak Dr, Boston, N.Y. 14025	1/31/2009
Denz, Warren M	16 Rugby, Buffalo, N.Y. 14216	10/31/2009
Dorney, Bryant A	9 Simson St, Tonawanda, N.Y. 14150	6/30/2009
Edwards, Markita J	1160 Kensington Ave, Buffalo, N.Y. 14215	9/30/2009
Fleming, Chalka T	8 Vernon Pl, Buffalo, N.Y. 14214	9/30/2009
Gorczyca, Paul J	11 Smith Dr, Lackawanna, N.Y. 14218	9/30/2008
Hamilton, Eric S	6511 Basswood Dr, Lakeview, N.Y. 14085	7/30/2009
Hill, Brian Matthew	108 LeHavre Dr, Cheektowaga, N.Y. 14224	8/31/2009
Hoffstetter, William T	233 Hamilton Blvd, Kenmore, N.Y. 14214	9/30/2009

Updated: 12/14/2006 12:00 PM by Sharon Styborski

Page 1

Resolution 2006-635

Meeting of December 18, 2006

Hughey, Dennis □	□□0□ Parker Rd, Hamburg, N.Y. 1□0□5	□/31/2009
□im, □eesun I	□5 Sturbridge □n, Grand Island, N.Y. 1□0□2	9/30/2009
□engel, Daniel T	93 Olcott, Upper, Buffalo, N.Y. 1□220	8/31/2009
□evitsky, Melissa G	651□ Boston State Rd, Hamburg, N.Y. 1□0□5	□/31/2009
□indner, Christy Ann	3□6 □afayette □1, Buffalo, N.Y. 1□213	8/31/2009
□ockett, Antwan	□2 Avery, Buffalo, N.Y. 1□216	9/30/2009
Mann, Robert E	P O Box □2 12269 Savage Rd, Sardinia, N.Y.	11/30/2009
Nati, Frank A	815 Beach Road, Cheektowaga, N.Y. 1□225	6/30/2008
Niedzialek, Michael R	10□ Seventh St, Solvay, N.Y. 13209	6/30/2009
Ohlson, Fred	29□3 □emke Dr, No Tonawanda, N.Y. 1□120	3/31/2009

Resolution 2006-635

Meeting of December 18, 2006

<u>Name</u>	<u>Address</u>	<u>Expiration Date</u>
Olechanski, Desiree I	55 Garden Hillage Dr Apt 1, Cheektowaga, N.Y.	9/30/2009
Page, Joshua H	6 Manser Dr, Amherst, N.Y. 14226	1/31/2009
Pecoraro, Anthony M	83 Tulane Rd, Tonawanda, N.Y. 14210	9/30/2009
Piracci, Gabrielle M	66 Walnut St, Cheektowaga, N.Y. 14218	9/30/2009
Poole, Kimberly A	61 Narragansett Rd, Buffalo, N.Y. 14220	9/30/2009
Porter, William T	82 Colette Ave, Cheektowaga, N.Y. 14220	8/31/2009
Powell, Melissa	360 Langfield Dr, Buffalo, N.Y. 14215	9/30/2009
Rath, Gregory A	102 Berkshire Ave, Buffalo, N.Y. 14215	8/31/2008
Rezabek, Daniela A	109 W. Rouen Dr, Cheektowaga, N.Y. 14220	7/31/2009
Roberts, James A	300 Ward Ct, Buffalo, N.Y. 14220	9/30/2009
Roma, Timothy P	25 Hillpine Rd, Cheektowaga, N.Y. 14220	7/31/2009
Schilling, Sean M	12369 Alleghany Rd, Silver Creek, N.Y. 14136	9/30/2009
Seibel, Susanne E	31 Knapp Rd #6D, Akron, N.Y. 14001	7/31/2009
Sheedy, Ryan M	13108 Main St Apt 5, Alden, N.Y. 14000	7/31/2009
Skok, Tiffany N	5006 Broadway, Lancaster, N.Y. 14086	9/30/2009
Skrzypek, Christopher P	1069 E Quaker, Orchard Park, N.Y. 14120	9/30/2009
Stearns, Brian G	122 8th St, Niagara Falls, N.Y. 14300	10/31/2009
Taylor, Timothy M	299 N Rexham Ct, Tonawanda, N.Y. 14150	9/30/2009
VanDeater, Jason M	155 Milbourne Rd, Cheektowaga, N.Y. 14225	3/31/2009
Werner, Steven C	38 Hillside Ave, Buffalo, N.Y. 14210	8/31/2009
Wilder, John S	300 West Falls Rd, West Falls, N.Y. 14100	8/31/2009
Wright, Evelyn A	262 Stockbridge Ave, Buffalo, N.Y. 14215	9/30/2009
Young, Christopher C	109 Lake Street, Upper, Angola, N.Y. 14006	7/31/2009

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/18/06 06:05 PM
Department: Town Attorney
Category: Miscellaneous
Prepared By: Connie Paoletti
Initiator: Connie Paoletti

Sponsors: Supervisor Gabryszak, Councilmember Magierski

ADOPTED

RESOLUTION 2006 6 6

DOC ID: 1120

Association of Towns of the State of New York **A**nnual Meeting **A**nd **T**own **M**embership

HEREAS, the Association of Towns of the State of New York Year 2007 Training School and Annual Meeting will be held at Hilton Hotel and Towers in New York City from February 18th - 21st, 2007 and

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

HEREAS, 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 2007 Training School and Annual Meeting of the Association of Towns:

- Town Supervisor/Deputy Town Supervisor
- Town Engineer William Pugh
- Town Attorney Michael Stachowski
- Councilmember Alice Magierski
- Councilmember Patricia A. Laworowicz
- Director of Administration and Finance Brian M. Krause
- Town Judge Thomas S. Polbert
- Town Judge James Malone
- Superintendent of Highways, Christopher Rowal

and BE IT FURTHER

RESOLVED, that the Supervisor/Deputy Supervisor be and hereby is designated as the Official Voting Delegate to represent the Town at the Association of Towns meeting, 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 100-1220-088, 100-1910-082, 100-1010-080, 100-1315-088 and 100-1110-082.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/18/06 06:05 PM
Department: Building
Category: Miscellaneous
Prepared By: Sharon Styborski
Initiator: Thomas Adamczak

Sponsors: Councilmember Johnson, Supervisor Gabryszak

DOC ID: 1562

ADOPTED

RESOLUTION 2006 6

**M E C R C E
C F T F**

□ HEREAS, there existed in the County the need for emergency services, and more specifically the fire service First Responders, to be trained in the latest methods and techniques of firefighting, hazardous materials control and a variety of potential incidents, AND

□ HEREAS, the Town of Cheektowaga, in an effort to foster such training, had given the County of Erie land in the 1900's to construct a fire training facility for use by all fire departments in Erie County, AND

□ HEREAS, such a facility was constructed and became known as the Erie County Fire Training Academy at 3359 Broadway consisting of an administrative/classroom building with indoor tower, a smokehouse and exterior tower for practical training exercises, AND

□ HEREAS, the County had constructed additional, specialized, facilities to further the training of First Responders such as an oil pit and flashover simulation building, AND

□ HEREAS, the facilities, over the last 5-10 years have suffered from lack of maintenance and deterioration resulting in the First Responders inability to use various portions of the facility and the buildings becoming unsafe and not functioning as originally designed or intended, AND

□ HEREAS, because of the state of world affairs, the need for usable, state-of-the-art, fire emergency training facilities is now even more critical to local safety and security, AND

□ HEREAS, the Cheektowaga Fire Chiefs Mutual Aid Association has brought the deteriorated conditions to the attention of the Cheektowaga Town Board because of the hazards presented to the firefighters using the facility and the loss of effective training facilities, AND

□ HEREAS, the Erie County Fire Advisory Board has recommended and is seeking funding from the County to repair, and in some cases replace, certain buildings with state-of-the-art training buildings, AND

□ HEREAS, the Board is seeking \$2 million funding in 2007, \$1.5 million in 2008 and \$1.5 million in 2009 from the County of Erie, with said funding being made available irregardless of grants or other funding being made available, AND

□ HEREAS, this Town Board has always seen the need for disaster preparedness and, specifically, a well trained fire service, and to that end, has supported the fire service throughout the years, THEREFORE BE IT

RESOLVED, that the Cheektowaga Town Board, in the name of public safety, hereby memorializes the Erie County Executive and the Erie County Legislature to provide such funding and undertake the renovation or replacement of these desperately needed facilities and annually budget for their maintenance.

