

TOWN OF CHEEKTOWAGA
MEETING NO. 1
JANUARY 5, 1998

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 5th day of January, 1998 at 7:00 o'clock P.M. there were:

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

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Planning Board Chairman; Bruce Chamberlin, Police Chief; William Pugh, Town Engineer; Patricia Wojcik, Director of Senior Services Department; William Conway, Assessor; Robert Kaczmarek, Supervising Accountant; Ronald Kmiotek, Town Justice; Thomas Kolbert, Town Justice; and Kenneth Kopacz, Director of Department of Youth and Recreational Services.

I. FROM THE TABLE

Item No. 2 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson

WHEREAS, the Town of Cheektowaga has a drainage easement along the southerly twenty feet of 56 Colden Court in the Town, AND

WHEREAS, the owner of 56 Colden Court has requested permission to erect a fence across this Town easement to connect his fence to the neighbors at 60 Colden Court to stop people (i.e. children) from trespassing through this property to go onto Maryvale School property, AND

WHEREAS, the Town Engineer and Town Highway Superintendent have no objection to the erection of a fence over this easement area, NOW, THEREFORE, BE IT

RESOLVED, that James Pepe, 56 Colden Court, Cheektowaga, New York 14225 be and hereby is granted permission to erect a fence over the above referenced easement area, subject to the following:

1. The Town retains its easement rights over this land.
2. The Town may remove this fence if it needs to enter the property to exercise its easement rights (i.e. repair/replace pipes).
3. Fence construction must conform to Town Zoning and Building Codes.

and, BE IT FURTHER

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

Upon roll call

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

II. PUBLIC HEARINGS

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Item No. 3 This being the time and place advertised for a public hearing to consider and discuss said Increase and Improvement of Facilities of the Town-Wide Drainage District. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted; and upon the order of the Supervisor such proof was duly filed..

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

III. RESOLUTIONS

Item No. 4a Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

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

1997

GENERAL FUND

From:	0100-1356-1053	Board of Assessment Review	\$ 1,259.00
	0100-1625-1422	General Mechanic-Building Maintenance	4,000.00
	0100-1625-1427	Electrician-Building Maintenance	800.00
	0100-7110-1203	Working Crew Chiefs-Parks	1,500.00
	0100-7110-1374	Clerk Typist	5,500.00
	0100-7110-4211	Electric	3,000.00
	0100-7110-1496	Seasonal Diamond Maintenance	2,800.00
	0100-7110-1376	Senior Clerk Typist	500.00
	0100-7110-4141	Chemicals	4,400.00
	0100-1355-4431	Maintenance Agreement	2,100.00
To:	0100-1355-1374	Clerk Typist	\$ 1,259.00
	0100-1625-1425	Plumber-Building Maintenance	400.00
	0100-1625-1431	Maintenance Worker-Building Maintenance	900.00
	0100-1625-1452	Building Maintenance Worker	500.00
	0100-7110-1422	General Mechanic-Parks	3,000.00
	0100-7110-1201	General Crew Chief-Parks	2,500.00
	0100-7110-1411	Cleaner-Parks	1,200.00
	0100-7110-1422	General Mechanic-Parks	14,000.00
	0100-1355-2005	Office Equipment	2,100.00

HIGHWAY FUND

From:	0300-9010-8190	Retirement Incentive	\$ 3,000.00
To:	0300-9010-8171	Dental Insurance	\$ 3,000.00

SPECIAL DISTRICTS FUND

From:	2500-8135-2512	Roof & Repaving Repairs	\$65,000.00
	2500-8135-4356	Buffalo Sewer Authority	25,000.00
	1500-8160-4221	Gas	2,000.00
To:	2500-8125-9990	Transfer Out	\$65,000.00
	2500-8135-4217	Utilities	25,000.00
	1500-8160-4211	Electric	2,000.00

CAPITAL PROJECTS

From:	5827-1910-5031	Transfer-In	\$65,000.00
To:	5827-8135-9803	Main Pump Roof & Repaving	\$65,000.00

Item No. 4a cont'd.

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

Item No. 4b Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

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

1998

PART-TOWN FUND

From:	0800-1910-2799	Fund Balance	\$ 4,000.00
To:	0800-3620-2201	Office Equipment	\$ 4,000.00

Upon roll call

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

Item No. 5 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to December 26, 1997 are hereby approved and made a part hereof:

GENERAL FUND	\$132,669.04
HIGHWAY FUND	59,621.43
TRUST & AGENCY	8,529.97
PART TOWN FUND	866.78
HUD CDBG FUND	60,870.93
RISK RETENTION FUND	4,122.50
SPECIAL DISTRICTS FUND	220,524.57
CAPITAL FUND	<u>53,332.98</u>
	\$540,538.20

Upon roll call

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

Item No. 6a Moved by Councilmember Rogowski, seconded by Councilmember Swiatek

BE IT RESOLVED, that regular meetings of the Town Board of the Town of Cheektowaga for the calendar year 1998 shall be held at 7:00 P.M. in the Council Chambers of the Town Hall, 3301 Broadway, Cheektowaga, New York on the following referenced dates:

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

January 20th
February 2nd and 23rd
September 8th and 21st

and, BE IT FURTHER

Item No. 6a cont'd.

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

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Upon roll call

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

Item No. 6b Moved by Councilmember Jankowiak, seconded by Councilmember Johnson

BE IT RESOLVED, that the Town Board of the Town of Cheektowaga shall hold work sessions for the calendar year 1998 at 6:30 P.M. on the second and fourth Mondays of each month, except for the months of February, May and October and, BE IT FURTHER

RESOLVED, that the work sessions for February, May and October, 1998 shall be held at 6:30 P.M. on the following dates:

February 9 and 24th
May 11 and 26
October 13 and 26

and, BE IT FURTHER

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

Upon roll call

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

Item No. 7a Moved by Councilmember Swiatek, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following holidays shall be observed by the Town of Cheektowaga in 1998:

New Year's Day	January 1, 1998	Thursday
Day After New Year's	January 2, 1998	Friday
President's Day	February 16, 1998	Monday
Good Friday	April 10, 1998	Friday
Memorial Day	May 25, 1998	Monday
Independence Day	July 3, 1998	Friday
Labor Day	September 7, 1998	Monday
Columbus Day	October 12, 1998	Monday
Election Day	November 3, 1998	Tuesday
Veterans Day	November 11, 1998	Wednesday
Thanksgiving Day	November 26, 1998	Thursday
Day After Thanksgiving	November 27, 1998	Friday
Christmas Eve	December 24, 1998	Thursday
Christmas Day	December 25, 1998	Friday

Upon roll call

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

Item No. 7b Moved by Councilmember Jankowiak, seconded by Councilmember Mazur

WHEREAS, Section 64 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

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

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

Upon roll call

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

Item No. 8 Moved by Councilmember Jaworowicz, seconded by Councilmember Rogowski

BE IT RESOLVED, that Marine Midland Bank, N.A. (Cheektowaga Office), Fleet Bank (Walden Avenue Office), Key Bank (Cheektowaga Office), Chase Bank, N.A. (Depew Office), Citibank (Cheektowaga Office) and Manufacturers and Traders Trust Company (Airport Plaza Office), as designated depositories of the Town of Cheektowaga, be and they are hereby requested, authorized and directed to honor checks, notes and other instruments for the payment of money against 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 Marine Midland Bank, N.A. (Cheektowaga Office), Fleet Bank (Walden Avenue Office), Key Bank (Cheektowaga Office), Chase Bank, N.A. (Depew Office), Citibank (Cheektowaga Office) and Manufacturers and Traders Trust Company (Airport Plaza Office) shall be entitled to honor and to charge the proper bank account of the Town of Cheektowaga for such checks, notes and other instruments, regardless of by whom or by what means the actual purported facsimile signature thereon may be affixed thereto, if such signature resembles the facsimile specimen or specimens, duly certified to or filed with said banks by the Supervisor, the Town Clerk or other officers of the Town of Cheektowaga.

Upon roll call

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

Item No. 9 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following banking institutions be named official Town Depositories for the Year 1998:

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

Upon roll call

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

Item No. 10 Moved by Councilmember Mazur, seconded by 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, AND

WHEREAS, by resolution dated January 3, 1996, this Town Board adopted such Investment Policy with minor amendments, AND

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WHEREAS, this Town Board wishes to readopt such Investment Policy, 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.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 11 Moved by Councilmember Swiatek, seconded by Councilmember Mazur

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

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

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

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

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

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

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

Upon roll call

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

Item No. 12a Moved by Councilmember Johnson, seconded by Councilmember Rogowski

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 and with a police department of four or more policemen 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, 1998 provides for a credit of \$220,000.00 to the Village of Depew for the cost of the Town Police Department assessed against the property in the Village, AND

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

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

Upon roll call

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

Item No. 12b Moved by Supervisor Gabryszak, seconded by Councilmember Swiatek

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

- A. Annual Audit - A complete financial audit of the Town's records will be performed to include:
1. Preparation of the Annual Financial Report to the New York Department of Audit and Control.
 2. Preparation of financial audit of the Town's records for the year ended December 31, 1997.

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3. Preparation of management letter relative to regular audit.

- B. Single Audit
Conduct audit of Town's federal financial assistance for compliance with applicable federal laws and regulations in accordance with the Single Audit Act of 1984.
- C. Consultative Services - Periodic consultation (minimum 90 hours) will be provided to the Supervisor and the Town's Chief Accountant on areas such as: State Revenue Sharing, Borrowings, federal and state legislative developments, and other areas as requested.
- D. Benefit Basis Budget Preparation - Assistance will be provided to the Supervisor, Town Board and the Town's Chief Accountant in various phases of the preparation of the 1999 benefit basis budget. Will compute special district rates for submission to Erie County to assist in the preparation of individual property tax bills.
- E. Ad Valorem Budget Consultation - Will review the tentative 1999 Ad Valorem Budget and report as to their observations and recommendations to the Supervisor and Town Board on that document. Will also provide commentary on the internally-prepared projections of available fund balances related to budget preparation (minimum 100 hours).
- F. Audit of Town Clerk, Tax Receiver and Town Justice Budgets. Will prepare financial statements for these departments on the cash basis of accounting.
- G. Will aid the Town in the preparation of the Comprehensive Annual Financial Report to be submitted to the Government Finance Officer's Association - for review in the Certificate of Excellence in Financial Reporting Program.
- H. Preparation of Detailed Budget Presentation Document.

and

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

RESOLVED, that Deloitte & Touche be retained to perform the services listed above for the year 1998 according to the following fee schedule:

\$22,000.00	General Fund	Acct. #01-1320-0004-4506
\$19,500.00	Sanitary Sewer Dist. #3	Acct. #23-8123-0004-4506
\$31,200.00	Sanitary Sewer Dist. #5	Acct. #25-8125-0004-4506
\$ 8,700.00	Capital Projects Fund	Acct. Various
\$ 7,600.00	Single Audit	Acct. Various
	(Various Federal Programs)	

Upon roll call

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

Item No. 12c Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

WHEREAS, the risk management and general insurance consulting agreement between Holfoth Risk Management, Division of Aldrich & Cox, Inc., and the Town expired on December 31, 1997, AND

WHEREAS, Holfoth Risk Management, Division of Aldrich & Cox, Inc., has submitted a proposed three (3) year agreement for risk management and general insurance consulting services at annual fees of \$27,600 for 1998 and 1999, and \$30,000 for 2000, AND

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

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

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

Upon roll call

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

Item No. 12d Moved by Supervisor Gabryszak, seconded by Councilmember Jankowiak

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

WHEREAS, Robert J. Miller & Associates, a grants development firm, has been utilized by the Town for the past few years to assist the Town with obtaining grants, AND

WHEREAS, moneys obtained from grants procured through the efforts of Robert J. Miller & Associates outweigh the cost to the Town for such firm's services, AND

WHEREAS, this Town Board wishes to continue to retain the services of Robert J. Miller & Associates for the 1998 calendar year, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached Letter of Agreement with Robert J. Miller & Associates and, BE IT FURTHER

RESOLVED, that the fee stipulated in such Letter of Agreement, \$33,500.00, shall be appropriated from budget line item number 0100-1220-4957.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 13a Moved by Councilmember Johnson, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that William R. Pugh, XXXXXXXXXXXXXXXX, Cheektowaga, New York be and hereby is reappointed Town Engineer, effective January 1, 1998 to December 31, 1999.

Upon roll call

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

Item No. 13b Moved by Supervisor Gabryszak, seconded by Councilmember Jankowiak

BE IT RESOLVED, that the following individuals be and hereby are appointed as Bingo Inspectors, effective January 1, 1998 for a term of one year.

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

and, BE IT FURTHER

RESOLVED, that the following individual be and hereby is appointed Bingo Inspector Chairman, effective January 1, 1998 for a term of one year:

Kenneth J. Jeffords, XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX

Upon roll call

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

Item No. 13c Reappointment of Planning Board Chairman
This item was withdrawn.

Item No. 13d Moved by Councilmember Swiatek, seconded by Councilmember Mazur

BE IT RESOLVED, that Anthony H. Sisti of XXXXXXXXXXXXXXXXXXXX, Sloan, New York XXXXX be and hereby is reappointed as member of the Planning Board, effective 01-01-98; said term to expire December 31, 2002.

Upon roll call

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

Item No. 13e Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, the terms of five (5) members of the Cheektowaga Traffic Safety Commission expired on December 31, 1997, AND

WHEREAS, such members have expressed a willingness and desire to continue to serve on such commission, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are reappointed to the Cheektowaga Traffic Safety Commission for a term expiring on December 31, 2000:

Item No. 13e cont'd.

James Makowski (Chairman), XXXXXXXXXXXXXXXXXXXX, Cheektowaga
Michael McGuire, XXXXXXXXXXXXXXXXXXXX, Cheektowaga
Richard Zynda, (Vice Chairman), XXXXXXXXXXXXXXXXXXXX, Depew
David Metz, XXXXXXXXXXXXXXXXXXXX, Williamsville
Carl Perlino, XXXXXXXXXXXXXXXXXXXX, Cheektowaga

Upon roll call

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

Item No. 13f Moved by Councilmember Rogowski, seconded by Councilmember Mazur

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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 year, and their terms expired on December 31, 1997, AND

WHEREAS, this Board wishes to reappoint these members to another one year terms, NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and hereby are reappointed to the Cheektowaga Veterans Affairs Committee, effective January 1, 1998 and expiring on December 31, 1998:

- Alexander Burke, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
- Victor Carlucci, XXXXXXXXXXXXXXXX, Depew, New York XXXXX
- Wesley Fuqua, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
- Dorothy Kubik, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
- Donald LeBarron, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
- Joseph Lipowski, XXXXXXXXXXXXXXXX, Depew, New York XXXXX
- Sylvia Lipowski, XXXXXXXXXXXXXXXX, Depew, New York XXXXX
- Joseph Porempski, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
- Earle Rosenthal, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
- Elaine Rosenthal, XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX
- Edward Schultz, XXXXXXXXXXXXXXXX, Sloan, New York XXXXX

and, BE IT FURTHER

RESOLVED, that George Ross, XXXXXXXXXXXXXXXX, Sloan, New York XXXXX be and hereby is also appointed to the Veterans Affairs Committee, effective January 1, 1998 and expiring on December 31, 1998.

Item No. 13g Reappointment of Zoning Board Member
This item was withdrawn.

Item No. 13h Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, Daniel Pyanowski is currently a voting member on the Cheektowaga Conservation Advisory Council, ("CCAC"), AND

WHEREAS, Daniel Pyanowski has been unable to participate in recent meetings of the CCAC and will be moving out of Cheektowaga in the near future, AND

WHEREAS, Lawrence Watson, a former member of the CCAC and Vice President of the Friends of the Woods, Ltd. has expressed an interest in serving again on the CCAC, AND

Item No. 13h cont'd.

WHEREAS, the CCAC has recommended that Lawrence Watson be appointed to the CCAC, NOW, THEREFORE, BE IT

RESOLVED, that Daniel Pyanowski be and hereby is terminated as a voting member of the CCAC, and is hereby appointed as a non-voting member of the CCAC, effective immediately, and terminating on October 15, 1998 and, BE IT FURTHER

RESOLVED, that Lawrence Watson, XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed as a voting member of the CCAC, effective immediately and terminating on October 15, 1998.

Upon roll call

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

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Item No. 13i Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

WHEREAS, a vacancy currently exists on the Cheektowaga Public Library Board,
AND

WHEREAS, the Trustees of the Cheektowaga Public Library Board conducted interviews to fill such vacant position, AND

WHEREAS, the Trustees of the Cheektowaga Public Library Board unanimously recommended that Ernest J. Gawinski be appointed to fill the vacancy on such Board, NOW, THEREFORE, BE IT

RESOLVED, that Ernest J. Gawinski, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Trustee of the Cheektowaga Public Library Board, effective immediately and expiring on January 1, 2003.

Upon roll call

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

Item No. 14a Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, Steven J. Carmina (Carmina-Silvestri Architects) has made application and requested the Rezoning from R-Residential District and NS-Neighborhood Services District to RSC-Residential Senior Citizen Housing District to be used for senior citizens apartments for property located at 5074 Transit Road, with the permission of the owner of the property, namely Theodore B. Kulbacki, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on January 20, 1998 at 6:30 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 14b Moved by Councilmember Jaworowicz, seconded by Supervisor Gabryszak

WHEREAS, the Town is eligible to receive approximately \$856,000 in Community Development Block Grant funds for the 1998 Program Year, AND

WHEREAS, the Amherst-Cheektowaga-Tonawanda HOME consortium, of which the Town of Cheektowaga is a member, is eligible to receive approximately \$907,000 in Home Investment Partnership program funds for the 1998 Program Year, of which Cheektowaga will receive a proportionate and equitable share, AND

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

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

WHEREAS, proposed activities under the 1998 Community Development Block Grant and HOME Programs have been made available for public review and comment in the public libraries

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within the Town, the Cheektowaga Town Clerk's Office and the Community Development Office, NOW, THEREFORE, BE IT

RESOLVED, that a public hearing be held on January 20, 1998 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway at Union Road, Cheektowaga, New York 14227 for the above stated purpose and, BE IT FURTHER

RESOLVED, that the attached public notice of such public hearing be published in the Cheektowaga Times on Thursday, January 8, 1998.



LEGAL NOTICE
NOTICE OF PUBLIC HEARING

The Town of Cheektowaga will hold a Public Hearing on January 20, 1998 at 6:30 P.M. at Cheektowaga Town Hall, 3301 Broadway Avenue, Cheektowaga, New York, regarding the Town's 1998 Annual Plan for the Community Development Block Grant and HOME Investment Partnership Programs.

The Town is eligible to receive \$856,000 in Community Development Block Grant funds for the 1998 Program Year; the Amherst-Cheektowaga-Tonawanda HOME Consortium, of which the Town of Cheektowaga is a member, is eligible to receive \$907,000 in Home Investment Partnership program funds for the 1998 Program Year, of which Cheektowaga will receive a proportionate and equitable share.

The purpose of this hearing is to provide the citizens of the Town of Cheektowaga and interested parties the opportunity to express their views and opinions on housing and community development needs in the Town. A complete listing of eligible activities can be obtained from the Town Community Development Office at the address listed below.

Residents of low and moderate income neighborhoods as well as all citizens of the Town are encouraged to participate in this process and express their views on the use of funds and activities that may be carried out with program funds. Upon prior request, an interpreter will be made available at the hearing to sign for the hearing impaired. If you are in need of such special arrangements, please contact the Cheektowaga Community Development Office at 897-7200 seven (7) business days in advance of the hearing. The hearing location is accessible to the physically handicapped. Written comments may be submitted to the Office of Community Development, 275 Alexander Avenue, Cheektowaga, New York 14211.



Item No. 14b cont'd.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

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Item No. 14c Moved by Supervisor Gabryszak, seconded by Councilmember Swiatek
Councilmember Johnson

WHEREAS, the New York State Legislature enacted Chapter 315 of the Laws of 1997, which authorizes municipalities to provide property tax exemptions for properties owned by one or more persons with disabilities and limited incomes, AND

WHEREAS, in order to grant such property tax exemptions, the Town of Cheektowaga must enact a local law for such purpose, AND

WHEREAS, the Town Attorney's Office has prepared a proposed local law on this matter and has conferred with the Town Assessor on same, NOW, THEREFORE, BE IT

RESOLVED, that, in accordance with the Municipal Home Rule Law of the State of New York, a public hearing will be held on the 20th day of January, 1998 at 7:00 P.M. at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard as to whether Local Law Intro No. 98-1 of the Year 1998, entitled "Property Tax Exemption for Persons with Disabilities" should be adopted 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.

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JANUARY 5, 1998



NOTICE OF 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 Cheektowaga Town Board on the 20th day of January, 1998 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 proposed enactment of Local Law Intro No. 98-1 of the Year 1998, entitled "Property Tax Exemptions for Persons with Disabilities". Local Law Intro No. 98-1 of the Year 1998 is summarized as follows:

Local Law Intro No. 98-1 of the Year 1998

Property Tax Exemptions for Persons with Disabilities

Pursuant to Section 459-c of the Real Property Tax Law, residential real property located in the Town of Cheektowaga and occupied by one or more persons with disabilities whose incomes fall into the categories listed below, shall be exempt from town taxes to the extents listed below:

<u>Income</u>	<u>Percentage Assessed Valuation</u> <u>Exempt From Taxation</u>
Less than \$18,500	50%
\$18,501 - \$19,499	45%
19,500 - 20,499	40%
20,500 - 21,499	35%
21,500 - 22,399	30%
22,400 - 23,299	25%
23,300 - 24,199	20%
24,200 - 25,099	15%
25,100 - 25,999	10%
26,000 - 26,899	5%

Application for such exemption must be made annually by the owner of such property.