RESULT: ADOPTED UNANIMOUS
MOVER: Thomas Johnson Jr., Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 14224

ADOPTED

RESOLUTION 2006 6

Meeting: 12/18/06 06:05 PM

Department: Prys

Category: Agreements, Bonds, Contracts

Prepared By: Pat Staniaszek

Initiator: Pat Staniaszek

Sponsors: Supervisor Gabryszak, Councilmember Rankowski

DOC ID: 1035

ADOPTED UNANIMOUSLY

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, 2007 through December 31, 2007 with a total cost not to exceed \$109,163.00 and BE IT FURTHER

RESOLVED that Child and Family Services will reimburse the Town for up to \$15,000.00 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 \$21,100.00 leaving the actual cost to the Town at \$113,056.00

CONTRACT (BUDGET LINE ITEM) 01-310-68

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



TED C

3301 Broadway
Cheektowaga, NY 11220

ADO TED

RESOLUTION 2006 6

Meeting: 12/18/06 06:05 PM

Department: Prys

Category: Agreements, Bonds, Contracts

Prepared By: Pat Staniaszek

Initiator: Pat Staniaszek

Sponsors: Supervisor Gabryszak, Councilmember Rankowski

DOC ID: 13

A S S A C C

HEREAS, 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 Catholic Charities of Buffalo, 525 Washington Street, Buffalo, New York, AND

HEREAS, said program, which prepares and provides teenagers with opportunities to assist their community in various projects that have a need for volunteers and is open to all Cheektowaga youth regardless of race, color, or creed, NO, 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 of Buffalo to continue said program for a twelve month period, January 1, 200 through December 31, 200 with a total payment to Catholic Charities not to exceed the sum of \$2,293.00.

CONTRACT (BUDGET LINE ITEM) 01-310-685

RESULT:	ADO TED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



TOWN OF **C**CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11220

Meeting: 12/18/06 06:05 PM

Department: Prys

Category: Agreements, Bonds, Contracts

Prepared By: Pat Staniaszek

Initiator: Pat Staniaszek

Sponsors: Supervisor Gabryszak, Councilmember Rankowski

ADOPTED

RESOLUTION 2006 6 0

DOC ID: 1138

AGREEMENT BETWEEN **S**UPERVISOR **S**UPERVISOR **A**ND **C**OUNCILMEMBER **L**ANKOWSKI

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 Cheektowaga's two branch libraries, to provides 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 or 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, 2007 through December 31, 2007 with a total cost not to exceed \$2,200.00.

CONTRACT (BUDGET LINE ITEM) 01-310-65

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6 1

Meeting: 12/18/06 06:05 PM

Department: Prys

Category: Agreements, Bonds, Contracts

Prepared By: Pat Staniaszek

Initiator: Pat Staniaszek

Sponsors: Supervisor Gabryszak, Councilmember Rankowski

DOC ID: 113

ADOPTED UNANIMOUSLY

WHEREAS, the Cheektowaga Department of Parks, Recreation & Youth Services is desirous of continuing the operation of a joint program with Catholic Charities of Buffalo 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 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 Catholic Charities Metropolitan Services Department, to continue said program for a twelve month period, January 1, 2007 through December 31, 2007 with a total cost not to exceed the sum of \$181,21.00 and BE IT FURTHER

RESOLVED that Catholic Charities Metropolitan Services will reimburse the Town \$3,006.00 of the total budget for said program and the New York State Office of Children and Family services will reimburse the Town \$2,236.00 leaving the actual cost to the Town at \$111,009.00

CONTRACT (BUDGET LINE ITEM) 01-0310-0600

RESULT: ADOPTED UNANIMOUSLY
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/18/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 1122

ADOPTED

RESOLUTION 2006 6 2

ORDERED 2006 STORM CLEAN-UP ORDINANCE

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 40 Alpine Place, Cheektowaga, New York SB 101.28-12-20 that is a danger to the safety of others, and records kept by the Assessors Office identify Thomas Bistoff, 40 Alpine Place, Cheektowaga, New York 11525, as the owner AND

WHEREAS, an inspection of such premises was conducted at 40 Alpine Place, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Frankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/18/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 102

ADOPTED

RESOLUTION 2006 6

Ordinance 2006 S U 2 L H D

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 32 Le Havre Drive, Cheektowaga, New York SB00125.06-1-9 that is a danger to the safety of others, and records kept by the Assessors Office identify Janice R. Rausch, 13605 Schlang Road, East Aurora, New York 11052, as the owner AND

WHEREAS, an inspection of such premises was conducted at 32 Le Havre Drive, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 20-A.(5) and Section 20-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Frankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/18/06 06:05 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 1129

ADOPTED

RESOLUTION 2006 6

ORDINANCE 2006 S C U 6 C R

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 86 Cayuga Road, Cheektowaga, New York SB 92.09-23 that is a danger to the safety of others, and records kept by the Assessors Office identify Donald Boye, 192 Gates Street, Cheektowaga, New York 11522, as the owner AND

WHEREAS, an inspection of such premises was conducted at 86 Cayuga Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Frankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/18/06 06:05 PM
Department: Personnel
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Beth Lipczynski
Initiator: Beth Lipczynski
Sponsors: Councilmember Tankowiak, Supervisor Gabryszak
DOC ID: 118 A

ADOPTED

RESOLUTION 2006 6

Town of Cheektowaga Resolution 2006 6

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

MAIN PUMP STATION - Laborer - \$15.50/hour
Ronald Strong, Cheektowaga, NY
Effective 1/02/07

SANITATION DEPARTMENT - Laborer - \$15.50/hour - effective 10/20/06
Eugene Raczka, Cheektowaga, NY
Thomas Manley, Jr., Depew, NY
Eugene Millard, Cheektowaga, NY
Lesse Herr, Depew, NY
Paul Herr, Depew, NY
Christopher Ahrens, Cheektowaga, NY
Darren Mazmierczak, Cheektowaga, NY
Bryan Mazmierczak, Cheektowaga, NY
Thomas Buil, Depew, NY
David Minci, Depew, NY
Andrew Mastchak, Cheektowaga, NY

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 Civil Service Laws and Rules as well as the provisions of the Town's collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association:

TOWN CLERK'S OFFICE - Clerk - \$8.00/hour
Regina Singer, Cheektowaga, NY
Effective 12/05/06

Maren Swiatek, Cheektowaga, NY
Effective 1/01/07

Amanda Burgett, Cheektowaga, NY
Effective 1/01/07

POLICE DEPARTMENT - Clerk - \$6.5/hour
Paul Hockwater III, Cheektowaga, NY
Effective 12/18/06

Resolution 2006-645

Meeting of December 18, 2006

PARISH DIVISION - laborer - \$12.25/hour
Robert O’Sullivan, Cheektowaga, NY

BE IT RESOLVED, that the following individual hired as a **PART TIME EMPLOYEE** in the department listed, be and hereby is amended as follows:

JUSTICE COURT - *amend from permanent to temporary Court Officer* - \$13.2/hour
John E. Stronka, Cheektowaga, NY
Effective 12/01/06

RESOLVED, that the following **EMPLOYEES** be and hereby are **TERMINATED** as listed:

TOWN CLERK’S OFFICE - Clerk (Seasonal) - effective 12/31/06
Karen Swiatek
Amanda Burgett

LABOR DEPARTMENT - effective 12/09/06
Maureen McMahon

PARISH DIVISION - effective 12/18/06
Peter Treavy

COMMENTS CONCERNING:

Motion by Councilmember Magierski. Seconded by Councilmember Rogowski to give the Reading of Names.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6 6

Meeting: 12/18/06 06:05 PM

Department: Personnel

Category: Personnel Miscellaneous

Prepared By: Beth Lipczynski

Initiator: Beth Lipczynski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1128

Authorize **L**eave of **A**bsence for **S**enior Clerk **D**awn **M**.
Cartenuto **O**ne **T**own **A**ssessor

WHEREAS, Dawn M. Cartenuto is employed by the Town of Cheektowaga as a Senior Clerk in the Office of the Town Assessor AND

WHEREAS, Ms. Cartenuto has requested a leave of absence from her Town job for a period of six (6) months AND

WHEREAS, the collective bargaining agreement between the Town and the Town of Cheektowaga Employee's Association states that a union employee may be granted a leave of absence for no more than one (1) year for reasonable purpose NO, THEREFORE, BE IT

RESOLVED, that Dawn M. Cartenuto be and hereby is granted a leave of absence for a period of six (6) months, commencing January 18, 2007 through July 18, 2007 from her position of Senior Clerk in the Office of the Town Assessor.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11522

ADOPTED

RESOLUTION 2006 6

Meeting: 12/18/06 06:05 PM

Department: Personnel

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Beth Ipczynski

Initiator: Beth Ipczynski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1125

A **M** **W** **N**
C **T** **D** **H**

WHEREAS, a temporary vacancy exists in the title of Maintenance Worker in the Parks Division AND

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

WHEREAS, no full-time bargaining unit bid on said vacancy AND

WHEREAS, Justin Henzler, applied for said position and meets the necessary qualifications for appointment NO, THEREFORE BE IT

RESOLVED, that Justin Henzler of Cheektowaga, New York, be and hereby is appointed to the temporary position of Maintenance Worker in the Parks Division in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 12, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/18/06 06:05 PM
Department: Personnel
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Beth Jpczynski
Initiator: Beth Jpczynski
Sponsors: Councilmember Rankowiak, Supervisor Gabryszak
DOC ID: 1126

ADOPTED

RESOLUTION 2006 6

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SECTION 100

WHEREAS, a contingent/permanent vacancy exists in the position of Recreation Supervisor in the Senior Services Department AND

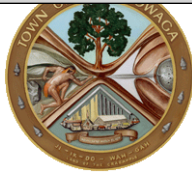
WHEREAS, notice of such vacancy has been posted in accordance with the provisions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association AND

WHEREAS, such job title is in the competitive class of civil service AND

WHEREAS, Dawn M. Hunger, currently employed as a Recreation Leader in the Senior Services Department, appears on the civil service list and meets all the necessary qualifications for contingent/permanent appointment NO , THEREFORE, BE IT

RESOLVED, that Dawn M. Hunger of Cheektowaga, New York be and hereby is appointed to the contingent/permanent position of Recreation Supervisor in the Senior Services Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association effective December 19, 2006.

RESULT: ADOPTED UNANIMOUS
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/18/06 06:05 PM
Department: Personnel
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Beth Lipczynski
Initiator: Beth Lipczynski
Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
DOC ID: 1131

ADOPTED

RESOLUTION 2006 6

ASSEMBLED AND MET IN REGULAR SESSION ON
SATURDAY, DECEMBER 16, 2006 AT 7:00 PM
AT THE TOWN HALL, CHEEKTOWAGA, NY
D. G.

WHEREAS, a vacancy currently exists in the position of Assistant Superintendent of Wastewater Pump Station in the Main Pump Station 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 Supervisory Unit AND

WHEREAS, said vacancy falls under the competitive class of civil service AND

WHEREAS, a current list is not in existence for said title AND

WHEREAS, Joseph D. Glab, currently employed as a Pump Operator in the Main Pump Station, bid on said vacancy, and meets the necessary qualifications for provisional appointment NO, THEREFORE, BE IT

RESOLVED, that Joseph D. Glab of Cheektowaga, New York, be and hereby is appointed to the provisional position of Assistant Superintendent of Wastewater Pump Station in the Main Pump Station in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Supervisory Unit effective January 1, 2007.

RESULT: ADOPTED UNANIMOUS
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/18/06 06:05 PM
Department: Building
Category: SEIR/Site Plan Recommendations
Prepared By: Daniel Ulatowski
Initiator: Daniel Ulatowski
Sponsors: Johnson, Magierski, Rogowski
DOC ID: 103

ADOPTED

RESOLUTION 2006 6 0

WHEREAS

HEREAS, 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

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

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

HEREAS, an application was submitted by James Soos of Pyramid Management Group, Inc. for the construction of a satellite parking area along the south side of Galleria Drive, 350 feet west of Union Road, AND

HEREAS, the Environmental Advisory Committee at its meetings held on December 13, 2006 recommended a determination of non-significance , AND

HEREAS, the Town of Cheektowaga Planning Board recommended approval of the site plan at their meeting of December 1, 2006, AND

HEREAS, the Town of Cheektowaga Conservation Advisory Committee has reviewed the subject project and is recommending the preservation of as many trees as practical on the periphery of the subject parking area, AND

HEREAS, the construction of the subject parking area will require the removal of 266 trees, AND

HEREAS, the applicant has committed to mitigating for the tree losses by planting 205 trees in and around the Galleria Mall property, AND

HEREAS, pursuant to section 229-5 of the Town Code, trees must be replaced on a 1 for 1 basis, therefore the applicant has further committed to offering the Town monies in lieu of 21 replacement trees, as provided for in section 229-5B of the Town Code and as memorialized in the attached correspondence dated December 1, 2006 from the applicant, AND

HEREAS, this Town Board has reviewed the application submitted and the recommendations made by the Environmental Advisory Committee and the 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 SEIR, AND BE IT

FURTHER RESOLVED, the proposed site plan is found to be acceptable subject to :

1. The applicant providing detailed planting plans for the replacement trees.
2. Increasing the size of the westerly interior islands as previously promised.
3. The Town Engineer approving the grading and drainage plan.

COMMENTS COMMENT:

Motion by Councilmember Rogowski, Seconded by Councilmember Magierski to Suspend the Rules to Include the Following Resolution.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Thomas Johnson, Councilmember
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Tankowiak, Magierski, Rogowski



December 14, 2006

Mr. Daniel Ulatowski
 Building and Inspections Department
 Town Hall
 3301 Broadway
 Cheektowaga, NY 14227

**Re: Commitment Letter – Satellite Parking Lot – Tree Mitigation
 Walden Galleria – Cheektowaga, NY**

Dear Dan:

Pursuant to our conversation earlier today, I am providing this letter to further clarify the landscape planting and tree mitigation plan for the Satellite Parking Lot.

<u>Description</u>	<u>Trees</u>
Trees with four inch caliper measurement:	295
Satellite Parking Lot	
Trees to remain:	11
New trees:	<u>18</u>
Total:	29
Tree mitigation required:	266
LaBella mitigation plan – new trees:	245
Financial mitigation in lieu of tree planting:	21

We will make every attempt to find a location to plant the remaining 21 trees that have not been located on the mitigation plan. Only as a last resort will we plan to make financial mitigation in lieu of the planting.

Very truly yours,

Pyramid Management Group, Inc.

James L. Soos

JLS/sm

Walden Galleria
 One Walden Galleria
 Cheektowaga, NY 14225

716.681.7600
 Fax: 716.681.1773



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 14227

Schools

Municipal

Mary F. Holtz
(716) 686-3434

Wednesday, December, 27, 2006

6:00 PM

Council Chambers

I. Comments

COMMENTS - Current Meeting:

6:00 PM Meeting called to order on December 27, 2006 at Council Chambers, 3301 Broadway St, Cheektowaga, NY.