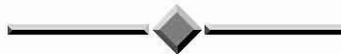
A copy of the complete text of such local law is on file in the Town Clerk's Office where the same may be viewed during regular business hours.

Item No. 14c cont'd.

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

Dated: January 5, 1998

Richard M. Moleski
Town clerk



Upon roll call

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

AFFIDAVIT - NEXT PAGE

MEETING NO. 1
JANUARY 5, 1998

Item No. 15 Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, it is in order that bids be advertised for the furnishing of equipment, operators and laborers for the installation and repair of sanitary sewers in the Town of Cheektowaga, AND

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

RESOLVED, that this request be granted and the Town Clerk be directed to publish a Notice to Bidders in connection with the furnishing of equipment, operators and laborers for said installation and repair of sanitary sewers, notice to be published in the Cheektowaga Times, and, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 21st day of January, 1998 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on January 21, 1998 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment, operators and laborers for the Installation and Repair of Sanitary Sewers in the Town of Cheektowaga.

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

Proposals shall be submitted in a sealed envelope, plainly marked on the outside "Bid for Furnishing Equipment, Operators and Laborers for Sanitary Sewer Projects" and submitted to the Town Clerk prior to bid opening.

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

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

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

Richard M. Moleski
Town Clerk

DATED: January 5, 1998



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 16 Bond: Increase and Improvement of Facilities of Town-Wide Drainage District

*SEE NEXT PAGE FOR ATTACHMENT

AFFIDAVIT - NEXT PAGE

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Item No. 17 Moved by Councilmember Jaworowicz, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has received Community Development Block Grant funds from the Department of Housing & Urban Development for the 1995, 1996 and 1997 Program Years, AND

WHEREAS, the Village of Sloan, as a subrecipient of Community Development funding from the Town of Cheektowaga, has requested that the Town amend its Final Statement on the Use of Community Development Block Grant Funds to the Department of Housing & Urban Development for the program years stated above in order to amend the use of CDBG funds allocated to the Village,

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

WHEREAS, the Director of Community Development recommends approval of the proposed amendments as requested by the Village of Sloan, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby amends the Town of Cheektowaga's Final Statement on the Use of Community Development Block Grant Funds for the 1995, 1996 and 1997 Program Years as indicated on the attached Community Development Block Grant Final Statement Amendment Report, and authorizes the transfer of funds as indicated in said report.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 1
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Item No. 18 Moved by Councilmember Johnson, seconded by Councilmember Rogowski

WHEREAS, the contract for Traffic Signal Improvements at the intersections of Cleveland Drive @ Lamarck Drive/Oehman Boulevard and on Cleveland Drive @ Birkdale Road/Ravenswood Terrace was awarded by Town Board resolution dated April 17, 1997 to Ferguson Electric Construction Co., 2701 Lockport Road, Niagara Falls, New York 14305, for a total approved bid price of \$38,700.00, AND

WHEREAS, EMS Consulting and the Town Engineer have advised that the contract has been completed in accordance with contract requirements, AND

WHEREAS, EMS Consulting and the Town Engineer have further recommended the approval of Change Order No. 1 (final) which provides for the final adjustment to contract item quantities incorporated into the project as outlined in the change order document, NOW, THEREFORE, BE IT

RESOLVED, that Change Order No. 1 in the amount of \$148.11 as a deduction to the contract of Ferguson Electric Construction Co. be and hereby is approved and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 19 Moved by Councilmember Johnson, seconded by Councilmember Mazur

WHEREAS, Union Road is a State highway maintained by the New York State Department of Transportation ("DOT"), AND

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WHEREAS, there is a left turn lane for Union Road southbound traffic to turn left/east onto Losson Road, AND

WHEREAS, immediately north of this Union Road/Losson Road intersection is an entrance/exit driveway into a plaza presently occupied by a McDonald's restaurant, and future additions to this plaza are pending and anticipated, AND

WHEREAS, vehicles making a left turn from southbound Union Road into the McDonald's driveway sometimes block the Union Road/Losson Road left turn lane, resulting in traffic congestion in this area, AND

WHEREAS, the traffic situation in this area is expected to worsen once the plaza is further developed, AND

WHEREAS, the Cheektowaga Traffic Safety Commission has recommended that this Board request the DOT to post "No Left Turn" signs prohibiting southbound Union Road traffic from turning into the McDonald's plaza driveway, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby memorializes the DOT to post "No Left Turn" signs on Union Road to prohibit southbound Union Road traffic from turning into the McDonald's plaza driveway, which is located north of Losson Road and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 20 Moved by Councilmember Johnson, seconded by Councilmember Mazur

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

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

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

WHEREAS, an application was submitted by Wendel, an engineering firm, on behalf of Tim Horton's Donuts, to construct a 2,650± square foot store at the northeast corner of Losson and Union Roads, AND

WHEREAS, the store, with drive-thru, would be located north of the existing McDonald's and would be known as 2569 Union Road, AND

WHEREAS, the applicant updated a previously conducted traffic impact study and the updated study was submitted to the Traffic Safety Commission ("TSC"), AND

WHEREAS, the study concluded there would be no impact upon the highways by this project with the TSC in concurrence, AND

WHEREAS, the TSC recommended that the applicant and the Town pursue the installation of "No Left Turn" signs at the Union Road access drive; construct a paved drive between Tim Horton's and Losson Road, but no interconnection between Union and Losson Roads, for smoother vehicle movements; and widen/move the Losson Road driveway further east, AND

WHEREAS, the Planning Board requested additional plantings and recommended approval of the site plan subject to completion of reviews by the TSC and EAC, AND

WHEREAS, a revised plan was submitted by the applicant showing requested changes with the applicant further agreeing to TSC recommendations, AND

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WHEREAS, the Environmental Advisory Committee, at its meeting held on December 10, 1997, rendered the recommendation shown on the attached memo dated December 15, 1997, AND

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

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 21a Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, the New York State Department of Transportation (NYSDOT) proposes the May 1998 letting for the reconstruction of Harlem Road from William Street to Clinton Street, identified as PIN 5268.29, AND

WHEREAS, as part of said highway reconstruction project, the Town has requested that NYSDOT include as a project betterment, the construction of approximately 1350 L.F. of sixty inch (60") diameter storm sewer trunkline which will enhance drainage in the southwest quadrant of the Town, conducting flows beneath the NYS Thruway at Harlem Road to an outlet at Cayuga Creek, AND

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

WHEREAS, the Town proposes to finance the improvement of facilities of the Town-wide Drainage District through the issuance of serial bonds of the Town to supplement existing funds, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, in its capacity as the Board of Managers for the Town-wide Drainage District, hereby requests that the NYSDOT make provision for the aforementioned storm sewer improvements betterment as part of the Harlem Reconstruction Project and, BE IT FURTHER

RESOLVED, that the Town agrees to deposit with the Comptroller of the State of New York, funding in the amount of \$757,495.97 to finance the cost of the storm sewer trunkline 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.

Upon roll call

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

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Item No. 21b Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

WHEREAS, the New York State Department of Education, Division of State Archives and Records Administration offers grant monies to improve local government records management programs; AND

WHEREAS, the Town of Cheektowaga wishes to initiate activities to organize, assess the condition of, and preserve archival records in the Town's custody; AND

WHEREAS, the Town may apply for a 100% grant in an amount not to exceed \$50,000; NOW, THEREFORE, BE IT

RESOLVED, that Dennis H. Gabryszak, as Supervisor of the Town of Cheektowaga, is hereby authorized and directed to execute all documents pertaining to the application and acquisition of this grant.

Upon roll call

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

Item No. 21c Moved by Supervisor Gabryszak, seconded by Councilmember Rogowski

WHEREAS, the Town of Cheektowaga is operating a nutrition program for the elderly at the facilities of: Maryvale Presbyterian Church, located at 425 Maryvale Drive, Cheektowaga; Infant of Prague Parish, located at 921 Cleveland Drive, Cheektowaga; Cayuga Village Community Center, located at 100 Hutchens Drive, Cheektowaga; and Maryvale East Apartments, located at 100 Moorman Drive, Cheektowaga; AND

WHEREAS, an agreement between the Town of Cheektowaga and the above facilities has been drafted relative to the operation of the said nutrition program for the year 1998, AND

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said nutrition program for the year 1998, AND

WHEREAS, the Town of Cheektowaga is operating a transportation program for the elderly, AND

WHEREAS, an agreement between the Town of Cheektowaga and the County of Erie has been drafted relative to the operation of the said transportation program for the year 1998,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor of the Town of Cheektowaga be and he hereby is authorized to sign all said agreements on behalf of the Town of Cheektowaga retroactive to January 1, 1998.

Upon roll call

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

Item No. 12d Moved by Councilmember Johnson, seconded by Councilmember Mazur

WHEREAS, the State of New York is in the process of awarding bids for the reconstruction of Harlem Road between William Street and Clinton Street, AND

WHEREAS, as part of such project, the New York State Department of Transportation ("DOT") has agreed to allow the Town to place a major storm sewer pipeline beneath the New York State Thruway in this area, AND

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WHEREAS, in order for this work to be done, the New York State Thruway Authority ("NYSTA") requires the Town to execute an "Undertaking in Conjunction with Permits Issued by the New York State Thruway Authority", NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the aforementioned "Undertaking in Conjunction with Permits Issued by the New York State Thruway Authority" for this project.

Upon roll call

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

Item No. 21e Moved by Councilmember Jaworowicz, seconded by Supervisor Gabryszak

WHEREAS, the Town administers a housing rehabilitation program for eligible Town homeowners to make necessary repairs and improvements to their homes, AND

WHEREAS, the Town's Housing Rehabilitation Loan Program Guidelines require Town Board approval of rehabilitation loans of more than \$25,000, AND

Item No. 21e cont'd.

WHEREAS, the Community Development Office has requested the Town Board to consider authorizing housing rehabilitation loans to the owners of the properties located at 84 Wabash Avenue in an amount not to exceed \$29,000, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute housing rehabilitation loan agreements, and any other necessary related documents, with the owner of 84 Wabash Avenue, Cheektowaga, New York 14206 for a housing rehabilitation loan not to exceed \$29,000.

Upon roll call

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

Item No. 21f Moved by Councilmember Jaworowicz, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 13 Donlen Drive, Cheektowaga, New York, AND

WHEREAS, the owners of said property have applied for a mortgage loan from Marine Midland Bank for the purpose of refinancing existing mortgage debt for a lower interest rate, AND

WHEREAS, Marine Midland Bank has conditioned its approval of the owner's mortgage on the subordination of the Town's mortgage to that of Marine Midland Bank, NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized to execute a Subordination Agreement with Marine Midland Bank, 2929 Walden Avenue, Depew, New York 14043 in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 13 Donlen Drive, Cheektowaga, New York 14225.

Upon roll call

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

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Item No. 21g Moved by Councilmember Jankowiak , seconded by Supervisor Gabryszak

WHEREAS, on or about May 10, 1988, the Town entered into a Solid Waste Disposal Agreement with Occidental Chemical Corporation for the disposal of mixed municipal solid waste at the Energy from Waste Facility in Niagara Falls, New York, AND

WHEREAS, upon information and belief, the aforesaid Energy from Waste Facility was acquired by the American Ref-Fuel Company of Niagara, and such acquisition included the assignment of the aforesaid Solid Waste Disposal Agreement from Occidental to American Ref-Ruel, AND

WHEREAS, the said Solid Waste Disposal Agreement provides that either party may "unilaterally terminate [the] Agreement after [first] providing no less than five years written notice", AND

WHEREAS, the State Legislators have announced that "overall cost should in all cases be a major criterion in the selection of contractors for [the] award of contracts" for the disposal of solid waste, AND

Item No. 21g cont'd.

WHEREAS, the members of this Town Board believe that favorable prices for the disposal of solid waste are currently available and such prices will continue to be available to the Town subsequent to the termination of the said Solid Waste Disposal Agreement, AND

WHEREAS, section 120-w of the General Municipal Law authorizes the award of a contract for the disposal of solid waste, pursuant to public bidding or proposals submitted in response to a request for proposals, "prior to or after the expiration or termination of the term of any [existing] contract".

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of this Town Board and the Town of Cheektowaga, be and he hereby is authorized and directed to give written notice to American Ref-Fuel of Niagara of the termination of the Solid Waste Disposal Agreement made May 10, 1988.

Upon roll call

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

Item No. 22a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following employees be terminated from the Youth and Recreation Department, effective immediately:

Tracey Frank

Upon roll call

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

Item No. 22b Moved by Councilmember Swiatek, seconded by Councilmember Jankowiak

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

	<u>EFFECTIVE</u>
<u>ASSESSOR'S OFFICE</u>	
Mary Morris	12-31-97
Suzanne O'Neill	12-31-97
<u>TAX OFFICE</u>	
Kathleen Gottfried	Immediately
Krista M. Jaskier	Immediately

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Carol Malkiewicz	Immediately
Delphine Gembka	12-31-97
Judith Havernick	12-31-97
Julie Miller	12-31-97
Patricia Miller	12-31-97
Sandra Perlino	12-31-97
Waltraud Piffel	12-31-97
Patricia Cosimano	12-31-97
Geraldine Glascott	12-31-97
Eleanor Kantowski	12-31-97
Virginia Krauss	12-31-97
Wanda Lennert	12-31-97
Arlene Mueller	12-31-97
Denise Myers	12-31-97
Kathleen Wagner	12-31-97
Joan Wojtkowski	12-31-97
<u>Item No. 22b cont'd.</u>	

MAIN PUMP STATION

Jason Stucke	12-31-97
Leroy Linkner	12-31-97

SANITATION DEPARTMENT

Peter Smith	Immediately
Kenneth Bollman	Immediately
Marvin Rowland	Immediately
Matthew Bzibzak	12-31-97

SEWER MAINTENANCE DEPARTMENT

Jerel Bogdan	12-31-97
Jerome Borowski	12-31-97
Timothy Danner	12-31-97
Jeff Rogowski	12-31-97
Scott Skibnewski	12-31-97
Michael Brenda	12-31-97
Mark Burkard	12-31-97
Eric Czubaj	12-31-97
Joseph Gruber	12-31-97
Alan Ross	12-31-97
D. Scott Klosko	12-31-97
Lou Mueller	12-31-97
Aaron Vanderlip	12-31-97
Daniel Wierzbowski	12-31-97
Timothy Witt	12-31-97

POLICE DEPARTMENT - Sign Maintenance Division

Christopher Taber, Jr.	12-31-97
Thomas Wnuk	12-31-97
John Huntz	12-31-97

ASSESSOR'S OFFICE - STAR Program

Helen Koza	Immediately
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Upon roll call

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

Item No. 23a Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak

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WHEREAS, a vacancy exists in the position of Public Safety Dispatcher in the Police Department, AND

WHEREAS, the Civil Service eligible list for such position has been canvassed, AND

WHEREAS, Nadine Majewski appears on said list and was interviewed, NOW, THEREFORE, BE IT

RESOLVED, that Nadine Majewski of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Public Safety Dispatcher in accordance with the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Public Safety Dispatchers Association, effective 01-12-98.

Item No. 23a cont'd.

Upon roll call

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

Item No. 23b Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak

WHEREAS, six (6) vacancies exist in the position of Police Office in the Police Department, AND

WHEREAS, the Civil Service eligible list for said position has been canvassed and candidates interviewed, NOW, THEREFORE, BE IT

RESOLVED, that the following be and hereby are appointed to the position of Police Officer in accordance with the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Police Club, Inc., effective January 16, 1998:

James J. Genson	Robert Sloier
Richard Ford	Steven Berecz
Thomas Wentland	Robert Levy

Upon roll call

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

Item No. 23c Moved by Councilmember Swiatek, seconded by Councilmember Johnson

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

WHEREAS, said vacant position falls within the competitive class of Civil Service, AND

WHEREAS, the existing Civil Service list for said position was canvassed, AND

WHEREAS, Michael Malobecki appears on said Civil Service list, has been interviewed and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Michael Malobecki of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the position of Pump Operator in the Main Pump Station, in accordance with the terms and conditions of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective January 6, 1998.

Upon roll call

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

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NAYES: 0
ABSENT: 0

Item No. 24a Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak

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

Item No. 24a cont'd.

EFFECTIVE

ASSESSOR'S OFFICE - STAR Program - \$6.00 per hour

Irene Osswald	XXXXXXXXXXXXXXXXXXXXX	01-08-98
Josephine Nicosia	XXXXXXXXXXXXXXXXXXXXX	01-08-98
Marlene Pijacki	XXXXXXXXXXXXXXXXXXXXX	01-08-98
Theodore Leininger	XXXXXXXXXXXXXXXXXXXXX	01-08-98

SANITATION DEPARTMENT - \$6.00 per hour

Matthew Bzibzak	XXXXXXXXXXXXXXXXXXXXX	01-01-98
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POLICE DEPARTMENT - Sign Maintenance - \$6.50 per hour

Christopher Taber, Jr.	XXXXXXXXXXXXXXXXXXXXX	01-01-98
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Upon roll call

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

Item No. 24b Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak
Councilmember Johnson

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

EFFECTIVE

ASSESSOR'S OFFICE - \$6.00 per hour

Mary B. Morris		01-01-98
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ASSESSOR'S OFFICE - \$6.50 per hour

Suzanne O'Neill		01-01-98
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SEWER MAINTENANCE DEPARTMENT - \$5.50 per hour

Michael Brenda		01-01-98
Eric Czubaj		01-01-98
Joseph Gruber		01-01-98
D. Scott Klosko		01-01-98
Lou Mueller		01-01-98
Aaron Vanderlip		01-01-98
Alan Ross		01-01-98
Timothy Witt		01-01-98
Mark Klosko		01-01-98

MEETING NO. 1
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Part-Time to Seasonal

Camielle Russell
Constance Stewart
Eugene Pytlewski

Item No. 26 cont'd.

Upon roll call

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

Item No. 27 Moved by Supervisor Gabryszak, seconded by Councilmember Rogowski

WHEREAS, the Town is lead agency for the Suburban Wellness Coalition grant from the Federal Center For Substance Abuse Prevention (CSAP), AND

WHEREAS, under the terms and conditions of said grant, funds are provided for participation in a CSAP sponsored National Workshop each fiscal year, AND

WHEREAS, the National Workshop will be held February 25th through the 27th, 1998 in Washington, DC, AND

WHEREAS, the Center For Substance Abuse Prevention is requiring the attendance of the grant's Program Director, Project Director, Project Evaluator and Coalition Chair at said workshop, NOW, THEREFORE, BE IT

RESOLVED, that Kenneth Kopacz, Program Director; Ellen Fischer-Project Director; Carol Nowak, Project Evaluator; and Rev. Michael Blachwell-Coalition Chair be authorized to attend said workshop and be reimbursed the necessary transportation and lodging expenses at costs not to exceed \$995.00 per person (Line Item #0100-7321-4000).

Upon roll call

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

IV. DEPARTMENTAL COMMUNICATIONS

Item No. 28 Building Permits
Received and Filed.

Item No. 29a Minutes of Cheektowaga Planning Board - December 11, 1997
Received and Filed.

Item No. 29b Minutes of Cheektowaga Public Library Board - November 19, 1997
Received and Filed.

Item No. 29c Minutes of Cheektowaga Traffic Safety Commission - November 18, 1997
Received and Filed.

V. GENERAL COMMUNICATIONS

Item No. 30a Notice of Claim: Anna Maria LaGambina and Angelo LaGambina vs the Town of Cheektowaga

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

Item No. 30b Notice of Claim: Nationwide Mutual Insurance Company, as subrogee of Gregory J. Wisnewski vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 30c Notice of Claim: Theresa Severn vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 31 Notice of Order: Walden Avenue at Intersection with Thruway Plaza (Signal)
Received and Filed.



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

Upon roll call

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



VI. SUSPENSION OF RULES

Item No. 32 Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the salaries of the following Town officials be and hereby are established and set forth as follows, effective January 1, 1998:

Supervisor	\$65,662.00
Councilmember (6)	\$18,552.00

Upon roll call

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

Item No. 33 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson

WHEREAS, the New York State Emergency Management Association is holding a winter conference in Binghamton, New York, January 13-15, 1998, AND

WHEREAS, Earl Loder, Natural Disaster Coordinator, is requesting permission to attend such conference, AND

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WHEREAS, the cost of this conference will be paid by SEMO, no cost to the Town of Cheektowaga, except for the use of his vehicle, NOW, THEREFORE, BE IT

RESOLVED, that Earl Loder, Natural Disaster Coordinator is hereby authorized to attend this conference.

Item No. 33 cont'd.

Upon roll call

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

NAYES: 0

ABSENT: 0

Item No. 34 Moved by Supervisor Gabryszak, seconded by Councilmember Mazur to adjourn this meeting in memory of Police Officer Thomas Wnuk. This meeting was adjourned at 8:20 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 20th day of January, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; William Pugh, Town Engineer; Ronald Marten, Supervising Building and Plumbing Inspector, Robert McCarthy, Director of Employee Relations; Sal LaGreca, Planning Board Chairman; Bruce Chamberlin, Chief of Police; Jerry Gabryszak, Director of Community Development; Judge Ronald Kmietek; Ken Kopacz, Executive Director of Youth and Recreational Services; Robert Kaczmarek, Supervising Accountant; Pat Wojcik, Director of Senior Services; William Conway, Assessor.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider and discuss and, if need be, act upon the proposed enactment of Local Law Intro No. 98-1 of the Year 1998, entitled "Property Tax Exemptions for Persons with Disabilities" hereinafter more particularly described, the Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor such proof was duly filed. Local Law Intro No. 98-1 of the Year 1998 is summarized as follows:



Local Law Intro No. 98-1 of the Year 1998

Property Tax Exemptions for Persons with Disabilities

Pursuant to Section 459-c of the Real Property Tax Law, residential real property located in the Town of Cheektowaga and occupied by one or more persons with disabilities whose incomes fall into the categories listed below, shall be exempt from town taxes to the extents listed below:

<u>Income</u>	<u>Percentage Assessed Valuation Exempt From Taxation</u>
Less than \$18,500	50%
\$18,501 - \$19,499	45%
19,500 - 20,499	40%
20,500 - 21,499	35%
21,500 - 22,399	30%
22,400 - 23,299	25%
23,300 - 24,199	20%
24,200 - 25,099	15%
25,100 - 25,999	10%
26,000 - 26,899	5%

Application for such exemption must be made annually by the owner of such property.