Attendee Name	Organization	Title	Status	Address
Dennis Gabryszak	Town of Cheektowaga	Supervisor	Present	
Patricia Laworowicz	Town of Cheektowaga	Councilmember	Present	
Thomas Johnson Jr.	Town of Cheektowaga	Councilmember	Present	
Jeff Swiatek	Town of Cheektowaga	Councilmember	Present	
James Rankowiak	Town of Cheektowaga	Councilmember	Present	
Alice Magierski	Town of Cheektowaga	Councilmember	Present	
James Rogowski	Town of Cheektowaga	Councilmember	Present	

2. Additional Attendees

- Michael Stachowski, Town Attorney
- William Pugh, Town Engineer
- Brian Krause, Director of Finance and Administration
- Thomas Adamczak, Supervising Building and Plumbing Inspector
- Christine Ciemba, Chief of Police
- Captain Glascott

II. Council

III. Resolutions



RESOLUTION 2006-651

DOC ID: 1746

T F

S B: Supervisor Gabryszak, Councilmember aworowicz

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

GENERAL FUND

FROM:	100-7140-2152	Miscellaneous	\$ 100.00
TO:	100-7140-4519	Weekend Programs	\$ 100.00

RESULT: ADO TED UNANIMOUS

MOVER: Dennis Gabryszak, Supervisor

SECONDER: Patricia aworowicz, Councilmember

AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-652

DOC ID: 1745

WARRANTS

Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to December 22, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 199,647.77
RISK RETENTION FUND	28,034.55
HUD HOUSING REHABILITATION FUND	146.00
SPECIAL DISTRICTS FUND	21,092.49
HIGHWAY FUND	40,387.90
CAPITAL FUND	42,712.17
TRUST & AGENCY FUND	8,425.98
HUD CDBG FUND	30,497.87
PART TOWN FUND	4,555.96
NYS AFFORDABLE HOUSING FUND	7,695.00
	\$ 383,195.69

RESULT: ADOPTED UNANIMOUSLY

MOVER: Dennis Gabryszak, Supervisor

SECONDER: James Frankowski, Councilmember

AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski



RESOLUTION 2006-653

DOC ID: 1752

RESOLUTION 2006-653

SUBJECT: Councilmember Rankowiak, Councilmember Rogowski

WHEREAS, this Town Board wishes to establish the first Town Board meeting date for 2007, NO, THEREFORE, BE IT

RESOLVED, that the first Town Board meeting for 2007 shall be held on the following referenced date at the following time in the Town Hall Council Chambers, 3301 Broadway, Cheektowaga, New York:

January 2, 2007 6:00 P.M. (6:45 P.M. public comment)

and BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to give public notice of the time and place of such meeting to the news media and to conspicuously post notice of same at least 2 hours before such meeting.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Rankowiak, Councilmember
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-654

DOC ID: 1747

ORDINANCE 2006 S 1 C R

SUBJECT: Magierski, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 100 Century Road, Cheektowaga, New York SB09.20-1-2 that is a danger to the safety of others, and records kept by the Assessors Office identify David McGinnis, 100 Century Road, Cheektowaga, New York 14215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 100 Century Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-1A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-655

DOC ID: 1748

ORDINANCE 2006 S C U 1 D A

SUBJECT: Magierski, Rankowiak, Swiatek

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 1 David Avenue, Cheektowaga, New York SB 101-28-6-2 that is a danger to the safety of others, and records kept by the Assessors Office identify Amphorn Anhnaphavong and Anhalangsy Sakky, 1 David Avenue, Cheektowaga, New York 1225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 1 David Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT:	ADOPTED UNANIMOUS
MOVER:	Alice Magierski, Councilmember
SECONDER:	James Rankowiak, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-656

DOC ID: 1753

A **S** **E** **G** **A**

S: Councilmember Swiatek, Councilmember Rankowski

WHEREAS, the Town of Cheektowaga seeks grant monies from State Senator William Stachowski to obtain computer software to assist with crime scene reconstruction, 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 for the purpose of securing this grant, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Jeff Swiatek, Councilmember
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



RESOLUTION 2006-657

DOC ID: 1761

A **C**

S **B**: Gabryszak, Rogowski, Johnson Tr.

HEREAS, there exists a Performance Contracting Project Agreement with Johnson Controls, Inc., and an Amendment Agreement, to implement cost and energy savings measures in the Town and

HEREAS, the Town is desirous of further amending said agreements to provide for the replacement and/or substitution of solar lights with electric lighting **NO** **THEREFORE BE IT**

RESOLVED, that this Town Board hereby approves of such amendment to the aforementioned agreements and **BE IT FURTHER**

RESOLVED, that the Supervisor or Deputy Supervisor is hereby authorized to execute any agreement or other document that may be required hereunder and **BE IT FURTHER**

RESOLVED, that the entry into any amendment agreement shall be subject, however, to the Town successfully obtaining easements from property owners for the installation of electric lines, and further subject to approval of the form of the contract amendment by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Tr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-658

DOC ID: 1758

E S E O

S B: Supervisor Gabryszak, Councilmember ankowiak

BE IT RESOLVED, the salaries of the following Town officials be and hereby are established and set forth as follows, effective January 1, 2007:

Supervisor	\$ 77,023
Councilmember (6)	\$ 20,126
Town Clerk	\$ 78,794
Highway Superintendent	\$ 78,000
Town Justice (2)	\$ 72,954
Budget Director	\$ 7,000
Registrar of Vital Statistics	\$ 5,000

RESULT: ADO TED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: ames ankowiak, Councilmember
AYES: Gabryszak, aworowicz, ohnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-659

DOC ID: 1759

ENCLOSURE STATE OF OHIO TOWN OF CHEEKTOWAGA

STATE OF OHIO: Supervisor Gabryszak, Councilmember Frankowski

BE IT RESOLVED, 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, 2007:

Disaster Coordinator	\$ 18,308
Bingo Chairman (1)	\$ 6,402
Bingo Inspectors (5)	\$ 6,114
Planning Board Chairman (1)	\$ 5,019
Planning Board Members (5)	\$ 3,397
Planning Board Secretary (1)	\$ 4,300
Zoning Board Chairman	\$ 5,425
Zoning Board Members (4)	\$ 4,005
Zoning Inspector (Part-Time)	\$ 17.63/hr
Assessment Review Board Chairman (1)	\$ 2,045
Assessment Review Board Member (4)	\$ 1,646
Police Matron	\$ 13.00/hr
Cell Block Attendants	\$ 15.00/hr.
School Crossing Guard Supervisor	\$ 16,525
School Crossing Guard	\$ 7.86/hr
Town Historian	\$ 2,000
Secretary to Traffic Safety Commission	\$ 4,300

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Frankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowski, Magierski, Rogowski



RESOLUTION 2006-660

DOC ID: 1760

RESOLUTION

Supervisor Gabryszak, Councilmember Frankowiak

BE IT RESOLVED, 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, 2007:

Table with 2 columns: Position and Salary. Includes roles like Town Engineer (\$80,818), Director of Administration & Finance (\$77,345), Assessor (\$74,635), etc.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-661

DOC ID: 1720

M W I

S B: Councilmember ankowiak, Supervisor Gabryszak

HEREAS, the New York State legislature has previously increased the minimum wage and has scheduled the second increase effective January 1, 2007, BE IT

RESOLVED that the following individuals be and hereby are elevated as follows so as to comply with the new minimum wage law as it affects the existing workforce pay structure of those earning less than \$15 (regular part-time/part-time):

Tom owalski	-	\$15
Tom Poules	-	\$15
Damion liber	-	\$15
Ryan Mrugalski	-	\$15
Danielle Smith	-	\$15
achary Smith	-	\$20
ohn Grzymala	-	\$15
oelle Brunetto	-	\$20
ristin Brunetto	-	\$20
Melissa Hale	-	\$20
elsey Stempien	-	\$20
Mary-Elizabeth Maziarz	-	\$25
ennifer Grzebinski	-	\$15
Robert Halter	-	8.25
ristie Gammack	-	\$50
essica Stiglemeir	-	\$15
Amanda Cendrowski	-	\$25
isa Miller	-	\$25
ulia Harvey	-	\$15
aitlin ipinoga	-	\$15
Brian Mayle	-	\$15
oe Bodkin	-	\$15
Bryan Chapman	-	\$15
Glenn M. Au	-	\$15
evin Finn	-	\$15
eff Filipski	-	\$15
Carly Rehac	-	\$15
risty Rzeszutek	-	\$15
Maegen Brown	-	\$20
Toni Caruso	-	\$15
oe Ciesielski	-	\$15

Samantha Cycon	0.90	
Dwayne Gaczewski	0.05	
Matthew Gaczewski	0.05	
Debra Garrison	8.15	
Jeffrey Gmerek	0.05	
Jim Godzich	8.00	
Ashley Grabiec	0.15	
Scott Gretch	9.15	
Andrea Letterl		10.15
Amanda Mostran	0.65	
Denelle Mostran	9.65	
Steven Nach	0.15	
Dana Machajwski	0.00	
James Neyerlin	0.90	
Nicole Neyerlin	8.15	
Nicole Odrobina	0.15	
Samantha Panzica	0.15	
Jessica Porter		0.90
Camille Russell	11.15	
Nicholas Russell	0.15	
Jeffrey Spencer	0.15	
Robert Swiatkowski	8.00	
Amanda Trembowicz		0.90
Macqueline Tymorek	0.15	
Amanda Wyzkowski	0.05	

RESULT: ADOPTED UNANIMOUS

MOVER: James Wankowiak, Councilmember

SECONDER: Dennis Gabryszak, Supervisor

AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Wankowiak, Magierski, Rogowski



RESOLUTION 2006-662

DOC ID: 1750

RESOLUTION, RECREATION YOUTH SERVICES HIRING

SECONDED BY: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individual listed below be and hereby is hired as indicated in the Department of Parks, Recreation & Youth Services, effective 1/1/07

Recreation Aide - \$15.15 (part-time)

Joseph Duquette

1212

RESULT:	ADOPTED UNANIMOUSLY
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-663

DOC ID: 1751

RESOLUTION, RE Y SERVICES T

SE: Councilmember Rankowiak, Supervisor Gabryszak

BE IT RESOLVED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effective as indicated:

Peter Friol	-	12/03/06
Anthony Puccio	-	12/03/06
Kristina Root	-	08/11/06
Gwen Graser	-	01/01/06

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-664

DOC ID: 1755

T H

S B: Councilmember ankowiak, Supervisor Gabryszak

BE IT RESOLVED, that Jennifer Christiano, currently employed as a Part-Time Clerk in the Records Center, be transferred to the Tax Office effective 1/1/07 at the hourly rate of \$8.00 AND BE IT

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

<u>TAX OFFICE</u>	<u>EFFECTIVE</u>
Julie Miller	11/22/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, aworowicz, Johnson r., Swiatek, ankowiak, Magierski, Rogowski



RESOLUTION 2006-665

DOC ID: 1756

ADOPTED UNANIMOUSLY, DENNIS GABRYSZAK,
COUNCILMEMBER, HONORABLE

SECONDED BY: Councilmember Frankowiak, Supervisor Gabryszak

WHEREAS, a vacancy exists 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 NO, THEREFORE BE IT

RESOLVED, that Jennifer Hodgson of Cheektowaga, New York, be and hereby is appointed to the position of Police Officer at a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club AND, BE IT FURTHER

RESOLVED, that said appointment shall become effective December 26, 2006, and is subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski

IV. COUNCIL BUSINESS

A. Departmental Communications

- 1. Supervisor's Statement of Funds - November 2006

V. COUNCIL BUSINESS

A. Supervisor's Comments

B. Councilmember's Comments

C. Public Comments

VI. SUPERVISOR'S REPORT

COMMENTS - Current Meeting:

Motion by Councilmember Magierski Seconded by Councilmember Rogowski to Suspend the Rules to Include the Following Resolutions: And the oting as Unanimous.



RESOLUTION 2006-666

DOC ID: 1763

A **S** **E** **C** **G**
A, **L**.

S: Supervisor Gabryszak, Councilmember Magierski

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

HEREAS, 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

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

HEREAS, this Town Board wishes to continue to retain the services of a grants consultant firm for the 200 calendar year, **NO**, THEREFORE, BE IT

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

RESOLVED, that the fee stipulated in such agreement, \$3,000.00, shall be appropriated from budget line item number 0100-1220-95.

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Alice Magierski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-667

DOC ID: 1757

S R

S: Supervisor Gabryszak, Councilmember Johnson.

HEREAS, Olympic Restaurant d/b/a Terry, LLC, is the owner of property located at 611 Genesee Street, Cheektowaga, New York, which abuts a sixty (60) foot narrow irregular site, being a portion of the former Sonwil Drive right-of-way that extends from the south side of Genesee Street to the north side of the new Sonwil Drive, as relocated by the New York State Department of Transportation in conjunction with road widening and reconstruction of Genesee Street, more particularly described herein and

HEREAS, said parcel does not have access to Genesee Street and is unlikely to have any access for public usage at any point in the future, and is otherwise no longer necessary for Town purposes and

HEREAS, Olympic Restaurant d/b/a Terry, LLC, is desirous of purchasing said property from the Town for fair and adequate consideration, THEREFORE BE IT

RESOLVED, that this Town Board hereby consents to the entry into a contract for the sale of said irregular shaped parcel adjacent to 611 Genesee Street, to Olympic Restaurant d/b/a Terry, LLC, for fair and adequate consideration, said parcel being described as follows:

THAT TRACT OR PARCELS AND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 11, Township 11, Range 1 of the Holland Company's survey and being more particularly bounded and described as follows:

BEGINNING at a point on the southern line of Genesee Street with its intersection with the western line of Sonwil Drive, thence 60 feet in an easterly direction along the southern line of Genesee Street to a point, thence 133 feet in a southwesterly direction along the eastern line of Sonwil Drive to a point, thence 29.55 feet in a southerly direction to a point, thence 30 feet in a westerly direction along the northern line of the abandoned railroad property to a point, thence 80 feet in a southwesterly direction to a point in the northern RO line of the relocated Sonwil Drive, thence along the said northern RO line 65 feet in a westerly direction to a point, thence 65 feet in a northeasterly direction to a point, thence 29.55 feet in a northerly direction to a point, said point being on the westerly line of Sonwil Drive, thence 151 feet in a northerly direction along the western line of Sonwil Drive to the point of beginning, said area being 15,105 SF or 0.36 AC.,

and BE IT FURTHER

RESOLVED, that the Supervisor or Deputy Supervisor be and hereby is authorized and directed to execute a contract for the sale of said property, together with any other documents that may be necessary to effectuate such sale, subject, however, to approval of said documents by the Town Attorney's Office and BE IT FURTHER

RESOLVED, that this sale and conveyance shall be made subject to all easements and rights-of-way, if an easement is non existent then an easement will be reserved for those purposes including, but not limited to, easements for water, sewer, and utilities, whether same be recorded or unrecorded and BE IT FURTHER

RESOLVED, that this Resolution is subject to permissive referendum under Article 17 of the Town Law, and BE IT FURTHER

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

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, on December 20, 2006, adopted a resolution authorizing the Supervisor or Deputy Supervisor of the Town of Cheektowaga to enter into a contract to sell certain Town-owned property located on Genesee Street and Sonwil Drive, for fair and adequate consideration. Said parcel does not have access to Genesee Street and is unlikely to have any access for public usage at any point in the future, and is otherwise no longer necessary for Town purposes and is described as follows:

AS TO THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 11, Township 11, Range 1 of the Holland Company's survey and being more particularly bounded and described as follows:

BEGINNING at a point on the southern line of Genesee Street with its intersection with the western line of Sonwil Drive, thence 60'-0" in an easterly direction along the southern line of Genesee Street to a point, thence 133'-0" in a southwesterly direction along the eastern line of Sonwil Drive to a point, thence 29.55' in a southerly direction to a point, thence 30'-0" feet in a westerly direction along the northern line of the abandoned railroad property to a point, thence 80'-0" feet in a southwesterly direction to a point in the northern ROW line of the relocated Sonwil Drive, thence along the said northern ROW line 65' feet in a westerly direction to a point, thence 65'-0" in a northeasterly direction to a point, thence 29.55' in a northerly direction to a point, said point being on the westerly line of Sonwil Drive, thence 151'-0" in a northerly direction along the western line of Sonwil Drive to the point of beginning, said area being 15,105'- SF or 0.346 AC.

TAKE FURTHER NOTICE that such Resolution is subject to permissive referendum under Article 17 of the Town Law of the State of New York.