Item No. 2 cont'd

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

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

II. RESOLUTIONS

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

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

1997

GENERAL FUND

FROM:	0100-9501-9131 Bond Principal	\$4,400.00
	0100-1320-4506 Accounting	2,000.00
TO:	0100-7110-4141 Chemicals	\$4,400.00
	0100-1315-4321 Computer Expense	2,000.00

PART-TOWN FUND

FROM:	0800-3620-4321 Computer Expense	\$1,000.00
TO:	0800-3620-4001 Office Supplies	\$1,000.00

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

NAYES: 0

ABSENT: 0

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

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

1998

GENERAL FUND

FROM:	0100-7110-1376 Senior Clerk Typist	\$ 7,613.45
	0100-1910-4711 Contingency	11,000.00
	0100-1110-4001 Office Supplies	500.00
	0100-1430-1301 Personnel Secretary	6,999.59
	0100-1415-4001 Contractual Services	1,625.00
	0100-1415-3500 State Aid-Archive Grant	155.00
TO:	0100-7110-1374 Clerk Typist	\$ 7,613.45
	0100-1430-1400 Administrative Clerk	6,999.59
	0100-1110-4071 Office Supplies	1,000.00
	0100-1110-2105 Equipment	10,000.00
	0100-1110-4013 Law Books	500.00
	0100-1415-1600 Clerical Assistance	710.00
	0100-1415-4003 Travel	62.00
	0100-1415-8000 Employee Benefits	22.00
	0100-1415-4500 Supplies & Equipment	831.00
	0100-1415-4500 Supplies & Equipment	155.00

HIGHWAY FUND

FROM:	0300-5141-1421 Auto Mechanic	\$67,839.00
	0300-5141-1491 Part-Time Laborers	55,471.00
TO:	0300-5141-1453 Groundswoker	\$40,000.00
	0300-5141-1444 MEO-A	\$83,310.00

Item No. 3b cont'd

COMMUNITY DEVELOPMENT

FROM:	0700-1094-0701 Planning	\$ 2,801.06
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**TOWN OF CHEEKTOWAGA
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TO: 0700-1094-0676 Public Safety Foot Patrols \$ 2,801.06

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to January 16, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 664,942.75
HIGHWAY FUND	92,623.00
TRUST & AGENCY	16,007.78
PART TOWN FUND	5,256.90
HUD CDBG FUND	60,674.15
RISK RETENTION FUND	35,177.28
SPECIAL DISTRICTS FUND	841,573.73
CAPITAL FUND	<u>39,391.22</u>
	\$1,755,646.81

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

Item No. 5a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Department of Youth and Recreational Services will receive an advance payment of \$3,000.00 from Erie I B.O.C.E.S. as the administrator of a renewal grant from the New York State Education Department which allows for the expansion of the Youth Engaged in Service (Y.E.S.) program through the Learn and Serve America Program, and

WHEREAS, a budget line item must be established to meet the requirement for separate financial reporting procedures for the component, NOW, THEREFORE, BE IT

RESOLVED that the following account lines be and hereby are amended:

Y.E.S./B.O.C.E.S. (Expense) - Account 0001-7310-4695	\$3,000.00
Y.E.S./B.O.C.E.S. (Revenue) - Account 0001-7310-3875	\$3,000.00

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

Item No. 5b Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Town will receive an advance payment of \$7,500.00 from the County of Erie to increase its service to "at risk" youth as a result of savings in the PINS/JD Diversion Program; and

WHEREAS, the Town will enter into an agreement with the Be-A-Friend Big Brother/Big Sister Program for provision of said service, which will require establishment of necessary budget lines, NOW, THEREFORE, BE IT

Item No. 5b cont'd

RESOLVED that the following account lines be and hereby are amended:

BAF/Erie Co. (Expense) - Account # 7140.4489
BAF/Erie Co. (Revenue) - Account # 7140.2180

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

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

WHEREAS, the New York State Legislature enacted Chapter 315 of the Laws of 1997, which authorizes municipalities to provide property tax exemptions for properties owned by one or more persons with disabilities and limited incomes, and

WHEREAS, in order to grant such property tax exemptions, the Town of Cheektowaga must enact a local law for such purpose, and

WHEREAS, the Town Attorney's Office has prepared a proposed local law on this matter and has conferred with the Town Assessor on same, and

WHEREAS, in accordance with the Municipal Home Rule Law of the State of New York, a public hearing was held on the 20th day of January, 1998 at 7:00 P.M., at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York, at which hearing all parties in interest and citizens had an opportunity to be heard as to whether Local Law Intro No. 98-1 of the Year 1998, entitled "Property Tax Exemption for Persons with Disabilities" should be adopted, and

WHEREAS, this Town Board feels it is in the Town's interest to adopt such local law,
NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 1 of the Year 1998, entitled "A Local Law for Property Tax Exemption for Persons with Disabilities", which is attached hereto and made a part hereof, be and the same is hereby enacted, and BE IT FURTHER

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

RESOLVED that Local Law No. 1 of the Year 1998 shall take effect immediately upon filing with the Secretary of State.

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

**See next page(s) for attachments

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

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

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

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

WHEREAS, an application was submitted by Gold Seal Equity Group to rezone 7.64 acres of vacant land known as 5074 Transit Road to RSC-Residential Senior Citizen, and

WHEREAS, the applicant proposed to construct a three-story, 114 unit senior citizen residence facility, and

WHEREAS, the residents of the area expressed concern with potential impacts of the project which resulted in several meetings between the residents and the applicant's representatives, and

WHEREAS, plans were revised to mitigate any identified impacts to the residents and the applicant has agreed to a number of mitigation items, and

WHEREAS, the final plan shows a two-story, 99 unit facility, 177 feet from the rear lot lines of the Croydon Drive homes, and

WHEREAS, the application has agreed to: replace approximately 112 trees that will be removed during construction, provide access for firefighting equipment, install a sprinkler system in the building, install a yard hydrant for firefighting, leave undisturbed the area west of the building construction zone and other measures as outlined in the attached correspondence dated January 9, 1998, and

WHEREAS, the applicant has further agreed to finance the acquisition of a 60 foot right-of-way west of the project, contiguous with the Croydon Drive homes, for the purpose of establishing berms, landscaping and a new drainage system, and

WHEREAS, this proposal was referred to the U.S. Army Corps of Engineers, New York State Department of Environmental Conservation, Erie County Department of Environment and Planning and the New York State Department of Transportation for review and comment, and

WHEREAS, the applicant conducted the necessary studies to allay the concerns of the agencies, and

WHEREAS, the Advisory Committee, at its meeting held on January 7, 1998 rendered the determination shown on the attached memo dated January 8, 1998, and

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

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

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

**See next page(s) for attachments

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

WHEREAS, Buffalo Crushed Stone, Inc. ("BCS") has applied to the Town of Cheektowaga to rezone 140.5± acres of land adjacent to the Buffalo Crushed Stone Quarry, 500 Como Park Boulevard, from R-Residential District (38.57± acres), NS-Neighborhood Services District (14.97± acres) and M1-Light Manufacturing District (87.01± acres) to AG-Special Aggregates District, and for SEQRA review for said rezoning, and

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WHEREAS, the Town of Cheektowaga has been established as lead agency for the SEQRA review for this rezoning, and

WHEREAS, as part of the environmental review for this rezoning, BCS has submitted a Draft Scoping Document, and

WHEREAS, the Town provided copies of the Draft Scoping Document to all involved agencies, and, in order to provide an opportunity for public participation on this Draft Scoping Document, directed that the Environmental Advisory Committee for the Town ("EAC") hold a public scoping meeting on January 6, 1998 to solicit comments from the public on the Draft Scoping Document, and

WHEREAS, copies of the Draft Scoping Document were available in the Town Clerk's Office, the South Branch Library and the Julia Boyer Reinstein Library for viewing by interested parties, and

WHEREAS, said public scoping meeting was held on January 6, 1998, at which meeting comments from the public were received by the Town, and

WHEREAS, the Town's consultant, URS Greiner, Inc.; members of the EAC; and other Town officers and employees have evaluated the Draft Scoping Document submitted by BCS and all comments received from the public and other agencies, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby adopts the attached Final Written Scope as the final written scope for the aforementioned project, and BE IT FURTHER

RESOLVED that the Building Inspector, as Intake Officer, be and hereby is directed to forward a copy of the aforesaid Final Scoping Document to BCS, and to direct BCS to prepare a Draft Environmental Impact Statement for this project to the Town consistent with said Final Written Scope.

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

NAYES: 0

ABSENT: 0

**See next page(s) for attachments

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

WHEREAS, the Cheektowaga Town Clerk received sealed bid proposals for the furnishing of baseball and softball equipment, and

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

RESOLVED that bids be awarded to the following bidders meeting specifications:

Jim Ludtka Sporting Goods

Laux Sporting Goods

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2500 Walden Avenue
Cheektowaga, NY 14225

25 Pineview Drive
Amherst, NY 14228

Sportmaster
P.O. Box 5000
Pittsburgh, Parker Ave. 15206

and BE IT FURTHER

RESOLVED that the costs resulting from the awarding of this bid be funded through 0-100-7140-4539 and 0-100-7140-4601 accounts for cost center purposes.

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

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

WHEREAS, the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of new trees for the Town's tree planting in spring, 1998. Information for bidders and specifications may be obtained from the office of the Town Clerk, Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk is hereby designed as the Officer to open bids on the aforesaid items at a public bid opening to be held on Wednesday, February 4, 1998 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 February 4, 1998 at a public bid opening at 11:00 A.M., at the Town Hall, located on Broadway, New York, for the purpose of furnishing new trees for Spring, 1998 tree planting.

Specifications for new trees may be picked up at the office of the Town Clerk Cheektowaga Town Hall, Broadway and Union Road, Cheektowaga, New York, between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday.

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

RICHARD M. MOLESKI
Town Clerk
Town of Cheektowaga

DATED: January 20, 1998

Item No. 10a cont'd

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

AFFIDAVIT - NEXT PAGE

TOWN OF CHEEKTOWAGA
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Item No. 10b Motion by Supervisor Gabryszak, Seconded by Councilmember Rogowski

BE IT RESOLVED that the Town Clerk be and hereby is directed to publish a Notice to Bidders for the purchase of One (1) New and Unused, 1998 Model, Wheel type, Asphalt Paver with a Variable Width, Power Extending Screed for use by the Cheektowaga Highway Department. Information for bidders and specifications may be obtained from the office of the Town Clerk, located at the Town Hall, Broadway and Union Road, Cheektowaga, New York 14227 between the hours of 9:00 A.M. and 4:30 P.M., Monday through Friday, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby designed as the Officer to open bids on the aforesaid items at 11:00 AM on January 30, 1998.



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TOWN OF CHEEKTOWAGA HIGHWAY DEPARTMENT

LEGAL NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN that the Town of Cheektowaga Highway will receive proposals for the purchase of ONE (1) NEW AND UNUSED, 1998 MODEL, WHEEL TYPE, ASPHALT PAVER WITH A VARIABLE WIDTH, POWER EXTENDING SCREED for use of the Highway Department at a bid opening to be held in the Council Chambers at the Cheektowaga Town Hall on January 30, 1998 at 11:00 AM.

Information for bidders and specifications may be obtained from the office of Richard Moleski, Town Clerk, at his office located at Town Hall, Cheektowaga, New York. Bids must be enclosed in an opaque envelope plainly marked "BIDS FOR ONE (1) NEW AND UNUSED, 1998 MODEL, WHEEL TYPE, ASPHALT PAVER WITH A VARIABLE WIDTH, POWER EXTENDING SCREED".

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

RICHARD M. MOLESKI, Town Clerk

DATED: January 20, 1998

PUBLISHED: January 22, 1998



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

AFFIDAVIT - NEXT PAGE

Item No. 10c Motion by Councilmember Johnson, Seconded by Councilmember Jankowiak

WHEREAS, this Town Board has previously authorized the preparation of plans and specifications for the replacement of four (4) roofs at the Sewer District No. 5 Main Pump Station Facility, and

WHEREAS, the Town Engineer advises that plans and specifications prepared by Nussbaumer & Clarke, Inc., Consulting Engineers, have been completed and the project is ready for bidding, NOW, THEREFORE, BE IT

WHEREAS, funds have been budgeted for said roof replacement project, NOW, THEREFORE, BE IT

RESOLVED that the Town Clerk be directed to publish a Notice to Bidders for Main Pump Station (Plant No. 5) Roof Replacement Project, said notice to be published in the CHEEKTOWAGA TIMES, and BE IT FURTHER

TOWN OF CHEEKTOWAGA
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Published: January 22, 1997



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

AFFIDAVIT - NEXT PAGE

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

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

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

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

RESOLVED that sealed bids will be received on the 4th day of February, 1998 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Cheektowaga Town Hall.



**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board on February 4, 1998 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, for the application of Chemical Fertilizers and Herbicides in the Town of Cheektowaga, New York.

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

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.

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

RICHARD M. MOLESKI
Town Clerk

Dated: January 20, 1998



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

AFFIDAVIT - NEXT PAGE

Item No. 10e Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, it is in order that bids be advertised for the furnishing of equipment and operators for the maintenance and installation of storm sewers and erosion control projects in the Town of Cheektowaga, and

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

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

RESOLVED that sealed bids will be received on the 4th day of February, 1998 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Council Chambers at the Cheektowaga Town Hall.



**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board on February 4, 1998 at 11:00 A.M., Eastern Standard Time at the Town Hall, corner of Broadway and Union Roads, Cheektowaga, New York, for the furnishing of equipment and operators for the maintenance and installation of storm sewers and erosion control projects in the Town of Cheektowaga.

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

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

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

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

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

RICHARD M. MOLESKI
Town Clerk

Dated: January 20, 1998



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

AFFIDAVIT - NEXT PAGE

Item No. 10f Notice to Bidders - Work Uniforms for 1998
Motion by Councilmember Rogowski, Seconded by Councilmember Swiatek to withdrawn this item.

Item No. 11 Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, settlement and failure of a portion of the embankment of Cayuga Creek of Cayuga Creek adjacent to Zurbrick Road has occurred on the south side leading to the instability of the Zurbrick Road infrastructure, and

WHEREAS, said highway forms the boundary line between the Village of Depew on the north and the Town of Cheektowaga on the south, and

WHEREAS, continued erosion slumping and settlement of the stream bank may cause some portion of both the road and the waterline, located in the road shoulder, to be lost or compromised, and

WHEREAS, the resultant impacts pose a potential hazard and safety risk upon the citizens of the Town of Cheektowaga and Village of Depew residing on Zurbrick Road, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

WHEREAS, the Village of Depew has requested through Nussbaumer & Clarke, Inc., the Village Engineering consultant, that the U.S. Army Corps of Engineers include the remediation of the south bank of Cayuga Creek in the failure area as a project eligible for Federal assistance under Section 14 of the 1946 Flood Control Act, and

WHEREAS, said project would also benefit the citizens of the Town of Cheektowaga residing on or traveling Zurbrick Road, NOW, THEREFORE, BE IT

RESOLVED that this Town Board concurs with and hereby supports the Village of Depew in its request to the U.S. Army Corps of Engineers for funding the remediation of the south bank of Cayuga Creek along Zurbrick Road in the fiscal year 1998 under Section 14 of the 1946 Flood Control Act, and BE IT FURTHER

RESOLVED that this Town Board hereby memorializes that Congressman Jack Quinn continue his diligent efforts on behalf of both the Village of Depew and Town of Cheektowaga in securing Federal assistance through the U.S. Army Corps of Engineers for the necessary remedial project, and BE IT FURTHER

RESOLVED that the Town Clerk is hereby directed to transmit a certified copy of this resolution to Colonel John W. Morris, U.S. Army Commanding, U.S. Army Corps of Engineers, Buffalo District, 1776 Niagara Street, Buffalo, New York 14207-3111 and to Congressman Jack Quinn, 403 Main Street, Suite 240, Buffalo, New York 14203-2199.

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

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

WHEREAS, the Town of Cheektowaga has received funding from the New York State Office of Alcoholism and Substance Abuse Service for its Police Department to establish a Law Enforcement Education Partnership (LEEP), and

WHEREAS, said funding will support activities that enhance mentoring relationships between Police Officers and youth between the ages of 5 and 18, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be authorized to execute paperwork initiating the grant award and all other documents regarding same, and BE IT FURTHER

RESOLVED that the following account lines be established and amended as indicated below:

Item No. 12a cont'd

1998

0100-7322 Law Enforcement Education Partnership (LEEP)

(Expense)

Account: 0100-7322-1800 Police Services	\$22,066.68
Account: 0100-7322-4000 Contractual	\$23,500.00
Account: 0100-7322-8000 Fringe Benefit	\$10,812.67

(Revenue)

Account: 0100-7311-3820	\$56,379.35
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AYES: Supervisor Gabryszak, Councilmembers Jaworowicz, Rogowski, Johnson, Swiatek, Jankowiak and Mazur
NAYES: 0
ABSENT: 0

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

WHEREAS, the Town of Cheektowaga has received funding from the New York State Office of Alcoholism and Substance Abuse Services to underwrite the Town Police Department's Law Enforcement Education Partnership (LEEP), and

WHEREAS, grant funds are provided for training, staff support and program services, and

WHEREAS, the grant identifies both the Cheektowaga Action Partnership, Inc. 3409 Genesee St., Cheektowaga, NY and the Cheektowaga Department of Youth and Recreational Services as providers of the aforementioned services, and

WHEREAS, the Town Attorney's Office has provided a preliminary review and approved said contracts for content and form, NOW, THEREFORE, BE IT

RESOLVED that under the terms and conditions of the above referenced grant, the Supervisor of the Town of Cheektowaga be and hereby is directed to execute agreements between the Town of Cheektowaga and said parties for the contract period of January 21st, 1998 through September 30, 1998 with total costs not to exceed:

Cheektowaga Action Partnership, Inc. -	\$13,120.00
Cheektowaga Department of Youth & Recreational Services -	\$ 8,000.00

and BE IT FURTHER

RESOLVED that prior to execution of the contracts, the Town of Cheektowaga Attorney's Office will conduct a final review for conformance with this resolution and affix its stamp of approval on same.

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

Item No. 12c Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur

WHEREAS, in a previous audit of the Town's financial records, the State Department of Audit and Control recommended that the Town revise its practices with respect to certain bank accounts it maintains, and

WHEREAS, the Town maintains various checking and money market accounts (i.e., payroll, municipal clearing, debt reserve, capital reserve, library escrow) with Chase Manhattan Bank, and

Item No. 12c cont'd

WHEREAS, the Supervising Accountant has met with representatives of Chase Manhattan Bank to address the recommendations of the State Department of Audit and Control, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the following referenced documents with Chase Manhattan Bank and any and all other documents necessary to effectuate the terms of such documents:

- Account Reconciliation Service Agreement
- Check Retention Service Agreement
- Controlled Disbursement Service Agreement
- On-Line Repo with Lehman Government Securities, Inc. and The Bank of New York

and BE IT FURTHER

RESOLVED that the following Town officers and employees are hereby authorized to initiate and verify wire transfers in connection with the above:

Christine Lacey
Joanne Orr
A. Lynn Nenni

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

Kathleen Travers
Robert Kaczmarek

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

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

BE IT RESOLVED that subject to approval by the Town Attorney, Supervisor Dennis H. Gabryszak be authorized to sign contracts between the Town of Cheektowaga and performers at the Cultural Center summer concerts and special events to be held in June, July and August, 1998.

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

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

Item No. 12e Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, the Town of Cheektowaga, through the Department of Youth and Recreational Services, has submitted to Erie I B.O.C.E.S., a renewal application for a youth project funded by the New York State Education Department Learn and Serve American Program, to advance the moral, physical, mental and social well-being of its youth; and

WHEREAS, the Town's application would maintain the expansion of its very successful Cheektowaga Youth Engaged in Service (YES) program which is provided under contract by the Youth Department of the Diocese of Buffalo, and

WHEREAS, the approved B.O.C.E.S. application allocates \$3,000.00 for the Cheektowaga youth project, and the District Superintendent of Erie I B.O.C.E.S. has executed all necessary documents and agreements to implement such programs; NOW, THEREFORE, BE IT

RESOLVED that the Town Supervisor be and hereby is directed to execute said documents and agreements between the Town of Cheektowaga and Erie I B.O.C.E.S.

Item No. 12e cont'd

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

Item No. 12f Motion by Councilmember Rogowski, Seconded by Councilmember Swiatek

WHEREAS, the County of Erie has realized a savings in the PINS/JD Diversion Program and has agreed to pass along \$7,500.00 to the Town of Cheektowaga to increase its service to "at risk" youth, and

WHEREAS, the Department of Youth and Recreational Services has a need to continue to provide services to children residing in the single parent families which comprise almost 17 percent of our total households, and

WHEREAS, the Town will enter into an agreement with the Be-A-Friend Program, Inc. to provide assistance to Cheektowaga youth through its Big Brother/Big Sister Program with these funds, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized and directed to sign the attached agreement between the Town and the County to advance said funds.