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

DATED: December 20, 2006

MARY F. HOUTER
Town Clerk

RESULT:	ADOPTED UNANIMOUS
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	Thomas Johnson Jr., Councilmember
AYES:	Gabryszak, Jaworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



RESOLUTION 2006-668

DOC ID: 1764

Cheektowaga Town Board Resolution 2006-668

Subject: Councilmember Frankowiak, Supervisor Gabryszak

BE IT RESOLVED, the Town Board hereby creates two (2) Pest Control Worker (Part Time) positions pursuant to Civil Service Laws and Rules effective December 27, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



RESOLUTION 2006-669

DOC ID: 1765

T **A** **O** **E** **S**

S: Councilmember [ankowiak, Supervisor Gabryszak

HEREAS, the New York State Emergency Management Association inter Conference is being held from February 20 through February 22, 200 in Syracuse, New York AND

HEREAS, Emergency Services Coordinator Earl [oder has requested authorization to attend said conference AND

HEREAS, Mr. [oder has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

HEREAS, the total cost to the Town shall not exceed \$50.00 AND

HEREAS, these expenses have been budgeted by Emergency Services NO , THEREFORE, BE IT

RESOLVED, that Emergency Services Coordinator Earl [oder be and hereby is authorized to attend the New York State Emergency Management Association inter Conference being held from February 20 through February 22, 200 in Syracuse, New York.

RESULT:	ADOPTED UNANIMOUS
MOVER:	[ames [ankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, [aworowicz, [ohnson r., Swiatek, [ankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 611

Meeting: 12/20/06 06:00 PM
Department: Accounting/Payroll
Category: Transfer of Funds
Prepared By: Cathy Travers
Initiator: Cathy Travers

Sponsors: Supervisor Gabryszak, Councilmember Laworowicz

DOC ID: 116

Town of Cheektowaga

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

GENERAL FUND

FROM: 100-7140-2152 Miscellaneous \$ 100.00

TO: 100-7140-4519 Weekend Programs \$ 100.00

RESULT: ADOPTED UNANIMOUS

MOVER: Dennis Gabryszak, Supervisor

SECONDER: Patricia Laworowicz, Councilmember

AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6 2

Meeting: 12/20/06 06:00 PM
Department: Accounting/Payroll
Category: Warrant List
Prepared By: Cathy Travers
Initiator: Cathy Travers
Sponsors: Supervisor Gabryszak, Councilmember Rankowiak
DOC ID: 105

WHEREAS

BE IT RESOLVED, that the following Vouchers & Warrants submitted to the Town of Cheektowaga prior to December 22, 2006 are hereby approved and made a part hereof;

GENERAL FUND	\$ 199,647.77
RISK RETENTION FUND	28,034.55
HUD HOUSING REHABILITATION FUND	146.00
SPECIAL DISTRICTS FUND	21,092.49
HIGHWAY FUND	40,387.90
CAPITAL FUND	42,712.17
TRUST & AGENCY FUND	8,425.98
HUD CDBG FUND	30,497.87
PART TOWN FUND	4,555.96
NYS AFFORDABLE HOUSING FUND	7,695.00
	\$ 383,195.69

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of **C**heektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6

Meeting: 12/20/06 06:00 PM

Department: Town Attorney

Category: Miscellaneous

Prepared By: Devin Schenk

Initiator: Devin Schenk

Sponsors: Councilmember Rankowiak, Councilmember Rogowski

DOC ID: 1152



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/20/06 06:00 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Sue Sanscrainte
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 1000

ADOPTED

RESOLUTION 2006 6

Ordinance 2006 Section C.U. 1 C.R.

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 100 Century Road, Cheektowaga, New York SB 9.20-1-2 that is a danger to the safety of others, and records kept by the Assessors Office identify David McGinnis, 100 Century Road, Cheektowaga, New York 115215, as the owner AND

WHEREAS, an inspection of such premises was conducted at 100 Century Road, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 0-A.(5) and Section 0-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Frankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

Meeting: 12/20/06 06:00 PM
Department: Housing
Category: Building/Housing
Prepared By: Sue Sanscrainte
Initiator: Lawrence Sensy
Sponsors: Magierski, Frankowiak, Swiatek
DOC ID: 108

ADOPTED

RESOLUTION 2006 6

ORDINANCE 2006 S C U 1 D A

WHEREAS, Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State and the Property Maintenance Code of New York State require that all vacant structures and premises shall be maintained in clean, safe, secure and sanitary conditions so as not to cause a blighting problem or adversely affect the public health or safety and all nuisances abated, AND

WHEREAS, the Town of Cheektowaga has received notification of an unsafe structure and premises located at 1 David Avenue, Cheektowaga, New York SB 101-28-6-2 that is a danger to the safety of others, and records kept by the Assessors Office identify Amphorn Anhnaphavong and Anhalangsy Sakky, 1 David Avenue, Cheektowaga, New York 1225, as the owner AND

WHEREAS, an inspection of such premises was conducted at 1 David Avenue, by the Housing and Neighborhood Preservation Office, AND

WHEREAS, such inspection found the premises to be deteriorated, vacant, a hazard, and a danger to the safety and well being of others, AND

WHEREAS, the Town of Cheektowaga Housing and Neighborhood Preservation Office properly notified the property owner in accordance with the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State, and the owner failed to take actions to safeguard the premises, AND

WHEREAS, these conditions require the Town of Cheektowaga Housing and Neighborhood Preservation Office to take immediate steps to safeguard the premises to protect the health and safety of others and abate all nuisances, NOW, THEREFORE BE IT

RESOLVED, that pursuant to Section 10-A.(5) and Section 10-8 of the Town of Cheektowaga Law for the Administration and Enforcement of the Codes of New York State that the vacant structure premises be safeguarded and all nuisances abated and all costs incurred be assessed against the property hereinbefore described

RESULT: ADOPTED UNANIMOUS
MOVER: Alice Magierski, Councilmember
SECONDER: James Frankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6 6

Meeting: 12/20/06 06:00 PM
Department: Town Attorney
Category: Grant Application
Prepared By: Connie Paoletti
Initiator: Connie Paoletti

Sponsors: Councilmember Swiatek, Councilmember Rankowski
DOC ID: 1153

A **S** **E** **G** **A**

WHEREAS, the Town of Cheektowaga seeks grant monies from State Senator William Stachowski to obtain computer software to assist with crime scene reconstruction, 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 for the purpose of securing this grant, and BE IT FURTHER

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

RESULT:	ADOPTED UNANIMOUS
MOVER:	Jeff Swiatek, Councilmember
SECONDER:	James Rankowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowski, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 6

Meeting: 12/27/06 06:00 PM
Department: Town Attorney
Category: Attorney Legal Matters
Prepared By: Connie Paoletti
Initiator: Connie Paoletti
Sponsors: Gabryszak, Rogowski, Johnson
DOC ID: 1161

ADOPTED UNANIMOUSLY

WHEREAS, there exists a Performance Contracting Project Agreement with Johnson Controls, Inc., and an Amendment Agreement, to implement cost and energy savings measures in the Town and

WHEREAS, the Town is desirous of further amending said agreements to provide for the replacement and/or substitution of solar lights with electric lighting; **AND** THEREFORE BE IT

RESOLVED, that this Town Board hereby approves of such amendment to the aforementioned agreements and BE IT FURTHER

RESOLVED, that the Supervisor or Deputy Supervisor is hereby authorized to execute any agreement or other document that may be required hereunder and BE IT FURTHER

RESOLVED, that the entry into any amendment agreement shall be subject, however, to the Town successfully obtaining easements from property owners for the installation of electric lines, and further subject to approval of the form of the contract amendment by the Town Attorney's Office.