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

BE IT RESOLVED that the following individuals be terminated from the Youth and Recreation Department, effective immediately:

Melissa Cratsenberg
Thomas Kazmierczak
Donna Kubicki

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

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

WHEREAS, by resolution dated January 5, 1998, this Town Board appointed Leroy Linkner as a seasonal employee in the Main Pump Station at an hourly rate of \$6.00, and

WHEREAS, said hourly salary was incorrect, NOW, THEREFORE, BE IT

RESOLVED that the resolution of January 5, 1998 be and hereby is amended to reflect the correct hourly wage of \$6.50, retroactive to 1/1/98.

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

NAYES: 0
ABSENT: 0

Item No. 15 Create three (3) positions of Court Officer (part-time) in Justice Court
This item was withdrawn.

Item No. 16 Appointment to three (3) positions of Court Officer (part-time) in Justice Court
This item was withdrawn.

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

BE IT RESOLVED that the following Youth and Recreational employees be upgraded and/or added to the line items indicated, not to exceed a total of 19 hours per week (part-time):

Recreation Supervisor - 7140.1613 - (Arts and Crafts)
Recreation Attendant IV - \$5.90

Joy Donnelly-Smith

Recreation Instructor/Aid to Youth - 7140-1615
Recreation Instructor - \$11.00

Cathy Giles
Michelle Kunkel

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

Item No. 18 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

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

Item No. 18 cont'd

Administrative Interns - 7310.1804
Recreation Instructor I - (Assistant Y.E.S. Director) - \$5.40

Colleen Keiser XXXXXXXXXXXXXXXXXXXX XXXXX

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

Item No. 19 Motion by Unanimous, Seconded by Unanimous

WHEREAS, the term of Jane Wiercioch as Member of the Cheektowaga Zoning Board of Appeals expired as of December 31, 1997. and

WHEREAS, Jane Wiercioch has performed her duties satisfactorily as a Member of the Zoning Board of Appeals in the past, and desires to continue on such Board, NOW, THEREFORE, BE IT

RESOLVED that Jane Wiercioch, XXXXXXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is reappointed as Member of the Cheektowaga Zoning Board of Appeals, effective January 1, 1998 and terminating on December 31, 2002.

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

ABSENT: 0

Item No. 20 Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

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

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

RESOLVED that the following persons be and hereby are appointed to the Board of Plumbing and Drainage Examiners of the Town of Cheektowaga for a term of two (2) years, at a compensation not to exceed Two Hundred Fifty Dollars (\$250.00) per year:

- Joseph V. Schmigel, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York
- Louis Costrino, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York
- Todd Schmigel, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York

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

Item No. 21a Motion by Supervisor Gabryszak, Seconded by Councilmember Swiatek

WHEREAS, the 1998 Training School and Annual meeting of the Association of Towns will be held at the New York Hilton and Towers in New York City, February 15018th, 1998, and

WHEREAS, during such meeting, sessions concerning numerous municipal related topics of interest to Town Officials are held, and

Item No. 21a cont'd

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

RESOLVED that the following individuals be and hereby are authorized to attend the 1998 Training School and Annual meeting of the Association of Towns:

- Supervisor Dennis H. Gabryszak
- Town Clerk Richard Moleski
- Councilmember Jeff Swiatek
- Town Engineer William Pugh

and BE IT FURTHER

RESOLVED that Councilmember Jeff Swiatek be and hereby is designated as the Official Voting Delegate to represent the Town, and BE IT FURTHER

RESOLVED that the Town shall reimburse the above named individuals for their reasonable and necessary expenses incurred in attending such meeting of the budget line number 0100-1910-4082.

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

Item No. 21b Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

WHEREAS, a training program is conducted on Excavation and Trenching Safety at Compliance Management, Inc., Buffalo, New York on March 19, 1998, which program and workshop is beneficial in teaching and reinforcing safe operations for personnel responsible for the excavation and repair of pipelines, and

WHEREAS, the General Foreman of the Sewer Maintenance Department has requested that two (2) department employees be authorized to attend said workshop and utilize a Town vehicle to travel to and from such workshop, NOW, THEREFORE, BE IT

RESOLVED that Robert Skibniewski, Working Crew Chief, and Robert Latshaw, Working Crew Chief, be and hereby are authorized to attend said safety training workshop to be held at Compliance Management, Inc., 85 Great Arrow Avenue, Buffalo, New York 14216 on March 19, 1998 and that the cost of the workshop in the amount of \$49.00 each is to be paid under Budget Item No. 2500-8125-4087.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 22 Minutes of Cheektowaga Traffic Safety Commission
Received and Filed.

Item No. 23 Office of Disaster Preparedness - Report from October - December, 1997
Received and Filed.

Item No. 24a Annual Report from Records Management Program for 1997
Received and Filed.

Item No. 24b Annual Report from Receiver of Taxes and Assessments for 1997
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 25a Notice of Claim - Susan Koral vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department.
Received and Filed.

Item No. 25b Notice of Claim - Joseph Rybczynski vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; W. Wielinski, Facilities Director; Sign Maintenance.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak to suspend the rules the include the following items, and the voting was as follows:

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

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

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

WHEREAS, Steven J. Carmina has petitioned for the rezoning from R-Residence District and NS-Neighborhood Services District to RSC-Residential Senior Citizen Housing District of property owned by Theodore B. Kulbacki and located at 5074 Transit Road, Cheektowaga, New York, which property is more particularly 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 January, 1998 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, based on commitments made by the applicant's attorney, this Town Board previously issued a Negative Declaration under SEQRA and the Town Environment Impact Review Ordinance for this rezoning, NOW, THEREFORE, BE IT

RESOLVED that the application of Steven J. Carmina for the rezoning from R-Residence District and NS-Neighborhood Services District to RSC-Residential Senior Housing District of the property specified in the attached legal description be and the same is hereby approved subject to the approval of all necessary variances by the Zoning Board of Appeals and the review/approval of the site/landscaping plan by the Town, and BE IT FURTHER

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 27 Motion by Councilmember Jaworowicz, Seconded by Supervisor Gabryszak

WHEREAS, the Niagara Frontier Building Officials Association is conducting an educational seminar on various aspects of building codes and inspections from February 1-4, 1998 at the Buffalo Hilton Hotel, Buffalo, New York, and

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

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

RESOLVED that Richard J. Willis, Housing Inspector for the Office of Community Development is hereby authorized to attend said educational seminar on February 1-4, 1998, at the Buffalo Hilton Hotel, Buffalo, New York, at a cost of \$170.00, said costs to be paid from Community Development Funds, and BE IT FURTHER

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

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

Item No. 28 Motion by Councilmember Johnson, Seconded by Councilmember Mazur to adjourn the meeting.
Time Adjourned: 8:10 PM

RICHARD M. MOLESKI

**TOWN OF CHEEKTOWAGA
MEETING NO. 2
January 20, 1998**

Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 3
FEBRUARY 2, 1998

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of February, 1998 at 7:00 o'clock P.M. there were:

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

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; Robert McCarthy, Coordinator of Employee Relations; Ronald Marten, Building and Plumbing Inspector; Salvatore LaGreca, Planning Board Chairman; John Schaller, Assistant Chief of Police; William Pugh, Town Engineer; Patricia Wojcik, Director of Senior Services Department; William Conway, Assessor; Kenneth Kopacz, Director of Department of Youth and Recreational Services; William Wielinski, General Crew Chief of Facilities Department; and Kevin Glascott, Town of Cheektowaga Employees Association President.

I. RESOLUTIONS

Item No. 2 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to January 30, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$191,756.68
HIGHWAY FUND	157,778.34
TRUST & AGENCY	3,806.90
PART TOWN FUND	25,878.65
HUD CDBG FUND	142,060.62
RISK RETENTION FUND	14,845.61
SPECIAL DISTRICTS FUND	252,708.41
CAPITAL FUND	<u>95,984.20</u>
	\$884,819.41

Upon roll call

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

Item No. 3 Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak

WHEREAS, it is in order that bids be advertised to cover the purchase of work uniforms for the year of 1998 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 1998, said notice to be published in the CHEEKTOWAGA TIMES AND, BE IT FURTHER

RESOLVED, that sealed bids will be received on the 18th day of February, 1998 at 11:00 A.M., Eastern Standard Time, at a public bid opening to be held in the Council Chambers in the Cheektowaga Town Hall.

Item No. 3 cont'd.

MEETING NO. 3
FEBRUARY 2, 1998



NOTICE TO BIDDERS

Sealed proposals will be received and considered by the Town Board of the Town of Cheektowaga on February 18, 1998 at 11:00 A.M., Eastern Standard Time, at the Town Hall, corner of Broadway and Union Roads, for the furnishing of Work Uniforms for the 1998 calendar year.

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

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

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

Richard M. Moleski
Town Clerk

Dated: February 2, 1998



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 4 Moved by Councilmember Johnson, seconded by Councilmember Rogowski

MEETING NO. 3
FEBRUARY 2, 1998

WHEREAS, as a result of advertisement, bids were received on January 21, 1998 for the furnishing of equipment and operators for the installation and repair of sanitary sewers during the calendar year of 1998 in the Town of Cheektowaga, AND

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter from Allan Blachowski, Principal Engineer, to the Town Board dated January 27, 1998, 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 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:

Item 1	Single Axle Dump	\$200.00 per 8 hour day
Item 2	Tandem Dump	390.00 per 8 hour day
Item 3	Rubber Tire Backhoe	500.00 per 8 hour day
Item 4	Laborers	500.00 per 8 hour day
Item 5	Crawler Hydraulic Backhoe	450.00 per 8 hour day
Item 6	Front End Loader	250.00 per 8 hour day
Item 7	Walk Behind Saw	1.00 per 8 hour day
Item 7A	Vermeer Road Saw	.80 per 8 hour day
Item 8A	Equipment Truck - A	1.00 per 8 hour day
Item 8B	Equipment Truck - B	1.50 per 8 hour day
Item 9	Shield 6' X 8'	1.00 per 8 hour day
Item 10	Shield 8' X 16'	1.00 per 8 hour day
Item 11	Transport Shield	1.00 per 8 hour day
Item 12	Roller (small)	1.00 per 8 hour day

and, BE IT FURTHER

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

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 5 Award of Contract for Credit Card Services for Department of Youth and Recreational Services
This item was withdrawn.

MEETING NO. 3
FEBRUARY 2, 1998

Item No. 6 Moved by Councilmember Swiatek, seconded by Unanimous
Councilmember Jaworowicz

WHEREAS, the New York State Legislature adopted the School Tax Relief Program ("STAR"), to be effective beginning in 1998, AND

WHEREAS, the STAR Program will provide school property tax relief for homeowners in New York State, AND

WHEREAS, the "Enhanced" STAR Program will provide certain senior citizens with school property tax relief beginning in the 1998-99 school tax year, AND

WHEREAS, under the current STAR legislation, the "Enhanced" STAR exemption shall be \$12,500 for the 1998-99 school tax year, and will increase annually to a maximum of \$50,000 for the 2001-2002 school tax year, AND

WHEREAS, it appears that the State Legislature will be considering an amendment to the STAR Program legislation to accelerate the exemption amount for qualified senior citizens, AND

WHEREAS, the Town of Cheektowaga expects to have approximately 12,000 senior citizens who will be eligible for the Enhanced STAR exemption for the 1998-99 school tax year, AND

WHEREAS, many senior citizens in the Town of Cheektowaga are low or fixed income and deserve school property tax relief, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board encourages and supports the aforementioned amendment to the STAR Program legislation to accelerate the Enhanced STAR exemption amount to provide qualified senior citizens with the full \$50,000 school property tax exemption beginning in the 1998-99 school tax year and, BE IT FURTHER

RESOLVED, that this Town Board hereby memorializes the State Legislature and Governor Pataki to approve such amendment to the STAR Program and, BE IT FURTHER

RESOLVED, that this 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.

Upon roll call

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

Item No. 7 Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following recreational fees be established effective FEBRUARY 2, 1998 for the Summer 1998 and Fall/Winter 1998 - 99 (except where noted).

FEES IN (\$0.00) DENOTE 1997 FEE

YOUTH SPORT CAMPS

Summer	Resident	Non-Resident
Per Week/Sport first child	\$67.00 (\$67)	\$91.00 (\$87)
second child	\$61.00 (\$59)	\$82.00 (\$79)

Item No. 7 cont'd.

DARTWOOD AND CEDARGROVE DAY CAMPS

Summer	Resident	Non-Resident
Per Child all 7 Weeks	\$532.00 (\$517)	\$637.00 (\$622)
Per Child Weekly	\$83.00 (\$81)	\$98.00 (\$96)

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Second Child All 7 Weeks	\$512.00 (\$497)	\$617.00 (\$602)
Second Child Weekly	\$78.00 (\$76)	\$93.00 (\$91)

THE FEE FOR A THREE DAY WEEK IS \$68.00

CAMP FLAMINGO

Summer	Resident	Non-Resident
Per Child all 7 Weeks	\$512.00 (\$424)	\$617.00 (\$514)
Per Child Weekly	\$81.00 (\$79)	\$96.00 (\$94)
Second Child All 7 Weeks	\$404.00 (404)	\$593.00 (\$494)
Second Child Weekly	\$74.00 (\$74)	\$91.00 (\$89)

CAMP JI-IK-DO-WAH-GAH

Summer	Resident	Non-Resident
Per Child All 7 Weeks	\$483.00 (\$399)	\$617 (\$514)
Per Child Weekly	\$81.00 (\$79)	\$96.00 (\$94)
Second Child All 7 Weeks	\$459.00 (\$379)	\$593.00 (\$494)
Second Child Weekly	\$76.00 (\$74)	\$91.00 (\$89)

CAMP CRABAPPLE

Summer	Resident	Non-Resident
Per Child All 7 Weeks	\$413.00 (\$339)	\$547.00 (\$454)
Per Child Weekly	\$73.00 (\$69)	\$88.00 (\$84)
Second Child All 7 Weeks	\$390.00 (\$319)	\$500.00 (\$414)
Second Child Weekly	\$68.00 (\$64)	\$87.00 (\$79)

Transportation is available at a cost of \$15 per week. This service is available for residents only.

YOUTH SOCCER

Summer	Resident	Non-Resident
First Child	\$41.00 (\$38)	\$56.00 (\$52)
Each Additional	\$31.00 (\$28)	\$46.00 (\$42)
For 3 Weeks/Sports first child	\$181.00 (\$175)	\$243.00 (\$235)
second child	\$164.00 (\$160)	\$228.00 (\$220)

LET'S WALK

Year Round	Resident	Non-Resident
	\$14.00 (\$14)	\$19.00 (\$19)
Reg. for Two Sessions at Once	\$23.00 (\$23)	\$33.00 (\$33)

FLAG FOOTBALL

Per Session	Resident	Non-Resident
Youth	\$29.00 (\$29)	\$37.00 (\$37)
Adult \$270 per Team and \$8.00 Additional for Each Non-Resident		

LACROSSE

Summer	Resident	Non-Resident
First Participant	\$51.00 (\$48)	\$67.00 (\$64)

Item No. 7 cont'd.

TINY TOTS

Summer	Resident	Non-Resident
Per Child	\$33.00 (\$31)	\$43.00 (\$41)
Second Child	\$30.00 (\$28)	\$40.00 (\$38)

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THREE TO GET READY

Summer	Resident	Non-Resident
Per Child	\$29.00 (\$27)	\$39.00 (\$37)
Second Child	\$25.00 (\$24)	\$35.00 (\$34)
Fall/Winter		
Per Child	\$25.00 (\$23)	\$35.00 (\$33)
Second Child	\$21.00 (\$19)	\$31.00 (\$29)

GYMNASTICS

Summer 2 Day	Resident	Non-Resident
Per Child	\$46.00 (\$44)	\$56.00 (\$54)
Second Child	\$41.00 (\$39)	\$51.00 (\$49)
Summer 3 Day		
Per Child	\$58.00 (\$56)	\$68.00 (\$66)
Second Child	\$52.00 (\$51)	\$63.00 (\$61)
Fall/Winter		
Per Child	\$30.00 (\$28)	\$40.00 (\$38)
Second Child	\$25.00 (\$19)	\$45.00 (\$43)

TINY TUMBLERS

Summer	Resident	Non-Resident
Per Child	\$26.00 (\$24)	\$36.00 (\$34)
Second Child	\$21.00 (\$19)	\$31.00 (\$29)

FRIDAY GYMNASTICS

Summer	Resident	Non-Resident
Per Child	\$23.00 (\$21)	\$33.00 (\$31)
Second Child	\$28.00 (\$16)	\$29.00 (\$26)

ADVANCED GYMNASTICS

Summer	Resident	Non-Resident
Per Child	\$51.00 (\$49)	\$61.00 (\$59)
Second Child	\$46.00 (\$44)	\$56.00 (\$54)
Fall/Winter 1 Day		
Per Child	\$35.00 (\$33)	\$45.00 (\$43)
Second Child	\$31.00 (\$29)	\$41.00 (\$39)
Fall/Winter 2 Day		
Per Child	\$61.300 (\$58)	\$71.00 (\$68)
Second Child	\$55.00 (\$53)	\$65.00 (\$63)

AEROBICS (effective 1/1/98)

Year Round	Resident	Non-Resident
Per Class	\$2.00 (\$1)	\$3.00 (\$2)

YOUTH BASKETBALL

Fall/Winter	Resident	Non-Resident
Per Participant	\$31.00 (\$28)	\$41.00 (\$38)

Item No. 7 cont'd.

SWIMMING

Summer	Resident	Non-Resident
Youth	\$23.000 (\$11)	\$33.00 (\$22)
	1997 was 2 sessions 1998 one long session	
Toddler	\$13.00 (\$12)	\$23.00 (\$22)
Water Aerobics	\$23.00 (\$23)	\$33.00 (\$33)
Adult	\$22.00 (\$21)	\$32.00 (\$31)
Synchronized	\$17.00 (\$15)	\$27.00 (\$25)
Water Slide/Animals	\$1.00 (\$1)	\$1.00 (\$1)

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Daily User Fee	\$1.00 (\$1)	\$2.00 (\$2)
Fall/Winter		
Youth	\$23.00 (\$21)	\$33.00 (\$31)
Second Child	\$19.00 (\$17)	\$29.00 (\$27)
Open/Family	\$27.00 (\$24)	\$41.00 (\$39)
Adult	\$16.00 (\$14)	\$26.00 (\$24)
INSTRUCTIONAL TENNIS		
Summer	Resident	Non-Resident
Youth	\$23.00 (\$22)	\$33.00 (\$32)
Adult	\$219.00 (\$29)	\$39.00 (\$39)
ADULT BASKETBALL		
Per Team	\$59.00 (New)	
VOLLEYBALL (teams pay referee fees each week)		
Fall/Winter		
Indoor	Saturdays	\$21.00 per team
	Thursday and Friday	\$150.00 Sept. - Dec.
		\$200.00 Jan. - May
	Non-Residents After 4 Per Team	\$10.00 Each
Summer		
Outdoor	\$75.00 (\$75)	
COUNTRY LINE DANCE		
Year Round	Resident	Non-Resident
Per Class, Pre Registered	\$3.00	\$3.50
Per Class, Walk In	\$4.00	
Couples, 5 Classes	\$41.00	\$51.00
WEE THREE		
Fall/Winter	Resident	Non-Resident
Per Child	\$38.00 (\$36)	\$48.00 (\$46)
Second Child	\$33.00 (\$31)	\$43.00 (\$41)
PRE K		
1998 - 1999 Sept. - May		1997 - 1998 Sept. - May
\$304 if Paid in Full at Registration	(\$298)	
\$162 Installation Payment at Registration	(\$159)	
\$162 Installment Due in January 1998	(\$159)	
Additional Fee of \$50 for Non-Residents	(\$50)	
PUBLIC SKATE		
Fall/Winter		
General Admission	\$3.00 (\$3)	
	W/RESIDENT DISCOUNT CARD	
Children 3 and Under	Free (Free)	
Children 4 to 15	\$1.00 (\$1)	
Adults 16 and up	\$2.00 (\$2)	
Senior Citizens	\$1.00 (\$1)	
<u>Item No. 7 cont'd.</u>		
LEARN TO SKATE		
Fall/Winter	Resident	Non-Resident
Per Individual	\$39.00 (\$37)	\$56.00 (\$53)
SKATE AND SHOOT		
Fall/Winter		
General Admission	\$7.00 (\$7)	
Admission w/Resident Discount Card	\$5.00 (\$5)	
First 2 Goalies	Free (Free)	

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FIGURE SKATE PRACTICE TIME

Fall/Winter	Resident	Non-Resident
	\$4.00 (\$4)	\$6.00 (\$6)

ICE RENTAL

Fall/Winter			
Per Hour	Prime Time -	\$124.00 (\$121)	5:00 pm - 11:00 pm M - F all day Sat. and Sun.
	Non-Prime -	\$103.00 (\$100)	8:00 am - 5:00 pm M - F

DIAMOND PERMITS

Summer (per 2 hour time block)	Resident	Non-Resident
No Lights	\$35.00 (\$35)	\$50.00 (\$50)
Lights	\$65.00 (\$65)	\$75.00 (\$75)

13 Week Series		
No Lights	\$350.00 (\$350)	\$500.00 (\$500)
Lights	\$650.00 (\$650)	\$750.00 (\$750)
additional games added to 13 week series are charged at the regular 2 hour block rate		

ADULT SOFTBALL LEAGUES

Summer	League	Franchise Fee
	Coed	\$245.00 (\$245)
	Women's	\$245.00 (\$245)
	Men's	\$250.00 (\$250)
	Men's Fast Pitch	\$225.00 (New)
	Men's Over 40	\$285.00 (\$285)
	Men's Over 50	\$285.00 (New)
	Open Men's	\$425.00 (\$700)
	Men's Over 30	\$250.00 (New)
	Men's Modified	\$225.00 (New)

****ALL NON-RESIDENTS MUST PAY \$18.00 ADDITIONAL**

****BUSINESS TEAMS (BUSINESSES WITHIN THE TOWN), ALL PLAYERS MUST WORK FOR THAT BUSINESS, \$290.00 (\$290). THIS INCLUDES THE FIRST 11 ON THE ROSTER. NON-RESIDENTS AFTER 11 MUST PAY \$18 EACH.**

****ALL TEAMS ARE RESPONSIBLE FOR PAYING THE UMPIRES EACH WEEK.**

****ALL TEAMS MUST PAY \$15 REGISTRATION FEE DIRECTLY TO ASA.**

ICE HOCKEY

Fall/Winter		Resident	Non-Resident		
		House	Travel	House	Travel
Novice		\$198 (\$185)	N/A	\$373 (\$360)	N/A
Mite		\$248 (\$235)	\$363 (\$350)	\$423 (\$410)	\$538 (\$525)
Squirt		\$298 (\$295)	\$413 (\$370)	\$473 (\$470)	\$588 (\$545)
Pee Wee		\$348 (\$325)	\$463 (\$390)	\$523 (\$500)	\$638 (\$565)
Bantam		\$398 (\$355)	\$513 (\$420)	\$573 (\$530)	\$688 (\$595)
Midget		\$468** (\$445)	\$368 (\$340)	\$643** (620)	\$543 (\$515)

Item No. 7 cont'd.

****NO TRAVEL OR HIGH SCHOOL PLAYERS**

- ALL HEAD COACHES WILL RECEIVE A \$30.00 REDUCTION FOR ONE CHILD
- SECOND CHILD ENROLLED FROM FAMILY \$30.00 REDUCTION
- THIRD CHILD ENROLLED FROM FAMILY \$70.00 REDUCTION
- 1998 - 99 TRAVEL TRY-OUT FEE - \$7.00

RESIDENCE IS DEFINED AS PER LOCAL LAW NO. 1 OF THE YEAR 1988, WHICH STATES:
"RESIDENCY -- THE ACTUAL DOMICILE OF AN INDIVIDUAL, WHICH HE OR SHE ACTUALLY PHYSICALLY USES OR OCCUPIES FOR LIVING PURPOSES, THAT IS, WHERE HE OR SHE NORMALLY EATS, SLEEPS AND MAINTAINS USUAL PERSONAL AND HOUSEHOLD EFFECTS".

Upon roll call

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

Item No. 8 Moved by Councilmember Johnson , seconded by Councilmember Swiatek

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

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

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

WHEREAS, an application was submitted by McDonald's to construct a 3,670± square foot McDonald's Restaurant on a 2± acre site at 6360 Transit Road presently occupied by a single family dwelling, AND

WHEREAS, the restaurant site will utilize a traffic signal being installed on Transit Road as part of a plaza on the east side of Transit Road in the Town of Lancaster, AND

WHEREAS, McDonald's is participating in the signal to guarantee that the signal will be and will remain a four-way signal, AND

WHEREAS, the project will be connected to the strip plaza located south of the site which will allow additional traffic to utilize the traffic signal for increased safety, AND

WHEREAS, sanitary sewer service must be provided by the Erie County Sewer District #4 through an Out of District Sewer Agreement, AND

WHEREAS, McDonald's would pay the noon accessible sewerage tax to the Town of Cheektowaga even though service is provided by Erie County District #4, AND

WHEREAS, the site is properly zoned for this proposed use, surrounding uses are retail and restaurants and the use is consistent with the Town's Master Plan, AND

WHEREAS, the Advisory Committee, at its meeting held on August 27, 1997 rendered the recommendation shown on the attached memo dated August 28, 1997, AND

WHEREAS, the Town Engineer has reviewed the project and has found the drainage plan satisfactory and finds that an Out Of District Sewer Agreement acceptable, AND

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

Item No. 8 cont'd.

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

RESOLVED, that this Town Board approves of the McDonald's Corporation seeking our Out of District Sewer Agreement with Erie County Sewer District #4.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

MEETING NO. 3
FEBRUARY 2, 1998

Item No. 9 Moved by Councilmember Johnson, seconded by Councilmember Swiatek

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

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

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

WHEREAS, an application was submitted by the Sonwil Distribution Center to construction a 40,000 square foot warehouse/office to be known as 400 Sonwil Drive, AND

WHEREAS, as part of the project, an additional 350± L.F. of Sonwil Drive, AND

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WHEREAS, the applicant has engaged the engineering firm of Nussbaumer & Clarke to: update the highway construction plans, design drainage on and around the site and provide inspection/supervision during construction of the public improvements, AND

WHEREAS, the applicant has agreed to review alternate emergency access for the Fire Department, AND

WHEREAS, the Advisory Committee, at its meeting held on January 8, 1998, approved the landscaping plan, including additional replacement tree plantings, AND

WHEREAS, the Planning Board, at their meeting of January 8, 1998, approved the landscaping plan, including additional replacement tree plantings, AND

WHEREAS, the Advisory Committee, at its meeting held on January 28, 1998 rendered the determination shown on the attached memo dated January 29, 1998, AND

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

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 10 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson

WHEREAS, Sonwil Distribution, Inc. has made application to the Town for a building permit to construct a manufacturing/warehouse building at 400 Sonwil Drive in the Town, AND

WHEREAS, the portion of Sonwil Drive on which the proposed building would front has not yet been improved or accepted as a Town highway, AND

WHEREAS, sanitary sewers are already constructed along Sonwil Drive in front of 400 Sonwil Drive, AND

WHEREAS, Section 13-13 of the Building Construction Administration Ordinance states that no building permit shall be issued unless a public highway and a waterline are in place, or, in lieu of such utilities being in place, the applicant must submit the following to the Town:

1. a surety bond in an amount fixed by the Town Board guaranteeing that the highway will be constructed within six (6) months after the issuance of the building permit and that all other provisions of Chapter 13 of the Town Code will be fully complied with;

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2. satisfactory proof that a contract has been entered into with the Erie County Water Authority ("ECWA") for the construction of a waterline in the highway;

AND,

WHEREAS, pursuant to the terms of an agreement dated February 7, 1994, plans and specifications for this portion of Sonwil Drive were approved, AND

WHEREAS, the owners of the property had heretofore submitted a performance bond in the amount of \$68,121.00 to guarantee construction of the extension of Sonwil Drive and required utilities, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board, based on authority found in section 13.13.B of the Building Construction Administration Ordinance, approves the issuance of a building permit to Sonwil Distribution, Inc. for the construction of a manufacturing/warehouse building at 400 Sonwil Drive, conditioned on the following:

1. Proof of agreement with the Erie County Water Authority for the installation of water lines;
2. Approval of plans by the Town Building Inspector;
3. This extension of Sonwil Drive shall be completed and conveyed to the Town within six (6) months from the date of this resolution.

Upon roll call

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

Item No. 11 Moved by Supervisor Gabryszak, seconded by Councilmember Johnson

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

WHEREAS, Sonwil Distribution, Inc. ("Sonwil") the developer of the Sonwil Industrial Park, has submitted the required Public Improvement Permit application, plans and specifications for the construction of the extension of Sonwil Drive to service 400 Sonwil Drive, AND

Item No. 11 cont'd.

WHEREAS, pursuant to the terms of an agreement between the Town and Sonwil Distribution, Inc. dated February 7, 1994, the PIP fees for such roadway extension are to be waived due to the fact that Sonwil's engineers, Nussbaumer & Clarke, Inc., will provide the necessary certification to the Town, NOW, THEREFORE, BE IT

RESOLVED, that the Public Improvement Permit be approved for the extension of Sonwil Drive to service 400 Sonwil Drive and, BE IT FURTHER

RESOLVED, that based on the applicant's engagement of an engineering consultant for the provision of inspection and certification acceptable to the Town Engineer and Town Superintendent of Highways, and in accordance with the February 7, 1994 agreement, the permit fee which is meant to reimburse the Town for inspection shall therefore be waived.

Upon roll call

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

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Item No. 12 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, as part of the development of Airport Commerce Park, East, the Town requested the developer to grant a conservation easement to the Town, AND

WHEREAS, 4950 Genesee Street, LLC, the owner of the property in question, has prepared and offered to the Town a Conservation Easement, AND

WHEREAS, the Town Engineer and Town Attorney have reviewed such Conservation Easement and have approved same as to content and form, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned Conservation Easement and directs the Supervisor to execute such easement on behalf of the Town and, BE IT FURTHER

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

Upon roll call

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

Item No. 13a Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town Board, at the January 5, 1998 Board meeting, approved subordination of its housing rehabilitation mortgage on the property located at 13 Donlen Drive, Cheektowaga, New York in favor of Marine Midland Bank in order to allow the owners of said property to refinance their existing mortgage debt to obtain a lower interest rate, AND

WHEREAS, the Town has since been requested by the lender's attorneys to amend the subordination amount from \$60,000 to \$63,000 in order to cover all closing costs, AND

WHEREAS, the Community Development Director has advised approval of the request, NOW, THEREFORE, BE IT

Item No. 13a cont'd.

RESOLVED, that the Supervisor be and he hereby is authorized to execute the amended Subordination Agreement with Marine Midland Bank, 2929 Walden Avenue, Depew, New York 14043, providing for an increase in the subordination amount of \$63,000, relative to the Town's housing rehabilitation mortgage on the property located at 13 Donlen Drive, Cheektowaga, New York 14225.

Upon roll call

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

Item No. 13b Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is eligible to receive \$856,000 in Community Development Block Grant Funds for the 1998 Program Year, and, as a member of the Amherst-Cheektowaga-Tonawanda HOME Consortium, the Town is entitled to receive up to \$296,000 of the \$907,000 HOME Consortium entitlement grant, AND

WHEREAS, Public Hearings regarding the use of said funds were held on October 20, 1997 and January 20, 1998, AND

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

RESOLVED, that the Town Board hereby approves the submission of the Town of Cheektowaga Annual Plan to the Department of Housing and Urban Development for the 1998 Program Year in conjunction with the Amherst-Cheektowaga-Tonawanda Consortium, including the projects contained on the attached CDBG and HOME Project Summaries and, BE IT FURTHER

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

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 13c Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the Supervisor be authorized to execute the 1998 Family Support Contract No. C013541 in the amount of \$26,076.00 on behalf of the Cheektowaga Youth and Recreational Services Department and the New York State Office of Mental Retardation and Developmental Disabilities.

Upon roll call

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

Item No. 13d Moved by Supervisor Gabryszak, seconded by Councilmember Johnson

WHEREAS, the Town has elected to self-insure and pay compensation benefits to its employees in accordance with the Workers' Compensation Law of the State of New York, AND

WHEREAS, in addition, the Town is a self-insurer for claims formerly covered by policies of automobile, general, police, public officials and other uninsured liability matters, AND

WHEREAS, the Town has implemented its self-insurance liability claims program by the retention of professional claims and loss control administrators,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be and hereby is authorized to sign a certain defense and indemnification agreement on a claim involving a sanitation truck and Michael Serafini, Inc. and others.

MEETING NO. 3
FEBRUARY 2, 1998

Upon roll call

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

Item No. 14a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

BE IT RESOLVED, that the following individuals be terminated from the Youth and Recreation Department, effective 2/3/98 (part-time):

Julie Skowronski
Joelle Stapleton
Robin Thompson
Amy Witt
Laura Zlotek

Upon roll call

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

Item No. 14b Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

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

EFFECTIVE

SANITATION DEPARTMENT

Amy McKenica
Charles Cobb

01-06-98
Immediately

Item No. 14b cont'd.

Upon roll call

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

Item No. 15 Moved by Councilmember Jankowiak, seconded by Councilmember Rogowski
Councilmember Swiatek

BE IT RESOLVED, that pursuant to Section 11.01 of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, Frank Max be and hereby is granted a leave of absence not to exceed one (1) year from his position of Working Crew Chief in the Sanitation/Recycling Department for purposes of accepting an interim appointment to the position of General Crew Chief in the Sanitation/Recycling Department, effective February 3, 1998.

Upon roll call

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

Item No. 16a Moved by Councilmember Jankowiak, seconded by Councilmember Rogowski
Councilmember Swiatek

MEETING NO. 3
FEBRUARY 2, 1998

WHEREAS, as a result of a retirement, a vacancy exists in the position of General Crew Chief in the Sanitation/Recycling Department, AND

WHEREAS, this Town Board is filling this vacancy on an interim basis until such time that a permanent department head is appointed, NOW, THEREFORE, BE IT

RESOLVED, that Frank Max, currently employed as a Working Crew Chief in the Sanitation/Recycling Department be and hereby is appointed to the position of General Crew Chief in said department on an interim basis for purposes of overseeing daily operations in that department, supervising all departmental employees in all functions related to picking up refuse and recyclable materials, keeping time and material records, certifying payroll, preparing and signing purchase orders and vouchers for necessary parts and equipment, scheduling vacations, and maintaining discipline and order in the Sanitation/Recycling Department until such time that a permanent department head is appointed, effective February 3, 1998.

Upon roll call

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

Item No. 16b Moved by Councilmember Mazur, seconded by Councilmember Johnson

WHEREAS, a promotional opportunity exists in the position of Senior Engineer Assistant in the Engineering Department, AND

WHEREAS, said position was posted in accordance with the terms of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, AND

WHEREAS, there is no valid Civil Service list for the title of Senior Engineer Assistant, AND

WHEREAS, Paul Piwowarski, currently employed as an Engineer Assistant in the Engineering Department, bid on said vacancy and meets all the necessary qualifications for said position, NOW, THEREFORE, BE IT

Item No. 16b cont'd.

RESOLVED, that Paul Piwowarski of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the position of Senior Engineer Assistant in the Engineering Department, on a provisional basis, pending the establishing of a valid Civil Service examination list for said position, and as set forth by the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Employees Association, effective February 3, 1998.

Upon roll call

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

Item No. 17a Moved by Councilmember Rogowski, seconded by Supervisor Gabryszak

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

Adapted Recreation Program - 7310.1803
Recreation Attendant I - (Counselor I) - \$5.15
(effective 1/24/98)

Jennifer Odrobina XXXXXXXXXXXX XXXXX

Effective Immediately

Rink Personnel - 7140.1611

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Recreation Attendant V - \$6.15

Richard J. Szprygada XXXXXXXXXXXXXXXXXXXX XXXXX

Gymnastics - 7140.1630

Recreation Attendant I - \$5.15

Lynn Burdzy XXXXXXXXXXXXXXXXXXXX XXXXX
Anne M. Holland-Goergen XXXXXXXXXXXXXXXXXXXX XXXXX
Melissa Penski XXXXXXXXXXXXXXXXXXXX XXXXX

New Programs - 7140.1813/Recreation Attendants - (Teen Centers) - 7140.1614

Recreation Attendant V - \$6.15

Mark Ostempowski XXXXXXXXXXXXXXXXXXXX XXXXX

Upon roll call

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

Item No. 17b Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

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

EFFECTIVE

FACILITIES DEPARTMENT - \$6.00 Per Hour (7110-1491)

Daniel Block XXXXXXXXXXXXXXXX, Cheektowaga XXXXX 02-03-98

Item No. 17b cont'd.

SENIOR SERVICES - \$6.50 Per Hour (7620-1639)

Julia Florczak XXXXXXXXXXXXXXXXXXXX, Cheektowaga XXXXX 02-03-98

Upon roll call

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

Item No. 18 Moved by Councilmember Mazur, Moved by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga is a member of the Northeast-Southtowns Solid Waste Management Board ("NEST"), a board which was created to help reduce the cost of the removal of solid waste for various municipalities, AND

WHEREAS, pursuant to the agreement creating NEST, the Town Board must designate a representative and one or more alternates to serve on the NEST Board, NOW, THEREFORE, BE IT

RESOLVED, that the following persons shall serve as representative and alternate to the NEST Board on behalf of the Town:

Representative James J. Jankowiak
Councilmember

Alternate Dennis H. Gabryszak
Supervisor

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Upon roll call

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

Item No. 19a Moved by Councilmember Mazur, seconded by Councilmember Johnson

WHEREAS, the National League of Cities will be holding its Annual Congressional Conference in Washington, DC from March 6 - 10, 1998, AND

WHEREAS, at such conference, there will be full-day conferences on municipal leadership strategies, collaborative leadership, community-oriented public safety, municipal strategic planning, building coalitions among diverse groups, asset-based community development and electronic town meetings, AND

WHEREAS, Supervisor Dennis H. Gabryszak has expressed a desire to attend this Conference on behalf of the Town, AND

WHEREAS, other items of interest to the Town of Cheektowaga (i.e., telecommunications, electric deregulation, federal preemption of local authority, transportation, federal mandates, etc.) will be discussed at this Conference, AND

WHEREAS, this Board feels that it would be advantageous for the Town to have Supervisor Gabryszak attend this Conference, NOW, THEREFORE, BE IT

RESOLVED, that Supervisor Dennis H. Gabryszak be and hereby is authorized to attend the aforementioned Annual Congressional Conference sponsored by the National League of Cities and, BE IT FURTHER

Item No. 19a cont'd.

RESOLVED, that the Town shall pay all reasonable and necessary expenses, not to exceed \$1350.00, associated with Supervisor Gabryszak attending this Conference from budget line item number 0100-1910-4082.

Upon roll call

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

Item No. 19b Moved by Supervisor Gabryszak, seconded by Councilmember Jankowiak

WHEREAS, the Department of Criminal Justice Services Office of Public Safety is offering a "Responding To Missing and Abducted Children (REMAC) Course" on February 9-13, 1998 in Troy, New York.

WHEREAS, Chief Chamberlin is requesting authorization to send Juvenile Detective Stanley Keller to this training course. The purpose of this program is to provide law enforcement officers with the information necessary to properly understand, recognize, investigate, and resolve missing and abducted child cases. The Police Department will be responsible for travel, lodging and meal expenses amounting to approximately \$600.00. A police vehicle will be used for transportation to and from this training, NOW, THEREFORE, BE IT

RESOLVED, that Chief Chamberlin is authorized to send Det. Stanley Keller to this training, and that this time spent there is authorized as normal duty time. The expenses will be charged to line 0100-3120-4085.

Upon roll call

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

MEETING NO. 3
FEBRUARY 2, 1998

ABSENT: 0

Item No. 19c Moved by Supervisor Gabryszak, seconded by Councilmember Jankowiak

WHEREAS, the 1997 Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN) business meeting and "Crime Trends in America" Information Sharing Conference, is being held in Pittsburgh, Pennsylvania, March 30 - April 3, 1998.

WHEREAS, Lt. Jim Starr is our primary representative in MAGLOCLLEN and his attendance is mandatory and, MAGLOCLLEN will cover transportation and lodging expense and the Police Department will be responsible for the registration fee and meal expenses which will amount to \$300,000, NOW, THEREFORE, BE IT

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

Upon roll call

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

II. DEPARTMENTAL COMMUNICATIONS

Item No. 20 Building Permits
Received and Filed.

Item No. 21a Supervisor's Statement of Funds - November, 1997
Received and Filed.

Item No. 21b Supervisor's Statement of Funds - December, 1997
Received and Filed.

Item No. 22a Minutes of Cheektowaga Public Library Board - January 21, 1998
Received and Filed.

Item No. 22b Minutes of Cheektowaga Planning Board - January 8, 1998
Received and Filed.

III. GENERAL COMMUNICATIONS

Item No. 23a Notice of Claim: Timothy J. Weiskopff vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23b Notice of Claim: Stanley Guzik vs the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Facilities Department and Allied Claims Insurance Carrier.
Received and Filed.

Item No. 23c Notice of Claim: Allstate Insurance Company as subrogee of Pauline Debergalis/C.B.C., Inc. vs the Town of Cheektowaga (amended)
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.



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

Upon roll call

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



IV. SUSPENSION OF RULES

Item No. 24 Moved by Councilmember Jankowiak, seconded by Councilmember Jaworowicz
Councilmember Rogowski

WHEREAS, the United States Court of Appeals for the 5th Circuit recently ruled that cable operators may be required to calculate the amount of franchise fees paid to municipalities into its calculation of gross revenues, thereby requiring the payment of additional franchise fees to such municipalities, AND

Item No. 24 cont'd.

WHEREAS, as a result of this ruling, Adelphia Cable Communications has notified the Town of Cheektowaga that, effective March 1, 1998, it intends to pass this cost through to its subscribers by increasing the amounts billed to such subscribers, AND

WHEREAS, cable subscribers in the Town will not receive any additional services or benefit from Adelphia Cable Communications from this increase in their bills, AND

WHEREAS, this Town Board wishes to keep cable television rates as reasonable as possible for all residents of the Town and is opposed to any increase in the fees charged for cable television service, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby protests the aforementioned proposed increase in cable television rates by Adelphia Cable Communications and, BE IT FURTHER

RESOLVED, that this Town Board hereby requests representatives of Adelphia Cable Communications to meet with Town representatives to discuss this matter before it takes any action and, BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward certified copies of this resolution to Thomas M. Haywood, General Manager of Operations at Adelphia Cable Communications; and to Carol McTague, Municipal Consultant at the New York State Department of Public Service.