RESULT:	ADOPTED UNANIMOUSLY
MOVER:	Dennis Gabryszak, Supervisor
SECONDER:	James Rogowski, Councilmember
AYES:	Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11522

ADOPTED

RESOLUTION 2006 6

Meeting: 12/21/06 06:00 PM
Department: Town Attorney
Category: Employee Miscellaneous
Prepared By: Connie Paoletti
Initiator: Connie Paoletti
Sponsors: Supervisor Gabryszak, Councilmember Frankowiak
DOC ID: 1158

ENFORCEMENT OF

BE IT RESOLVED, the salaries of the following Town officials be and hereby are established and set forth as follows, effective January 1, 2007:

Supervisor	\$ 77,023
Councilmember (6)	\$ 20,126
Town Clerk	\$ 78,794
Highway Superintendent	\$ 78,000
Town Justice (2)	\$ 72,954
Budget Director	\$ 7,000
Registrar of Vital Statistics	\$ 5,000

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Frankowiak, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11522

ADOPTED

RESOLUTION 2006 6

Meeting: 12/27/06 06:00 PM
Department: Town Attorney
Category: Employee Miscellaneous
Prepared By: Connie Paoletti
Initiator: Connie Paoletti
Sponsors: Supervisor Gabryszak, Councilmember Rankowski
DOC ID: 1159

ENFORCEMENT SECTION TITLE

BE IT RESOLVED, 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, 2007:

Disaster Coordinator	\$ 18,308
Bingo Chairman (1)	\$ 6,402
Bingo Inspectors (5)	\$ 6,114
Planning Board Chairman (1)	\$ 5,019
Planning Board Members (5)	\$ 3,397
Planning Board Secretary (1)	\$ 4,300
Zoning Board Chairman	\$ 5,425
Zoning Board Members (4)	\$ 4,005
Zoning Inspector (Part-Time)	\$ 17.63/hr
Assessment Review Board Chairman (1)	\$ 2,045
Assessment Review Board Member (4)	\$ 1,646
Police Matron	\$ 13.00/hr
Cell Block Attendants	\$ 15.00/hr.
School Crossing Guard Supervisor	\$ 16,525
School Crossing Guard	\$ 7.86/hr
Town Historian	\$ 2,000
Secretary to Traffic Safety Commission	\$ 4,300

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



Town of **C**heektowaga
 3301 Broadway
 Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 660

Meeting: 12/20/06 06:00 PM
 Department: Town Attorney
 Category: Employee Miscellaneous
 Prepared By: Connie Paoletti
 Initiator: Connie Paoletti

Sponsors: Supervisor Gabryszak, Councilmember Rankowski
 DOC ID: 1160

Established **S**alaries of **T**own **O**fficials and **E**mployees

BE IT RESOLVED, 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, 2007:

Town Engineer	\$ 80,818
Director of Administration & Finance	\$ 77,345
Accountant	\$ 55,890
Assessor	\$ 74,635
Supervising Building & Plumbing Inspector	\$ 65,688
Executive Director Parks, Youth & Recreation	\$ 82,917
Program Coordinator - I	\$ 45,604
Town Attorney	\$ 68,428
Deputy Town Attorney (1)	\$ 46,164
Deputy Town Attorney (1)	\$ 35,920
Deputy Town Attorney - Prosecutors (2)	\$ 17,812
Clerk of Justice Court	\$ 46,263
Clerk to Town Justice	\$ 36,514
Director of Community Development	\$ 69,830
Council Office Clerk Steno	\$ 41,810
Administrative Assistant (Town Board)	\$ 41,810
Municipal Administrative Assistant Legal	\$ 43,383
Deputy Town Clerk	\$ 51,374
Deputy Tax Receiver	\$ 42,692
Deputy Superintendent of Highways	\$ 76,095
Supervisor of Sanitation	\$ 14,012
Director of Senior Services	\$ 54,459
Director of Employee Relations	\$ 75,935
Employee Relations Administrative Clerk	\$ 45,768
Confidential Secretary to the Supervisor	\$ 39,678
Secretary to Town Supervisors office	\$ 35,978
Principal Personnel Specialist	\$ 41,194

RESULT: **ADOPTED UNANIMOUS**
MOVER: Dennis Gabryszak, Supervisor
SECONDER: James Rankowski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowski, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 661

Meeting: 12/20/06 06:00 PM

Department: Prys

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Linda Porter

Initiator: Linda Porter

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1120

WHEREAS

WHEREAS, the New York State Legislature has previously increased the minimum wage and has scheduled the second increase effective January 1, 2007, BE IT

RESOLVED that the following individuals be and hereby are elevated as follows so as to comply with the new minimum wage law as it affects the existing workforce pay structure of those earning less than \$15 (regular part-time/part-time):

Tom Nowalski	-	\$15
Tom Poules	-	\$15
Damion Liber	-	\$15
Ryan Mrugalski	-	\$15
Danielle Smith	-	\$15
Sachary Smith	-	\$10
John Grzymala	-	\$15
Boelle Brunetto	-	\$10
Christin Brunetto	-	\$10
Melissa Hale	-	\$10
Elsey Stempien	-	\$10
Mary-Elizabeth Maziarz	-	\$25
Jennifer Grzebinski	-	\$15
Robert Halter	-	8.25
Christie Gammack	-	\$50
Jessica Stiglemeir	-	\$15
Amanda Cendrowski	-	\$25
Lisa Miller	-	\$25
Julia Harvey	-	\$15
Kaitlin Lipinoga	-	\$15
Brian Mayle	-	\$15
Joe Bodkin	-	\$15
Bryan Chapman	-	\$15
Glenn M. Au	-	\$15
Kevin Finn	-	\$15
Jeff Filipski	-	\$15
Carly Rehac	-	\$15
Christy Rzeszutek	-	\$15
Maegen Brown	-	\$10
Toni Caruso	-	\$15

Resolution 2006-661

Meeting of December 20, 2006

Joe Ciesielski	11.15	
Samantha Cycon	11.90	
Dwayne Gaczewski	11.15	
Matthew Gaczewski	11.15	
Debra Garrison	8.15	
Jeffrey Gmerek	11.15	
Jim Godzich	8.00	
Ashley Grabiec	11.15	
Scott Gretch	9.15	
Andrea Letterl		10.15
Amanda Mostran	11.65	
Denelle Mostran	9.65	
Steven Pach	11.15	
Dana Machajwski	11.00	
James Neyerlin	11.90	
Nicole Neyerlin	8.15	
Nicole Odrobina	11.15	
Samantha Panzica	11.15	
Jessica Porter		11.90
Camille Russell	11.15	
Nicholas Russell	11.15	
Jeffrey Spencer	11.15	
Robert Swiatkowski	8.00	
Amanda Trembowicz		11.90
Macqueline Tymorek	11.15	
Amanda Wyzkowski	11.15	

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Rankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/20/06 06:00 PM
Department: Prys
Category: Hire/Retain/Transfer/Upgrade/Termination
Prepared By: Linda Porter
Initiator: Linda Porter

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak
DOC ID: 1150

ADOPTED

RESOLUTION 2006 662

Town of Cheektowaga, Recreation Youth Services Hire

BE IT RESOLVED that the individual listed below be and hereby is hired as indicated in the Department of Parks, Recreation & Youth Services, effective 1/1/07

Recreation Aide - 0.15

(part-time)

Joseph Duquette

10212

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of **C**heektowaga

3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/20/06 06:00 PM

Department: Pys

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Linda Porter

Initiator: Linda Porter

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

ADOPTED

RESOLUTION 2006 66

DOC ID: 1151

Town of **C**heektowaga, **R**ecreation & **Y**outh **S**ervices **T**ermination

BE IT RESOLVED that the individuals listed below be and hereby are terminated from the Department of Parks, Recreation & Youth Services, effective as indicated:

Peter Friol	-	12/03/06
Anthony Puccio	-	12/03/06
Kristina Root	-	08/11/06
Gwen Graser	-	01/01/06

RESULT: ADOPTED UNANIMOUSLY
MOVER: James Frankowiak, Councilmember
SECONDER: Dennis Gabryszak, Supervisor
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 66

Meeting: 12/20/06 06:00 PM

Department: Personnel

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Michelle Kaminski

Initiator: Michelle Kaminski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1155

TOWN OF CHEEKTOWAGA

BE IT RESOLVED, that Jennifer Christiano, currently employed as a Part-Time Clerk in the Records Center, be transferred to the Tax Office effective 1/1/07 at the hourly rate of \$8.00 AND BE IT

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

TAX OFFICE

Julie Miller

EFFECTIVE

11/22/06

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 66

Meeting: 12/20/06 06:00 PM

Department: Personnel

Category: Hire/Retain/Transfer/Upgrade/Termination

Prepared By: Michelle Kaminski

Initiator: Michelle Kaminski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1156

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

RESOLVED, that Jennifer Hodgson of Cheektowaga, New York, be and hereby is appointed to the position of Police Officer at a salary in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, BE IT FURTHER

RESOLVED, that said appointment shall become effective December 26, 2006, and is subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

RESOLVED, that said appointment shall become effective December 26, 2006, and is subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

RESOLVED, that said appointment shall become effective December 26, 2006, and is subject to verification of compliance with the Residency Law of the Town of Cheektowaga.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



Town of Cheektowaga
3301 Broadway
Cheektowaga, NY 11520

Meeting: 12/27/06 06:00 PM
Department: Town Attorney
Category: Attorney Legal Matters
Prepared By: Connie Paoletti
Initiator: Connie Paoletti

Sponsors: Supervisor Gabryszak, Councilmember Magierski
DOC ID: 1163

ADOPTED

RESOLUTION 2006 666

A S E C G A, I.