Upon roll call

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

Item No. 25 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga previously received a grant award through the Federal Intermodal Surface Transportation Efficiency Act ("ISTEA") for its proposed Rails-to-Historic Trails project, AND

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WHEREAS, pursuant to requirements of such grant, the Town must follow certain procedures before it can retain an engineering consultant for this project, AND

WHEREAS, the Consultant Selection Guide for this grant requires the Town to publish a Notice of receipt of proposals for such consultant in the New York State Contract Reporter, AND

WHEREAS, the Town has prepared such Notice, which Notice has been approved by the New York State Department of Transportation, which agency is charged with supervision of this grant, NOW, THEREFORE, BE IT

RESOLVED, that it is hereby directed that the aforementioned Notice be published in the New York State Contract Reporter in the next available publication.

Upon roll call

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

Item No. 26 Moved by Councilmember Rogowski, seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by this Town Board at a public bid opening held on January 30, 1998 for the purchase of ONE (1) NEW AND UNUSED, 1998 MODEL, WHEEL TYPE, ASPHALT PAVER WITH A VARIABLE WIDTH, POWER EXTENDING SCREED as a result of advertisement thereof, and such bids were referred to the Superintendent of Highways for analysis and tabulation and report, AND

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

RESOLVED, that the bid for the purchase of ONE (1) NEW AND UNUSED, 1998 MODEL, WHEEL TYPE, ASPHALT PAVER WITH A VARIABLE WIDTH, POWER EXTENDING SCREED to Gateway Equipment Corp., 8033 Transit Road, East Amherst, New York 14051 at a total bid price after trade-in of \$115,632.00 said bidder being the lowest responsible bidder meeting specifications and, BE IT FURTHER

RESOLVED, that monies be charged to line item 0300-5130-2407.

Upon roll call

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

Item No. 27 Moved by Supervisor Gabryszak, seconded by Unanimous to adjourn this meeting in memory of Richard Nowak, a long time town resident. This meeting was adjourned at 8:15 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 4
February 23, 1998**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 23rd day of February, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; William Pugh, Town Engineer; Ronald Marten, Supervising Building and Plumbing Inspector; Robert McCarthy, Director of Employee Relations; Sal LaGreca, Planning Board Chairman; John Schaller, Assistant Chief of Police; Ken Kopacz, Executive Director of Youth and Recreational Services; Robert Kaczmarek, Supervising Accountant; William Conway, Assessor.

I. RESOLUTIONS

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

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

1997

GENERAL FUND

FROM:	0100-3120-1541	Patrolmen	\$24,940.00
	0100-3120-1374	Clerk-Typist	6,065.00
	0100-3120-1541	Patrolmen	8,462.00
	0100-3120-3820	State Aid - Police	817.00
	0100-3120-1391	Part-time Clerical	21,476.00
	0100-3510-1491	Part-time Dog Control	383.00
	0100-5132-4211	Electrical	2,117.00
	0100-7310-1161	Program Coordinator	405.00
	0100-7321-1300	Program Coordinator	192.00
	0100-7620-1639	Special Events	1,535.00
	0100-1430-1301	Secretary	921.00
	0100-1430-1391	Part-time Clerical	214.00
	0100-1410-1391	Part-time Clerical	1,697.00
	0100-1410-1571	Bingo Inspector	144.00
	0100-1410-4111	Publishing Notices	1,218.00
TO:	0100-3120-2205	Grant Expenditures	\$8,462.00
	0100-3120-1153	Assistant Chief	1,252.00
	0100-3120-1501	Captains	6,047.00
	0100-3120-1511	Lieutenants	17,641.00
	0100-3120-1351	Senior Clerk	6,054.00
	0100-3120-1371	Clerk	11.00
	0100-3120-4100	Domestic Violence Grant	817.00
	0100-3120-1551	Sergeants	9,641.00
	0100-3120-1581	Matrons	513.00
	0100-3310-1437	Sign Maintenance Men	9,957.00
	0100-3310-1492	Part-time Sign Maintenance	1,365.00
	0100-3510-1413	Dog Control Officer	383.00
	0100-5132-1171	Deputy Highway Superintendent	2,117.00
	0100-7310-1114	Executive Director-Youth	405.00
	0100-7321-1400	Administrative Assistant	192.00

Item No. 2 cont'd

**TOWN OF CHEEKTOWAGA
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0100-7620-1361	Senior Clerk	151.00
0100-7620-1385	Recreation Specialist	721.00
0100-7620-1604	Outreach Worker	67.00
0100-7620-1639	Van Drivers	596.00
0100-1430-1400	Administrative Clerk	1,135.00
0100-1410-1361	Clerk-Steno	962.00
0100-1410-1375	Telephone Operator	521.00
0100-1410-1376	Senior Clerk Typist	223.00
0100-1410-1380	Records Management Clerk	1,353.00

HIGHWAY FUND

FROM: 0300-5141-1931	Labor Allocation	\$174,313.00
0300-5141-1933	Labor Allocation	1,909.00
0300-5141-1937	Labor Allocation	15,294.00
0300-5142-1701	Snow Removal Labor	191,516.00
0300-5141-1412	Highway Laborer	21,000.00
0300-5141-1414	MEO-B	822.00
TO: 0300-5141-1935	Labor Allocation	\$191,516.00
0300-5110-1701	General Labor	174,313.00
0300-5130-1701	Highway Machinery Labor	1,909.00
0300-5150-1701	Highway Improvements	\$15,294.00
0300-5141-1416	Tree Trimmer	2,180.00
0300-5141-1422	General Mechanic	498.00
0300-5141-1442	Auto Mechanic	4,355.00
0300-5141-1444	MEO A	4,869.00
0300-5141-1445	Welder	926.00
0300-5141-1203	Working Crew Chief	7,450.00
0300-5141-1343	Senior Account Clerk	350.00
0300-5141-1374	Clerk-Typist	159.00
0300-5141-1391	Part-time Clerical	193.00
0300-5141-1402	Principal Engineering Assistant	842.00

PART-TOWN FUND

FROM: 0800-3620-1431	Part-time Plumbing Inspector	\$4,186.00
0800-9010-8121	Social Security	906.00
TO: 0800-3620-1391	Part-time Clerical	76.00
0800-3620-1700	housing Inspector	\$4,110.00
0800-9010-8902	FICA Allocation	94.00
0800-9010-8905	Fringe Benefit Allocation	812.00

SPECIAL DISTRICTS FUND

FROM: 1500-8160-1444	MEO A	\$1,012.00
1500-8173-1409	Recycling Laborer	437.00
2500-8125-1424	Sewer Maintenance Man	66.00
2500-8135-1433	Pump Station Operator	409.00
1500-8160-1391	Part-time Clerical	\$1,012.00
1500-8173-1410	Recycling Driver	437.00
2500-8125-1412	Laborer	66.00
2500-8135-1451	Senior Pump Station Operator	409.00

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to February 20, 1998 are hereby approved and made a part hereof:

Item No. 3 cont'd

GENERAL FUND	\$ 467,514.61
HIGHWAY FUND	170,899.96

**TOWN OF CHEEKTOWAGA
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TRUST & AGENCY	32,852.03
PART TOWN FUND	6,875.81
HUD CDBG FUND	30,136.32
RISK RETENTION FUND	99,119.27
SPECIAL DISTRICTS FUND	982,572.78
CAPITAL FUND	<u>39,695.00</u>
	\$1,829,665.78

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

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

WHEREAS, Chapter 76 of the Code of the Town of Cheektowaga, also known as the Vehicle & Traffic Ordinance, was originally enacted in 1967 and has been amended piecemeal numerous times since 1967, and

WHEREAS, such Vehicle & Traffic Ordinance is difficult to follow, contains some duplication and errors and has never been alphabetized, and

WHEREAS, the Traffic Division of the Police Department has spent much time reviewing such ordinance and updating same, and has prepared a new Vehicle & Traffic Ordinance, and

WHEREAS, this Board is interested in adopting this new and improved Vehicle & Traffic Ordinance and in repealing the existing Vehicle & Traffic Ordinance, NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held on the 16th day of March, 1998 at 7:00 p.m. at the Town Hall, 3301 Broadway, Cheektowaga, New York for the purpose of considering the repeal of the existing Vehicle & Traffic Ordinance and of adopting a new Vehicle & Traffic Ordinance and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to publish the attached Notice in the Cheektowaga Times on the 26th day of February, 1998.



NOTICE OF PUBLIC HEARING

TAKE NOTICE that the Town Board of the Town of Cheektowaga, Erie County, New York will hold a public hearing at the Town Hall, 3301 Broadway, in said Town of Cheektowaga on March 16, 1998 at 7:00 p.m. to consider the advisability of adopting a new Vehicle & Traffic Ordinance.

A general description of the proposed new Vehicle and Traffic Ordinance is as follows:

The general purpose of the proposed Vehicle & Traffic Ordinance is to regulate the parking and movement of vehicles on public highways and public and private property in the Town of Cheektowaga.

The proposed Vehicle & Traffic Ordinance contains the following articles:

Article 4a cont'd

Article I	- General Provisions
Article II	- Traffic Regulations, including signals, speed limits, stop and yield intersections
Article III	- Off Street Parking
Article IV	- Parking, Standing, Stopping
Article V	- Schedules for various sections of the Vehicle and Traffic Ordinance

**TOWN OF CHEEKTOWAGA
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A copy of the complete texts of the existing and proposed Vehicle and Traffic Ordinance is on file in the Town Clerk's Office in the Town Hall 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: February 23, 1998

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

Item No. 4b Call for public hearing for rezoning of property located at 3160 Union Road.
This item was withdrawn.

Item No. 5a Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

WHEREAS, bids were duly received by this Town at a public bid opening for the purchase of new trees for the town's spring, 1998 planting season, by the Cheektowaga Highway Department. As a result of advertisement, therefore, and such bids were referred to the Superintendent of Highways for analysis, tabulation and report, and

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

RESOLVED that the bid be awarded to Schichtel's Nursery, 7420 Peters Road, Springville, New York 14141, said bidder being the lowest responsible bidder, meeting specifications as set forth in the tabulation attached hereto and made a part hereof, and BE IT FURTHER

RESOLVED that said monies be charged to line item #0300-5140-4291.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 5b Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, bids were received on February 4, 1998 for the application of chemical fertilizers and herbicides, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 11, 1998, NOW, THEREFORE, BE IT

RESOLVED that the contract for the application of chemical fertilizers and herbicides for the year of 1998 be awarded to Turf Tec of Western New York, Inc., 5096 Lockport, New York 14094 at the following total and unit bid prices:

**TOWN OF CHEEKTOWAGA
MEETING NO. 4
February 23, 1998**

ITEM 1	Nitrogen Fertilization Creek Areas	\$5,783.00
ITEM 2	Chemical Trimming Areas	\$ 765.00
ITEM 3	Retention Basins	\$2,540.00
ITEM 4	Nitrogen Fertilizer	.0029/sq.ft.
ITEM 5	Weed Control	.0036/sq.ft.
ITEM 6	Chemical Trimming	.0070/sq.ft.
ITEM 7	Weed & Feed Lawn Areas	.0039/sq.ft.
ITEM 8	Chemical Trimming of Fence Lines	\$ 51.50
ITEM 9	Grass Growth Regulator	\$ 875.50
ITEM 10	Brush Control	\$3,435.00
	Total Bid for Items 1, 2, and 3:	\$9,088.00

and BE IT FURTHER

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 5c Motion by Councilmember Johnson, Seconded by Councilmember Rogowski

WHEREAS, as a result of advertisement, bids were received on February 4, 1998 for the furnishing of equipment and operators for maintenance and installation of storm sewers and erosion control projects during the calendar year of 1998 in the Town of Cheektowaga, and

WHEREAS, said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 18, 1998, NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of equipment and operators for maintenance and installation of drainage and erosion control projects in the Town of Cheektowaga be awarded to Kissell Excavating, Inc., 1026 Reilein road, Cowlesville, New York 14032 for submission of the lowest bid meeting the specifications as per the unit prices of:

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Item 1	Hydraulic Backhoe	\$ 600.00 per 8 hour day
Item 2	Tractor with Front End Loader	350.00 per 8 hour day
Item 3	Dozer	490.00 per 8 hour day
Item 4	Dozer	544.00 per 8 hour day
Item 5	Dozer	550.00 per 8 hour day
Item 6	Tandem Dump Truck	336.00 per 8 hour day
Item 7	Landscape Type Tractor	300.00 per 8 hour day
Item 8	Hydraulic Backhoe	520.00 per 8 hour day
Item 9	Laborers	324.00 per 8 hour day
Item 10	Hydraulic Backhoe	550.00 per 8 hour day

and BE IT FURTHER

RESOLVED that payment for said equipment and operators for maintenance and installation of storm sewers 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.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 6 Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the Chapter 309 of the Laws of 1996, the New York State Legislature amended Section 5 of the General Municipal Law to authorize local governments to enter into agreements with credit card issuers to provide for the acceptance by the Town of credit cards as a means of payment of rates, taxes, fees, charges, etc. owned to the Town, and

WHEREAS, by resolution dated August 4, 1997, this Town Board directed that proposals would be accepted and reviewed by the Town for credit cards to be utilized for the payment of fees for programs run by the Town Department of Youth and Recreational Services (and eventually other Town departments), and

WHEREAS, proposals were accepted and opened on August 20, 1997 for the aforesaid services, and were referred to the Town's Supervising Accountant and Director of the Department of the Youth & Recreational Services for review and recommendations, and

**TOWN OF CHEEKTOWAGA
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WHEREAS, said Town officers reviewed the proposals submitted and met with representatives of companies submitting such proposals, and

WHEREAS, the Town's Supervising Accountant and Director of the Department of Youth and Recreational Services recommended that the Town enter into an agreement with Manufacturers and Traders Trust Company for credit card services (Visa and Master Card) as mentioned above, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby awards the aforementioned contract for credit card services for the Department of Youth and Recreational Services to Manufacturers and Traders Trust Company, One Fountain Plaza, Buffalo, New York 14203-1495.

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

Item No. 7 Notice to Bidders - Police Vehicles
This item was withdrawn.

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

WHEREAS, the New York State Department of Transportation ("DOT") is in the process of doing design work for the reconstruction of Union Road from Como Park Boulevard to George Urban Boulevard in the Town of Cheektowaga (PIN 5131.23.101), and

WHEREAS, the Police Department Traffic Division has requested the DOT to, as part of such road reconstruction project, redesign and reconstruct the Town Police/Court/Highway/Sanitation complex drives on the east side of Union Road in connection with such project, and

WHEREAS, the Police Department has requested that there be one central driveway along Union Road (with the closures of the north driveway at the police department and the south driveway at the highway department) and the installation of a traffic signal, a southbound left turn lane and a northbound right turn lane on Union Road, and

WHEREAS, the DOT has agreed to perform the work requested by the Police Department, but needs a resolution requesting same from the Town Board, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby requests the DOT to perform the above referenced work for the Town complex on Union Road during its Union Road reconstruction project (PIN 5131.23.101), and BE IT FURTHER

RESOLVED that the Town Clerk be and hereby is directed to forward a certified copy of this resolution to Robert Russell, DOT, 125 Main Street, Buffalo, New York 14203.

Item No. 8 cont'd

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

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

WHEREAS, the Town of Cheektowaga previously received a grant award through the Federal Intermodal Surface Transportation Efficiency Act ("ISTEA") for its proposed Rails-to-Historic Trails Project, and

WHEREAS, the proposed Rails-to-Historic Trails path passes through property currently owned by Tri-City Rentals (formerly Idylwoods Associates), more particularly known as Tax S.B.L. Nos. 125.05-1-1 and 125.05-1-2, and

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WHEREAS, ISTEА grant regulations require the Town to review title of all properties over which the proposed bicycle path runs, and

WHEREAS, there is a need to have stub title searches prepared for the above referenced properties so that the Town Attorney's Office can verify title/ownership of these properties, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is directed to order stub title searches for the above referenced properties, and BE IT FURTHER

RESOLVED that moneys for such stub title searches, shall be appropriated from budget line item number 5705-1440-9607.



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

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



Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Town of Cheektowaga previously received a grant award through the Federal Intermodal Surface Transportation Efficiency Act ("ISTEA") for its proposed Rails-to-Historic Trails Project, and

WHEREAS, the proposed Rails-to-Historic Trails path passes through property currently owned by Tri-City Rentals (formerly Idylwoods Associates), more particularly known as Tax S.B.L. Nos. 125.05-1-1 and 125.05-1-2, and

WHEREAS, ISTEА grant regulations require the Town to review title of all properties over which the proposed bicycle path runs, and

WHEREAS, there is a need to have stub title searches prepared for the above referenced properties so that the Town Attorney's Office can verify title/ownership of these properties, NOW, THEREFORE, BE IT

RESOLVED that the Town Attorney's Office be and hereby is directed to order stub title searches for the above referenced properties, and BE IT FURTHER

Item No. 9 cont'd

RESOLVED that moneys for such stub title searches, in an amount not to exceed \$500.00, shall be appropriated from budget line item number 5705-1440-9607.

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

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

WHEREAS, developers are required to install water mains within the right-of-way of new developments, and

WHEREAS, one (1) hydrant must be installed in the Sonwil Drive Extension prior to construction of the water main extension by the developer as per Erie County Water Authority requirements, and

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WHEREAS, Hy-View Fire District No. 8 has approved the location of the proposed fire hydrant for the Sonwil Drive Extension, NOW, THEREFORE, BE IT

RESOLVED that permission is hereby granted to the developer of the Sonwil Drive Extension to install one (1) hydrant at the location approved by the Chief of Hy-View Fire District No. 8, at the location described as follows:

west side of Sonwil Drive at approximately Station 46+00

as detailed on design drawings prepared by Nussbaumer & Clarke, Inc., and BE IT FURTHER

RESOLVED that all costs associated with furnishing and installing the subject hydrant are to be borne by the developer, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga is responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the subject hydrant, with said charges being recovered by Town billing to the respective fire hydrant rental district.

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

Item No. 11 Motion by Councilmember Jaworowicz, Seconded by Councilmember Mazur

WHEREAS, continuous complaints have been received by the Town Board regarding accumulated fire damage debris on property located at 9 Rockleigh Drive, Cheektowaga, New York, SBL# 91.14-12-36 and according to the Assessor's Office is owned by Christopher J. Pohlman and Shauna M. Pohlman, 9 Rockleigh Drive, Cheektowaga, New York 14225-2538, and

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

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

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

Item No. 12a Payment in Lieu of Taxes Agreement regarding 891-893 French Road
This item was withdrawn.

Item No. 12b Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Town, in its 1998 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, and

WHEREAS, agreements between the Town and these cultural and not-for-profit organizations have been prepared and forwarded to such groups, and

WHEREAS, the organizations listed below have completed and returned sign agreements and their accounting report from the 1996 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby approves agreements in the forms attached to this resolution, with the cultural and not-for-profit organizations listed below for the amounts listed, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the attached agreements with the following referenced cultural and not-for-profit organizations for the following respective amounts:

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<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Historical Association	\$1,000.00
Friends of the Woods, Ltd	\$ 675.00
Arts Society of Cheektowaga	\$ 675.00
Cheektowaga Community Symphony Orchestra	\$8,000.00

and BE IT FURTHER

RESOLVED that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization out of the respective cultural group budget line item in the 1998 Town budget, subject to audit and approval of a properly signed Town voucher.

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 12c Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

WHEREAS, the Erie County Legislature, under the sponsorship of Legislator Gregory Olma, reappropriated public benefit funds in its 1998 budget for the Town Neighborhood Preservation and Wellness Program, to be utilized for the Walden Avenue and Genesee Street areas, and

WHEREAS, in order to avail itself of this funding, the Town must complete an application/contract for same, and

WHEREAS, an application for this funding has been prepared, NOW, THEREFORE,
BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the aforementioned application/contract with the County of Erie and any and all other documents necessary for the receipt of such moneys.

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

Item No. 12d Motion by Supervisor Gabryszak, Seconded by Councilmember Jaworowicz

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WHEREAS, the New York State Department of Transportation, in 1996, as part of a road-widening project, acquired a portion of property located at 2777 Harlem Road, and

WHEREAS, proceeds from the acquisition of this property have been deposited in an interest bearing account with the State Comptroller's Office, and

WHEREAS, the attorney's for the owner of 2777 Harlem Road have requested the Town to execute a Stipulation and Consent wherein the funds deposited in this matter will be released to pay the delinquent county, town and school taxes for this property, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the aforementioned Stipulation and Consent on this matter.

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

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

WHEREAS, the Town of Cheektowaga maintains various accounts with Fleet National Bank and investments are made with such bank in government securities through a three party repurchase agreement, and

WHEREAS, this Town Board wishes to appoint Fleet National bank as the Town's agent for purposes of transmitting and receiving Town funds in connection with the third party repurchase agreement with Swiss Bank Corporation, and

WHEREAS, Fleet national Bank has prepared an Agency Agreement within the Town would appoint Fleet National Bank as the Town's agent for the aforementioned purposes, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the aforementioned Agency Agreement with Fleet National Bank.

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

Item No. 12f Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

WHEREAS, Genesee Street is a State highway maintained by the New York State Department of Transportation ("DOT"), and

WHEREAS, there is a traffic signal (#193 S) on Genesee Street at Andrews Avenue, which signal was erected under a DOT permit (Permit No. 50029) issued to the Town of Cheektowaga, and

WHEREAS, the DOT has notified the Town that it will perform future modifications and maintenance on this signal provided that the Town enters into a signal maintenance agreement with the DOT, and

WHEREAS, such signal maintenance agreement would require the Town to pay an annual fee to the DOT (said fee being \$1,251.62 for the first year) and pay all energy charges, and

WHEREAS, it would be more advantageous to the Town to enter into the aforesaid maintenance agreement with the DOT rather than to do the work itself, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the aforementioned traffic signal maintenance agreement with the DOT, and BE IT FURTHER

RESOLVED that annual maintenance fees required pursuant to this agreement shall be appropriated from budget line item number 3310-3376; and energy charges shall be paid from budget line item number 3310-4317, and BE IT FURTHER

**TOWN OF CHEEKTOWAGA
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February 23, 1998**

RESOLVED that since the Town is self-insured, the Town hereby agrees to defend and indemnify the People of the State of New York against any claims, suits, demands or judgments by reason of bodily injury, including death, and for any claims resulting in property damage occurring on or in the proximity to the above referenced permit area; and the Supervisor is directed to execute an indemnification agreement on behalf of the Town.

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

Item No. 13 Motion by Councilmember Jankowiak, Seconded by Councilmember Rogowski
Councilmember Jaworowicz
Councilmember Swiatek

BE IT RESOLVED that a part-time position of Deputy Town Attorney (with prosecutorial duties) be and hereby is created in the Town of Cheektowaga, effective immediately, and BE IT FURTHER

RESOLVED that the following individual be and hereby is appointed in the newly created part-time position of Deputy Town Attorney (with prosecutorial duties), effective immediately, at a salary of \$14,811 per year:

James M. Vallone
XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Depew, New York XXXXX

and BE IT FURTHER

RESOLVED that Michael J. Stachowski be and hereby is terminated from his part-time position as Deputy Town Attorney (with prosecutorial duties), effective immediately, and BE IT FURTHER

RESOLVED that the following individual be and hereby is appointed to the part-time position of Deputy Town Attorney (prosecutorial duties), effective immediately, at an annual salary of \$14,811:

Item No. 13 cont'd

Jeffrey L. Whiting
XXXXXXXXXXXXXXXXXXXX
Cheektowaga, New York XXXXX

and BE IT FURTHER

RESOLVED that the Coordinator of Employee Relations be and hereby is directed to prepare, execute and file any and all forms necessary for the creation, termination and appointment to the aforesaid positions with the appropriate Personnel Departments of the County and/or State.



Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak to table the above item, and the voting was as follows:

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

**The above item was tabled.

Item No. 14a Motion by Councilmember Rogowski, Seconded by Councilmember Jaworowicz

**TOWN OF CHEEKTOWAGA
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February 23, 1998**

BE IT RESOLVED that James J. Kirisits, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York be and hereby is reappointed Town Attorney, effective January 1, 1998 to December 31, 1999.

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

Item No. 14b Motion by Councilmember Swiatek, Seconded by Councilmember Jaworowicz
Councilmember Jankowiak

WHEREAS, the term of Salvatore LaGreca as Chairman of the Cheektowaga Planning Board expired on December 31, 1997, and

WHEREAS, Salvatore LaGreca has performed his duties satisfactorily as Chairman of the Cheektowaga Planning Board in the past, and desires to continue to serve on such Board, NOW, THEREFORE, BE IT

RESOLVED that Salvatore LaGreca, XXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is reappointed as Chairman of the Cheektowaga Planning Board, effective January 1, 1998 and terminating on December 31, 2004.



Motion by Councilmember Mazur, Seconded by Councilmember Johnson to table the above item, and the voting was as follows:

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

**The above resolution was tabled.

Item No. 14c Motion by Councilmember Swiatek, Seconded by Councilmember Jaworowicz

WHEREAS, the term of Diane F. Zelasko as a member of the Board of Assessment Review of the Town of Cheektowaga expired on September 30, 1997, and

WHEREAS, Diane F. Zelasko has performed her duties as a member of the Board of Assessment Review in an exemplary manner, and

WHEREAS, this Board is desirous of retaining Diane F. Zelasko as a member of the Board of Assessment Review, NOW, THEREFORE, BE IT

RESOLVED that Diane F. Zelasko of XXXXXXXXXXXXXXXXXXXX, Sloan, New York XXXXX be and hereby is reappointed as a member of the Board of Assessment Review of the Town of Cheektowaga effective immediately and terminating on September 30, 2002.

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

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

BE IT RESOLVED that the following Youth and Recreation employees be transferred as indicated:

From Seasonal to Part-time
(Effective March 1st)
Camille Russell

**TOWN OF CHEEKTOWAGA
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February 23, 1998**

From Part-time to Seasonal
(Effective March 1st)
Noreen Brezowski

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

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

BE IT RESOLVED that the following individuals be hired as part-time employees in the Youth and Recreation Department, effective immediately:

Gymnastics - 7140.1630
Recreation Attendant IV - \$5.90
Robin Thompson XXXXXXXXXXXXXXXXXXXXXXXX

Recreation Attendants - 7140.1614 - (Teen Center)
Recreation Attendant I - \$5.15
Joel Astyk XXXXXXXXXXXXXXXXXXXXXXXX XXXXX

Adapted Recreation Program - 7310.1803
Lifeguard II - \$5.50
Eric Hansen XXXXXXXXXXXXXXXXXXXXXXXX

Lifeguard III - \$6.00
Mark Przybysz XXXXXXXXXXXXXXXX

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

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

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

EFFECTIVE

SANITATION DEPARTMENT - \$6.00 PER HOUR (Laborer)
Roy Baer, Jr. XXXXXXXXXXXXXXXXXXXX, Chktg. XXXXX 2/11/98

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

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

WHEREAS, the North Carolina State University is sponsoring an Administrative Management Forum "The Technology of the Future" at Oglebay Park, Wheeling, West Virginia from Sunday, March 15th through Thursday, March 19, 1998, and

WHEREAS, the educational program for park and recreation administrators, managers and supervisors focuses on:

- Approaches to Financial Management
- Managing Information Resources
- Administrators Perspective

**TOWN OF CHEEKTOWAGA
MEETING NO. 4
February 23, 1998**

--Planning for Ongoing System Management
--Computer Acquisitions
--Computer Applications

NOW, THEREFORE, BE IT

RESOLVED that Kenneth J. Kopacz, Executive Director of the Department of Youth and Recreational Services, be reimbursed the necessary transportation, meals and lodging expenses to attend said meeting at a cost not to exceed \$475.00 (estimate - Line Item No. 01-7140-0004-4191); travel, \$195.00 (estimate - Line Item No. 01-1910-0004-4083); and training fees not to exceed \$325.00 (Line Item No. 01-7310-0004-4681)



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

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

**The above item was tabled.

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

WHEREAS, Gabrielle Dotterweich, Program Coordinator for the Suburban Wellness Coalition has been chosen out of numerous applicants to be a presenter at the 1998 Pride World Drug Conference scheduled for April 30th through May 2nd in Lakeland, Florida, and

WHEREAS, Ms. Dotterweich will share information on the subject of "fetal Alcohol Syndrome" and network with other professionals in such areas as drug prevention, treatment, **Item No. 17b cont'd**

research and law enforcement from across the country and around the world, NOW, THEREFORE, BE IT

RESOLVED that Gabrielle Dotterweich be authorized to present at said workshop and be reimbursed all necessary travel and lodging expenses not to exceed \$775.00 (budget line item 0100-7321-4000).



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

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

**The above resolution was tabled.

II. DEPARTMENTAL COMMUNICATIONS

Item No. 18 Cheektowaga Traffic Safety Commission - Minutes of January 20, 1998 Received and Filed.

III. GENERAL COMMUNICATIONS

TOWN OF CHEEKTOWAGA
MEETING NO. 4
February 23, 1998

- Item No. 19** Summons & Notice - Ruth Gumulak vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department; Received and Filed.
- Item No. 20a** Notice of Claim - Kirk & Linda Cleveland vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Sewer Maintenance. Received and Filed.
- Item No. 20b** Notice of Claim - Frank Stefaniak, parent of Marcus Stefaniak vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Received and Filed.
- Item No. 20c** Notice of Claim - Michael Phelan vs Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Highway Department. Received and Filed.
- Item No. 20d** Notice of Claim - Robert Saulter
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Council Office; Allied Claims, Insurance Company; Chief of Police. Received and Filed.
- Item No. 21** Motion by Supervisor Gabryszak, Seconded by Councilmember Mazur to adjourn the meeting.
Time Meeting Adjourned: 8:10 P.M.

RICHARD M. MOLESKI
Town Clerk

TOWN OF CHEEKTOWAGA
MEETING NO. 5
MARCH 2, 1998

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 2nd day of March, 1998 at 7:00 o'clock P.M. there were:

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

Also present were: Richard M. Moleski, Town Clerk; Robert McCarthy, Coordinator of Employee Relations; Salvatore LaGreca, Planning Board Chairman; William Pugh, Town Engineer; Patricia Wojcik, Director of Senior Services Department; William Conway, Assessor; Robert Kaczmarek, Supervising Accountant; and Bruce Chamberlin, Police Chief.

I. FROM THE TABLE

Item No. 2 Moved by Unanimous, seconded by Unanimous

BE IT RESOLVED, that in order to reduce the Town's dependency on outside legal counsel and the costs associated therewith, Michael J. Stachowski be and he hereby is reassigned from his position as Deputy Town Attorney (with prosecutorial duties) to the position of Deputy Town Attorney with the following duties:

- Reviewing and monitoring litigation matters involving outside counsel
- Performing in-house litigation matters and proceedings filed against the Town
- Handling assessment review proceedings
- Performing such other duties as assigned to him by the Town Attorney

at a salary of \$25,000 per year, and this reassignment is to be effective immediately upon the qualification and assumption of prosecutorial duties by the individuals hereinafter appointed as special prosecutors, and shall terminate effective December 31, 1998, and, BE IT FURTHER

RESOLVED, that funds for payment of the aforesaid salary be transferred from budget account A1355.4561 to account A1420.1151, and that this reassignment be re-evaluated by this Town Board in the course of the preparation of the 1999 budget and, BE IT FURTHER

RESOLVED, that two (2) part-time positions of Deputy Town Attorney (with prosecutorial duties) be and hereby are created in the Town of Cheektowaga, effective immediately and, BE IT FURTHER

RESOLVED, that the following individuals be and hereby are appointed to the newly created part-time positions of Deputy Town Attorney (with prosecutorial duties), effective immediately, at a salary per individual of \$14,811 per year:

James M. Vallone
XXXXXXXXXXXXXXXXXXXXXXXXXX
Depew, New York XXXXX

Jeffrey L. Whiting
XXXXXXXXXXXXXXXXXXXX
Cheektowaga, New York XXXXX

and, BE IT FURTHER

Item No. 2 cont'd.

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RESOLVED, that the Coordinator of Employees Relations be and hereby is directed to prepare, execute and file any and all forms necessary for the reassignment, creation and appointment to the aforesaid positions with the appropriate Personnel Departments of the County and/or State.

Upon roll call

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

Item No. 3 Moved by Councilmember Swiatek, seconded by Councilmember Jaworowicz
Councilmember Jankowiak

WHEREAS, the term of Salvatore LaGreca as Chairman of the Cheektowaga Planning Board expired on December 31, 1997, AND

WHEREAS, Salvatore LaGreca has performed his duties satisfactorily as Chairman of the Cheektowaga Planning Board in the past, and desires to continue to serve on such Board, NOW, THEREFORE, BE IT

RESOLVED, that Salvatore LaGreca, XXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is reappointed as Chairman of the Cheektowaga Planning Board, effective January 1, 1998 and terminating on December 31, 2004.

Upon roll call

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

Item No. 4 Authorize Executive Director of Department of Youth and Recreational Services to Attend Program
This item was withdrawn.

Item No. 5 Moved by Supervisor Gabryszak, seconded by Councilmember Rogowski

WHEREAS, Gabrielle Dotterweich, Program Coordinator for the Suburban Wellness Coalition has been chosen out of numerous applicants to be a presenter at the 1998 Pride World Drug Conference scheduled for April 30th through May 2nd in Lakeland, Florida, AND

WHEREAS, Ms. Dotterweich will share information on the subject of "Fetal Alcohol Syndrome" and network with other professionals in such areas as drug prevention, treatment, research and law enforcement from across the country and around the world, NOW, THEREFORE, BE IT

RESOLVED, that Gabrielle Dotterweich be authorized to present at said workshop and be reimbursed all necessary travel and lodging expenses not to exceed \$775.00 (budget line item 0100-7321-4000).

Upon roll call

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

II. RESOLUTIONS

Item No. 6 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

MEETING NO. 5
MARCH 2, 1998

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

GENERAL FUND

From:	0100-1910-2799	Appropriated Fund Balance	\$5,490.00
To:	0100-1110-2105	Equipment	\$5,490.00

HIGHWAY FUND

From:	0300-1910-5031	Transfers In	\$2,500.00
To:	0300-5140-4291	Shade Trees	\$2,500.00

PART-TOWN FUND

From:	0800-1910-1589	Other Public Safety Income	\$5,000.00
To:	0800-3620-4509	Neighborhood Wellness Program	\$5,000.00

CAPITAL FUND

From:	5005-8560-0700	Tree Replacement Program	\$2,500.00
To:	5005-9950-9901	Transfer Out	\$2,500.00

Upon roll call

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

Item No. 7 Moved by Supervisor Gabryszak, seconded by Councilmember Jaworowicz

BE IT RESOLVED, that the following Vouchers and Warrants are submitted to the Town of Cheektowaga prior to February 27, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 81,207.47
HIGHWAY FUND	11,115.30
TRUST & AGENCY	1,014.25
PART TOWN FUND	1,058.78
HUD CDBG FUND	7,190.00
RISK RETENTION FUND	96,680.65
SPECIAL DISTRICTS FUND	160,863.41
CAPITAL FUND	<u>29,729.26</u>
	\$388,859.12

Upon roll call

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

Item No. 8 Moved by Councilmember Swiatek, seconded by Supervisor Gabryszak

WHEREAS, Donald M. Staubitz has made application and requested the rezoning of property located at 3160 Union Road from M-1 Light Manufacturing District to Ms-Motor Services District, NOW, THEREFORE, BE IT

Item No. 8 cont'd.

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 16, 1998 at 6:30 o'clock P.M. at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

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Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 9a Moved by Councilmember Johnson, seconded by Councilmember Jankowiak

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the Roof Replacement at the Main Pump Station Project, which bids were publicly opened on February 11, 1998, AND

WHEREAS, said bids were referred to the Town Engineer and to the project consulting engineer, Nussbaumer & Clarke, Inc. for analysis, tabulation and report, which analysis, tabulation and

MEETING NO. 5
MARCH 2, 1998

report is hereto attached and contained in a letter from the Town Engineer dated February 23, 1998,
AND

WHEREAS, said report recommends that the Roof Replacement at the Main Pump Station Project be awarded to Jameson Roofing Company Inc. for their submission of the lowest bid meeting the requirements of the specifications, NOW, THEREFORE, BE IT

RESOLVED, that the contract for the Roof Replacement at the Main Pump Station be and hereby is awarded to:

Jameson Roofing Co., Inc.
3761 East Lake Road
Dunkirk, New York 14048

for the bid price of \$51,199.00, said bid 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 sign said Agreement with Jameson Roofing Co., Inc. and, BE IT FURTHER

RESOLVED, that funding for said project shall be chargeable to Account No. 5827-8135-9803.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 9b Moved by Councilmember Swiatek, seconded by Councilmember Jankowiak

WHEREAS, bids were duly received and opened at the February 18, 1998 public bid opening as the result of advertisement, therefore, for the furnishing of work uniforms to Town of Cheektowaga employees. Said bids were referred to the Town Engineer for analysis, tabulation and report, which said analysis, tabulation and report is hereto attached and contained in a letter to the Town Board dated February 26, 1998, NOW, THEREFORE, BE IT

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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 Flirt's, P.O. Box 541, East Amherst, New York 14051-0541.

ITEM IA	Work Pants (sizes to 44)	\$14.00
ITEM IB	Work Pants (sizes 46 - 50)	16.00
ITEM IC	Work Pants (sizes 52 - 60)	20.00
ITEM IIA	Shirts (long sleeve, sizes up to 17-1/2)	12.50
ITEM IIB	Shirts (long sleeve, sizes 18 and up)	15.50
ITEM IIIA	Chambray Shirts (long sleeve, sizes up to 17-1/2)	11.50
ITEM IIIB	Chambray Shirts (long sleeve, sizes 18 and up)	13.50
ITEM IVA	Shirts (short sleeve, sizes up to 17-1/2)	11.50
ITEM IVB	Shirts (short sleeve, sizes 18 and up)	13.50
ITEM VA	Chambray Shirts (short sleeve, sizes up to 17-1/2)	10.25
ITEM VB	Chambray (short sleeve, sizes 18 and up)	12.25
ITEM VIA	Coveralls (long sleeve sizes 36-46, short - X long)	23.00
ITEM VIB	Coveralls (long sleeve sizes 48 - 50, short - X long)	27.00
ITEM VIC	Coveralls (long sleeve sizes 52 - 60, regular - tall)	30.00
ITEM VIIA	Denim Jeans (sizes to 42)	11.77
ITEM VIIB	Denim Jeans (sizes 44 - 56)	18.50
ITEM VIIIA	Bib Overalls (sizes to 44)	20.00
ITEM VIIIB	Bib Overalls (sizes 44 - 60)	25.00
ITEM IXA	Womens Work Pants (sizes 4 - 28)	11.50
ITEM XA	Womens Shirts (long sleeve, S-XXL)	8.00
ITEM XIA	Womens Shirts (short sleeve, S-XXL)	7.00
ITEM XIIA	Tee Shirts	5.95

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

Upon roll call

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

NAYES: 0

ABSENT: 0

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 10a Moved by Councilmember Jankowiak, seconded by Supervisor Gabryszak

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

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

MEETING NO. 5
MARCH 2, 1998

RESOLVED, that sealed bids will be received on the 11th day of March, 1998 at 11:00 A.M., Eastern Standard Time at a public bid opening to be held in the Cheektowaga Council Chambers at the Cheektowag Town Hall.



NOTICE TO BIDDERS

Sealed proposals will be received by the Town of Cheektowaga on March 11th, 1998 at 11:00 A.M., Eastern Standard Time, at Town Hall, corner of Broadway and Union Roads, for the purchase of police vehicles as specified.

Information for bidders and specifications may be obtained from the Town Clerk at this office in said Town. One bid is to be submitted for the fleet of vehicles, list the actual cost per vehicle and price to be paid for each trade in.

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



Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 10b Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, it is in order that bids be advertised for furnishing all labor, tools, equipment, materials and incidentals required for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Lobby Floor Work, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Cheektowaga/Recreation Center Building Rehabilitation Lobby Floor Work, said Notice to be published in the CHEEKTOWAGA TIMES, and, BE IT FURTHER

MEETING NO. 5
MARCH 2, 1998

RESOLVED, that sealed bid proposals will be received on the 19th day of March, 1998 at 11:00 A.M. local time in the Town Hall Council Chambers at a public bid opening to be held for said purpose.



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 19th day of March, 1998 until 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 Town of Cheektowaga/ Recreation Center, Building Rehabilitation, Lobby Floor Work, Multi - Purpose Sports Floor Work complete, in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Information for Bidders, etc. prepared by Ronald C. Hosken, architect, for the 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, Information for Bidders and bidding information may be examined at the above office and at the Architect's Office at 6645 Versailles Road, Lake View, New York 14085. Copies may be secured at the office of Ronald C. Hosken, architect, upon payment of a \$50.00 deposit for each set. Two checks, each for one-half the amount of deposit, shall be furnished, payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications, in good condition within 30 calendar days after 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, Specifications before the bid opening will also be classified as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications, may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to Richard M. Moleski, Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227 and marked "Proposal for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Project", "Lobby Floor Work", "Multi-Purpose Sports Floor Work" as the bidder's interest may apply.

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 to five percent (5%) of the amount of the base bid, payable to 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 a sum equal to five percent (5%) of the amount of the base 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 45 days after the actual date of the opening thereof, but may withdraw same any time prior to the scheduled date for opening of bids.

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

Item No. 10b cont'd.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's certificate of Non-Collusion. Such certificate is a 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 the payment of sales or compensating use taxes in the State of New York and cities and counties of the State on all materials which are to be incorporated into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid.

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The work to be completed within the time frame state in the bidders proposal. Start of work to begin within ten (10) days after the "Order of Commence Work" has been issued.

BY ORDER OF: TOWN OF CHEEKTOWAGA

Richard M. Moleski, Town Clerk

Dated: March 2, 1998

Published: March 5, 1998



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 10c Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, it is in order that bids be advertised for furnishing all labor, tools, equipment, materials and incidentals required for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Mutil-Purpose Sports Floor Work, NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk be and hereby is directed to publish a Notice to Bidders for said Cheektowaga/Recreation Center Building Rehabilitation Multi--Purpose Floor Work, said Notice to be published in the CHEEKTOWAGA TIMES and, BE IT FURTHER

RESOLVED, that sealed bid proposals will be received on the 19th day of March, 1998 at 11:00 A.M. local time in the Town Hall Council Chambers at a public bid opening to be held for said purpose.

MEETING NO. 5
MARCH 2, 1998



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 19th day of March, 1998 until 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 Town of Cheektowaga/ Recreation Center, Building Rehabilitation, Lobby Floor Work, Multi - Purpose Sports Floor Work complete, in place and ready for use in accordance with the Contract Documents therefor, including Plans, Specifications, Information for Bidders, etc. prepared by Ronald C. Hosken, architect, for the 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, Information for Bidders and bidding information may be examined at the above office and at the Architect's Office at 6645 Versailles Road, Lake View, New York 14085. Copies may be secured at the office of Ronald C. Hosken, architect, upon payment of a \$50.00 deposit for each set. Two checks, each for one-half the amount of deposit, shall be furnished, payable to the Town of Cheektowaga.

Any bidder returning such Plans and Specifications, in good condition within 30 calendar days after 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, Specifications before the bid opening will also be classified as non-bidders. Any bidders requesting more than one (1) set of Plans and Specifications, may purchase the excess, but it is understood that they are not returnable.