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

HEREAS, 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

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

HEREAS, this Town Board wishes to continue to retain the services of a grants consultant firm for the 200 calendar year, NO, THEREFORE, BE IT

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

RESOLVED, that the fee stipulated in such agreement, \$3,000.00, shall be appropriated from budget line item number 0100-1220-95.

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Alice Magierski, Councilmember
AYES: Gabryszak, Laworowicz, Johnson, Swiatek, Rankowiak, Magierski, Rogowski



Town of Cheektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 66

Meeting: 12/27/06 06:00 PM
Department: Town Attorney
Category: Adoption/Decision
Prepared By: Connie Paoletti
Initiator: Connie Paoletti

Sponsors: Supervisor Gabryszak, Councilmember Johnson

DOC ID: 115

SUBJECT

WHEREAS, Olympic Restaurant d/b/a Terry, LLC, is the owner of property located at 611 Genesee Street, Cheektowaga, New York, which abuts a sixty (60) foot narrow irregular site, being a portion of the former Sonwil Drive right-of-way that extends from the south side of Genesee Street to the north side of the new Sonwil Drive, as relocated by the New York State Department of Transportation in conjunction with road widening and reconstruction of Genesee Street, more particularly described herein and

WHEREAS, said parcel does not have access to Genesee Street and is unlikely to have any access for public usage at any point in the future, and is otherwise no longer necessary for Town purposes and

WHEREAS, Olympic Restaurant d/b/a Terry, LLC, is desirous of purchasing said property from the Town for fair and adequate consideration, THEREFORE BE IT

RESOLVED, that this Town Board hereby consents to the entry into a contract for the sale of said irregular shaped parcel adjacent to 611 Genesee Street, to Olympic Restaurant d/b/a Terry, LLC, for fair and adequate consideration, said parcel being described as follows:

AND THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 11, Township 11, Range 1 of the Holland Company's survey and being more particularly bounded and described as follows:

BEGINNING at a point on the southern line of Genesee Street with its intersection with the western line of Sonwil Drive, thence 60 feet in an easterly direction along the southern line of Genesee Street to a point, thence 133 feet in a southwesterly direction along the eastern line of Sonwil Drive to a point, thence 29.55 feet in a southerly direction to a point, thence 30 feet in a westerly direction along the northern line of the abandoned railroad property to a point, thence 80 feet in a southwesterly direction to a point in the northern ROW line of the relocated Sonwil Drive, thence along the said northern ROW line 65 feet in a westerly direction to a point, thence 65 feet in a northeasterly direction to a point, thence 29.55 feet in a northerly direction to a point, said point being on the westerly line of Sonwil Drive, thence 151 feet in a northerly direction along the western line of Sonwil Drive to the point of beginning, said area being 15,105 SF or 0.36 AC.,

and BE IT FURTHER

RESOLVED, that the Supervisor or Deputy Supervisor be and hereby is authorized and directed to execute a contract for the sale of said property, together with any other documents that may be necessary to effectuate such sale, subject, however, to approval of said documents by the Town Attorney's Office and BE IT FURTHER

RESOLVED, that this sale and conveyance shall be made subject to all easements and rights-of-way, if an easement is non existent then an easement will be reserved for those purposes including, but not limited to, easements for water, sewer, and utilities, whether same

be recorded or unrecorded and BE IT FURTHER

RESOLVED, that this Resolution is subject to permissive referendum under Article 17 of the Town Law, and BE IT FURTHER

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

NOTICE OF ADOPTION OF RESOLUTION
SUBJECT TO PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Cheektowaga, on December 2, 2006, adopted a resolution authorizing the Supervisor or Deputy Supervisor of the Town of Cheektowaga to enter into a contract to sell certain Town-owned property located on Genesee Street and Sonwil Drive, for fair and adequate consideration. Said parcel does not have access to Genesee Street and is unlikely to have any access for public usage at any point in the future, and is otherwise no longer necessary for Town purposes and is described as follows:

AS TO THAT TRACT OR PARCELS OF LAND, situate in the Town of Cheektowaga, County of Erie and State of New York, being part of Lot No. 11, Township 11, Range 1 of the Holland Company's survey and being more particularly bounded and described as follows:

BEGINNING at a point on the southern line of Genesee Street with its intersection with the western line of Sonwil Drive, thence 60'-0" in an easterly direction along the southern line of Genesee Street to a point, thence 133'-0" in a southwesterly direction along the eastern line of Sonwil Drive to a point, thence 29.55' in a southerly direction to a point, thence 30'-0" feet in a westerly direction along the northern line of the abandoned railroad property to a point, thence 80'-0" feet in a southwesterly direction to a point in the northern ROW line of the relocated Sonwil Drive, thence along the said northern ROW line 65' feet in a westerly direction to a point, thence 65'-0" in a northeasterly direction to a point, thence 29.55' in a northerly direction to a point, said point being on the westerly line of Sonwil Drive, thence 151'-0" in a northerly direction along the western line of Sonwil Drive to the point of beginning, said area being 15,105'- SF or 0.36 AC.

TAKE FURTHER NOTICE that such Resolution is subject to permissive referendum under Article 17 of the Town Law of the State of New York.

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

DATED: December 2, 2006

MARY F. HOTT
Town Clerk

RESULT: ADOPTED UNANIMOUS
MOVER: Dennis Gabryszak, Supervisor
SECONDER: Thomas Johnson Jr., Councilmember
AYES: Gabryszak, Laworowicz, Johnson Jr., Swiatek, Rankowiak, Magierski, Rogowski



Town of **C**heektowaga

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 66

Meeting: 12/20/06 06:00 PM

Department: Personnel

Category: Personnel Miscellaneous

Prepared By: Michelle Kaminski

Initiator: Michelle Kaminski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 116

Cheektowaga **T**own **2**006 **T**own of **C**heektowaga **W**ork

BE IT RESOLVED, the Town Board hereby creates two (2) Pest Control Worker (Part Time) positions pursuant to Civil Service Laws and Rules effective December 20, 2006.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski



TOWN OF CHEEKTOWAGA

3301 Broadway
Cheektowaga, NY 11520

ADOPTED

RESOLUTION 2006 66

Meeting: 12/20/06 06:00 PM

Department: Personnel

Category: Personnel Miscellaneous

Prepared By: Michelle Kaminski

Initiator: Michelle Kaminski

Sponsors: Councilmember Frankowiak, Supervisor Gabryszak

DOC ID: 1165

TOWNSHIP ADMINISTRATIVE ORDER

WHEREAS, the New York State Emergency Management Association Winter Conference is being held from February 20 through February 22, 2007 in Syracuse, New York AND

WHEREAS, Emergency Services Coordinator Earl Coder has requested authorization to attend said conference AND

WHEREAS, Mr. Coder has submitted a request for travel authorization along with the proper paperwork in a timely manner AND

WHEREAS, the total cost to the Town shall not exceed \$50.00 AND

WHEREAS, these expenses have been budgeted by Emergency Services NO, THEREFORE, BE IT

RESOLVED, that Emergency Services Coordinator Earl Coder be and hereby is authorized to attend the New York State Emergency Management Association Winter Conference being held from February 20 through February 22, 2007 in Syracuse, New York.

RESULT:	ADOPTED UNANIMOUS
MOVER:	James Frankowiak, Councilmember
SECONDER:	Dennis Gabryszak, Supervisor
AYES:	Gabryszak, Laworowicz, Johnson Jr., Swiatek, Frankowiak, Magierski, Rogowski