All bids must be enclosed in a separate sealed envelope and shall be addressed to Richard M. Moleski, Town Clerk of the Town of Cheektowaga, Town Hall, Cheektowaga, New York 14227 and marked "Proposal for the Town of Cheektowaga/Recreation Center, Building Rehabilitation Project", "Lobby Floor Work", "Multi-Purpose Sports Floor Work" as the bidder's interest may apply.

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 to five percent (5%) of the amount of the base bid, payable to 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 a sum equal to five percent (5%) of the amount of the base 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 45 days after the actual date of the opening thereof, but may withdraw same any time prior to the scheduled date for opening of bids.

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

Item No. 10c cont'd.

Attention of the bidders is further called to Section 2604 of the Public Authorities Law which requires a bidder's certificate of Non-Collusion. Such certificate is a 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 the payment of sales or 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 to be completed within the time frame state in the bidders proposal. Start of work to begin within ten (10) days after the "Order of Commence Work" has been issued.

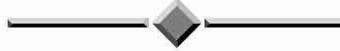
BY ORDER OF: TOWN OF CHEEKTOWAGA

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Richard M. Moleski, Town Clerk

Dated: March 2, 1998

Published: March 5, 1998



Upon roll call

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

NAYES: 0

ABSENT: 0

AFFIDAVIT - NEXT PAGE

Item No. 11 Moved by Councilmember Jaworowicz, seconded by Councilmember Rogowski

WHEREAS, the Town Board of the Town of Cheektowaga is required to submit a list of designated polling places for 1998 to the Erie County Board of Elections, AND

WHEREAS, each such polling place shall have one entrance that provides access, by ramp or otherwise, to physically handicapped or elderly Voters, provided, however, that this requirement may be waived in writing by the Erie County Board of Elections upon a petition to said Board by the Town Board showing good and sufficient cause, AND

WHEREAS, there are 111 Election Districts in the Town of Cheektowaga located in 41 polling places, all of which provide proper accessibility, NOW, THEREFORE, BE IT

RESOLVED, that the attached list of Town of Cheektowaga polling places for 1998 be approved for submittal to the Erie County Board of Elections.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 12 Moved by Councilmember Mazur, seconded by Councilmember Jaworowicz

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 Chamber of Commerce has made application to hold its Trade Show & Job Fair at the Cheektowaga Recreation Center from April 24-26, 1998, AND

WHEREAS, this Board has reviewed the application submitted by the Cheektowaga Chamber of Commerce, which application has been approved by the Facilities Department, and has no objection to same, AND

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

1. Submittal of plan for sanitary facilities
2. Submittal of site plan
3. Submittal of Security Plan

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4. Submittal of Fire Prevention/Emergency Services Plan

NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves the aforementioned application of the Cheektowaga Chamber of Commerce for its Trade Show & Job Fair to be held on April 24-26, 1998.

Upon roll call

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

Item No. 13 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, as part of the approval process for the construction of the Creekside Banquet Facility at 2669 Union Road, the Town requested an easement from the owner to allow the Town to maintain the bed and banks of Cayuga Creek, AND

WHEREAS, David M. Gordon, owner of such property, has prepared and submitted an Easement Agreement for such property as requested, AND

WHEREAS, the Town Engineer has reviewed this Easement Agreement and has approved same, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby accepts the aforementioned Easement Agreement, and authorizes and directs the Town Supervisor to execute same on behalf of the Town and, BE IT FURTHER

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

Upon roll call

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

Item No. 14 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

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

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

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

Upon roll call

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

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MARCH 2, 1998

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 15 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town, in its 1998 budget, allocated moneys to certain cultural and not-for-profit organizations which are involved in activities which benefit the Town, AND

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

WHEREAS, the organizations listed below have completed and returned signed agreements and their accounting report from the 1997 funding to the Town, NOW, THEREFORE, BE IT

RESOLVED, that this Town Board hereby approves agreements in the forms attached to this resolution, with the cultural and not-for-profit organizations listed below for the amounts listed and, BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the attached agreements with the following referenced cultural and not-for-profit organizations for the following respective amounts:

<u>Cultural/Not-For-Profit Organization</u>	<u>Funding Approved</u>
Cheektowaga Patriotic Commission	\$10,000.00
Cheektowaga Garden Club	450.00

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and, BE IT FURTHER

RESOLVED, that the aforementioned moneys shall be paid to the respective cultural/not-for-profit organization out of the respective cultural group budget line item in the 1998 Town budget, subject to audit and approval of a properly signed Town voucher.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 16a Appointment to Position of Working Crew Chief in Facilities Department
This item was withdrawn.

Item No. 16b Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, as a result of a retirement, a vacancy exists in the position of Working Crew Chief in the Facilities Department - Building Maintenance Division, AND

WHEREAS, said vacancy was posted in accordance with the terms of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, AND

WHEREAS, Mark Wegner, currently employed as a Sewer Maintenance Worker, bid on said vacancy was interviewed and meets all the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Mark Wegner of XXXXXXXXXXXXXXXX, be and hereby is appointed to the position of Working Crew Chief in the Facilities Department - Building Maintenance Division pursuant to the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, effective March 3, 1998.

Upon roll call

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

MEETING NO. 5
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ABSENT: 0

Item No. 16c Moved by Councilmember Rogowski, seconded by Councilmember Jankowiak

WHEREAS, as a result of a retirement, a vacancy exists in the position of Working Crew Chief in the Facilities Department, AND

WHEREAS, said vacancy was posted in accordance with the terms of the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, AND

WHEREAS, Doug Dixon, currently employed as a General Mechanic in the Facilities Department, bid on said vacancy, was interviewed and meets all the necessary qualifications for said position, NOW, THEREFORE, BE IT

RESOLVED, that Doug Dixon of XXXXXXXXXXXXXXXX, Depew, New York XXXXX be and hereby is appointed to the position of Working Crew Chief in the Facilities Department pursuant to the terms and conditions as set forth in the collective bargaining agreement between the Town of Cheektowaga and the Town of Cheektowaga Supervisory Unit, effective March 3, 1998.

Upon roll call

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

Item No. 16d Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, a permanent vacancy exists in the position of Motor Equipment Operator (A) in the Sanitation Department, AND

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

Item No. 16d cont'd.

WHEREAS, Bruce Kenner, currently employed as Motor Equipment Operator (B) in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Bruce Kenner of XXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the permanent position of Motor Equipment Operator (A) in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call

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

Item No. 16e Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, a temporary vacancy exists in the position of Motor Equipment Operator (A) in the Sanitation Department, AND

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

MEETING NO. 5
MARCH 2, 1998

WHEREAS, Brian Poules, currently employed as a Motor Equipment Operator (B) in the Highway Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Brian Poules of XXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of Motor Equipment Operator (A) in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call

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

Item No. 16f Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, a permanent vacancy exists in the position of Motor Equipment Operator (B) in the Sanitation Department, AND

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

WHEREAS, Jeff Bolis, currently employed as a Motor Equipment Operator (A) in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Jeff Bolis of XXXXXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the permanent 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 February 2, 1998.

Upon roll call

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

Item No. 16g Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, a permanent vacancy exists in the position of Motor Equipment Operator (B) in the Sanitation Department, AND

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

WHEREAS, James Kazmierczak, currently employed as a temporary Motor Equipment Operator (B) in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that James Kazmierczak of XXXXXXXXXXXXXXXt, Cheektowaga, New York XXXXX be and hereby is appointed to the permanent 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 February 2, 1998.

Upon roll call

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

Item No. 16h Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

MEETING NO. 5
MARCH 2, 1998

WHEREAS, a permanent vacancy exists in the position of Motor Equipment Operator (B) in the Sanitation Department, AND

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

WHEREAS, Gerald Sprada, currently employed as a Motor Equipment Operator (B) in the Highway Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that Gerald Sprada ofXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of Motor Equipment Operator (B) in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call

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

Item No. 16i Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, a permanent vacancy exists in the position of Motor Equipment Operator (B) in the Sanitation Department, AND

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

WHEREAS, Thomas Trzaska, currently employed as a Motor Equipment Operator (A) in the Sanitation Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

Item No. 16i cont'd.

RESOLVED, that Thomas Trzaska ofXXXXXXXXXXXXXXXXXXXXXXXXX, Angola, New York XXXXX be and hereby is appointed to the permanent 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 February 2, 1998

Upon roll call

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

Item No. 16j Moved by Councilmember Mazur, seconded by Councilmember Jankowiak

WHEREAS, a temporary vacancy exists in the position of Motor Equipment Operator (B) in the Sanitation Department, AND

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

WHEREAS, James Demler, currently employed as a General Mechanic in the Facilities Department, bid on said vacancy and meets all the necessary qualifications, NOW, THEREFORE, BE IT

RESOLVED, that James Demler ofXXXXXXXXXXXXXXXXXXXXXXXXX, Cheektowaga, New York XXXXX be and hereby is appointed to the temporary position of Motor

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MARCH 2, 1998

Equipment Operator (B) in the Sanitation Department in accordance with the terms and conditions of the Town's collective bargaining agreement with the Town of Cheektowaga Employees Association, effective immediately.

Upon roll call

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

Item No. 17 Appointment of Deputy Town Attorney (with Assessment Review Proceedings Duties, etc.)
This item was withdrawn.

Item No. 18 Moved by Councilmember Jaworowicz, seconded by Councilmember Mazur

WHEREAS, the New York State Government Finance Officers' Association (GFOA) will be holding its Annual Conference in Albany, New York on March 18 - 20, 1998, AND

WHEREAS, information important to the Town will be presented at this meeting and which the Town will be required and desires to implement, AND

WHEREAS, the Supervisor, Supervising Accountant, Accountant, and Junior Accountant have requested permission to attend this annual conference, AND

WHEREAS, the Town's Supervising Accountant is to be installed as its next President of the New York State GFOA at this conference, NOW, THEREFORE, BE IT

RESOLVED, that Dennis H. Gabryszak, Robert E. Kaczmarek, A. Lynn Nenni, and Kathleen Travers be and hereby are authorized to attend the aforementioned conference and, BE IT FURTHER

RESOLVED, that the Town shall pay all reasonable costs associated with this conference not to exceed \$1,800.00 to be paid out of budget line item #0100-1910-4082.

Item No. 18 cont'd,

Upon roll call

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 19 Building Permits
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 20 Summons and Complaint: Nella Sergi and Salvatore Sergi vs Charles Faulkner, James Griffo and the Town of Cheektowaga
Copies were sent to: Dennis H. Gabryszak, Supervisor; James Kirisits, Town Attorney; Highway Department and Allied Claims Insurance Carrier.
Received and Filed.



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

MEETING NO. 5
MARCH 2, 1998

Upon roll call

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



V. SUSPENSION OF RULES

Item No. 21 Moved by Councilmember Johnson, seconded by Supervisor Gabryszak

WHEREAS, Buffalo Anderson Associates has made application and requested the Rezoning from C-Retail Business District to MS-Motor Service District for property located at 3458 Union Road, NOW, THEREFORE, BE IT

RESOLVED, that a Public Hearing be held regarding said request under the provisions of the Zoning Ordinance on March 16, 1998 at 6:30 P.M., at the Cheektowaga Town Hall, corner of Broadway and Union Roads.

Upon roll call

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

AFFIDAVIT - NEXT PAGE

Item No. 22 Moved by Councilmember Swiatek, seconded by Councilmember Jaworowicz

WHEREAS, it is the declared policy of the State that local municipalities are "authorized and empowered to establish, maintain and operate programs devoted in whole or in part to the welfare of the aging", as well as for the State and its subdivisions to cooperate with a duly established redevelopment company for the development of "adequate, safe and sanitary dwelling accommodations properly planned and [located convenient] to public facilities" for elderly persons, AND

WHEREAS, such specialized accommodations, constructed according to the requirements of town planning, will help to maintain property values in the Town thereby protecting a source of public revenue, AND

WHEREAS, French Road Commons, L.P., a redevelopment company organized under Article 5 of the Private Housing Finance Law as a New York limited partnership, has proposed to purchase real property located at 891-893 French Road in the Town of Cheektowaga, for the purpose of erecting a total of 191 units of affordable and market-rate housing for senior citizens to be known as French Road Commons Apartments and Bell Tower Apartments, AND

WHEREAS, pursuant to Article 5 of the Private Housing Finance Law, this Board must determine that the acquisition of real property within the municipality by a redevelopment company is necessary or convenient for the public purposes defined in the law, AND

WHEREAS, pursuant to Article 5 of the Private Housing Finance Law, the Planning Board of the Town of Cheektowaga has recommended approval of the plan of the project of French Road Commons, L.P., AND

WHEREAS, pursuant to Article 5 of the Private Housing Finance Law, this Board has been asked to approve the project as to conformity with the policy and purposes of the law, as well as to approve a contract for the payment of real property taxes, AND

WHEREAS, in order to ensure affordable housing for the elderly in our community, the attached Payment In Lieu Of Taxes Agreement contains the following clauses:

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1. The initial monthly rental shall not exceed \$650, and such rent shall not increase by more than 3% during any calendar year.
2. French Road Commons, L.P. will explore alternatives for development low-income housing units on the property known as Bell Tower Senior Apartments

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby determines that the acquisition of the real property located at 891-893 French Road, Cheektowaga, New York, by French Road Commons, L.P., is necessary or convenient to accomplish the public purposes as defined in the law, including the purposes set forth above and, BE IT FURTHER

RESOLVED, that the Supervisor be and he hereby is authorized to sign a payment in lieu of tax agreement on behalf of this Town Board, after same has been approved as to form by the Town Attorney, covering the real property located at 891-893 French Road, Cheektowaga, New York.

Upon roll call

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

*SEE NEXT PAGE FOR ATTACHMENT

Item No. 23 Moved by Councilmember Mazur, seconded by Supervisor Gabryszak

WHEREAS, the Town administers a housing rehabilitation program for eligible Town homeowners to make necessary repairs and improvements to their homes, AND

WHEREAS, the Town's Housing Rehabilitation Loan Program Policy Guidelines require Town Board approval of rehabilitation loans of more than \$25,000, AND

WHEREAS, the Community Development Office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property located at 112 Helen Street in an amount not to exceed \$33,000, NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement with the owner of the property located at 112 Helen Street, Cheektowaga, New York, for a housing rehabilitation loan not to exceed \$33,000.

Item No. 24 Moved by Councilmember Johnson, seconded by Councilmember Mazur to adjourn this meeting. This meeting was adjourned at 7:45 P.M.

Richard M. Moleski
Town Clerk

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 16, 1998**

Item No. 1 At a regular meeting of the Town Board of the Town of Cheektowaga, Erie County, New York held at the Town Hall, corner of Broadway and Union Road, in said Town on the 16th day of March, 1998 at 7:00 o'clock P.M. there were:

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

ABSENT: 0

Also present were: Richard M. Moleski, Town Clerk; James J. Kirisits, Town Attorney; William Pugh, Town Engineer; Ronald Marten, Supervising Building and Plumbing Inspector; Robert McCarthy, Director of Employee Relations; Sal LaGreca, Planning Board Chairman; John Schaller, Assistant Chief of Police; Kerry Switalski, Youth and Recreational Services; Robert Kaczmarek, Supervising Accountant; William Conway, Assessor; Frank Max, General Crew Chief-Sanitation Department; Mark Wagner, Working Crew Chief-Facilities Department; Pat Wojcik, Director-Senior Citizens.

I. PUBLIC HEARINGS

Item No. 2 This being the time and place advertised for a public hearing to consider the advisability of repealing the existing Vehicle & Traffic Ordinance and of adopting a new Vehicle & Traffic Ordinance, hereinafter more particularly described. The Supervisor directed the Town Clerk to present proof of the publication and posting of the notice of hearing. The Town Clerk presented proof that such notice has been duly published and posted, and upon the order of the Supervisor, such proof was duly filed. A general description of the proposed new Vehicle and Traffic Ordinance is as follows:



The general purpose of the proposed Vehicle & Traffic Ordinance is to regulate the parking and movement of vehicles on public highways and public and private property in the Town of Cheektowaga.

The proposed Vehicle & Traffic Ordinance contains the following articles:

- Article I - General Provisions
- Article II - Traffic Regulations, including signals, speed limits, stop and yield intersections
- Article III - Off Street Parking
- Article IV - Parking, Standing, Stopping
- Article V - Schedules for various sections of the Vehicle and Traffic Ordinance

A copy of the complete texts of the existing and proposed Vehicle and Traffic Ordinance is on file in the Town Clerk's Office in the Town Hall where the same may be examined during regular business hours.



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

II. RESOLUTIONS

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 16, 1998**

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

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

<u>GENERAL FUND</u>		
FROM:	0100-1420-1153 Prosecuting Attorney	\$ 1,500.00
	0100-1355-4561 Contracted Legal	23,500.00
TO:	0100-1420-1151 Deputy Town Attorney	\$25,000.00

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

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

BE IT RESOLVED that the following Vouchers & Warrants are submitted to the Town of Cheektowaga prior to March 13, 1998 are hereby approved and made a part hereof:

GENERAL FUND	\$ 542,157.43
HIGHWAY FUND	43,563.91
TRUST & AGENCY	5,033,297.77
PART TOWN FUND	5,408.18
HUD CDBG FUND	3,909.18
HUD HOUSING REHABILITATION	19,620.00
DEBT SERVICE FUND	10,256.53
RISK RETENTION FUND	90,562.85
SPECIAL DISTRICTS FUND	354,951.24
CAPITAL FUND	149,099.75
	\$6,252,826.84

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

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

WHEREAS, Chapter 45 of the Code of the Town of Cheektowaga (a/k/a Noise Ordinance) prohibits the creation of unreasonable noise within the Town of Cheektowaga and provides penalties therefor, and

WHEREAS, the Cheektowaga Police Department has recommended that the Town consider adopting a new Noise Ordinance, and

WHEREAS, a new Noise Ordinance was drafted by the Cheektowaga Police Department with assistance from the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing shall be held on the 6th day of April, 1998 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the existing Noise Ordinance should be repealed and a new Noise Ordinance should be enacted, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the Cheektowaga Times not less than ten (10) days prior to the date of hearing.

Item No. 5 cont'd

NOTICE OF HEARING

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 16, 1998**

**REPEAL OF EXISTING NOISE ORDINANCE
AND
ADOPTION OF NEW NOISE ORDINANCE**

NOTICE IS HEREBY GIVEN THAT, in pursuance of a resolution of the Town Board of the Town of Cheektowaga, which was duly adopted on the 16th day of March, 1998, and in accordance with the provisions of the Town Law of the State of New York, a public hearing will be held on the 6th day of April, 1998 at 7:00 o'clock P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the existing Noise Ordinance (Chapter 45 of the Code of the Town of Cheektowaga) should be repealed and whether a new Noise Ordinance shall be enacted.

A brief outline of the new Noise Ordinance is as follows:

- Section 45.01 - Declaration of Policy
- Section 45.02 - Definitions
- Section 45.03 - Loud and unnecessary noise prohibited
- Section 45.04 - Certain loud and disturbing noises enumerated
- Section 45.05 - Measurement and control of noise
- Section 45.06 - Applicability of Article
- Section 45.07 - Exceptions and Special Waivers
- Section 45.08 - Enforcement and Penalties
- Section 45.09 - Penalties; violations deemed nuisances
- Section 45.10 - Conflicts
- Section 45.11 - Severability

Complete copies of the existing and proposed Noise Ordinance are available in the Town Clerk's Office in the Town Hall, 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: March 16, 1998

RICHARD M. MOLESKI
Town Clerk



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

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

Item No. 5 cont'd

Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 16, 1998**

WHEREAS, Chapter 45 of the Code of the Town of Cheektowaga (a/k/a Noise Ordinance) prohibits the creation of unreasonable noise within the Town of Cheektowaga and provides penalties therefor, and

WHEREAS, the Cheektowaga Police Department has recommended that the Town consider adopting a new Noise Ordinance, and

WHEREAS, a new Noise Ordinance was drafted by the Cheektowaga Police Department from assistance from the Town Attorney's Office, NOW, THEREFORE, BE IT

RESOLVED that in accordance with the provisions of the Town Law of the State of New York, a public hearing shall be held on the 20th day of April, 1998 at 7:00 P.M., at a meeting of the Town Board at the Cheektowaga Town Hall, 3301 Broadway, Cheektowaga, New York; at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it shall be determined by the Town Board whether the existing Noise Ordinance should be repealed and a new Noise Ordinance should be enacted, and BE IT FURTHER

RESOLVED that the Town Clerk shall publish the attached Notice of Hearing in the Cheektowaga Times not less than ten (10) days prior to the date of hearing.



**NOTICE OF HEARING
REPEAL OF EXISTING NOISE ORDINANCE
AND
ADOPTION OF NEW NOISE ORDINANCE**

NOTICE IS HEREBY GIVEN THAT, in pursuance of a resolution of the Town Board of the Town of Cheektowaga, which was duly adopted on the 16th day of March, 1998, and in accordance with the provisions of the Town Law of the State of New York, a public hearing will be held on the 20th day of April, 1998 at 7:00 o'clock P.M. at the Town Hall, corner of Broadway and Union Road, Cheektowaga, New York, at which hearing all parties in interest and citizens shall have an opportunity to be heard and at which time and place it may be determined by the Town Board whether the existing Noise Ordinance (Chapter 45 of the Code of the Town of Cheektowaga) should be repealed and whether a new Noise Ordinance shall be enacted.

A brief outline of the new Noise Ordinance is as follows:

- Section 45.01 - Declaration of Policy
- Section 45.02 - Definitions
- Section 45.03 - Loud and unnecessary noise prohibited
- Section 45.04 - Certain loud and disturbing noises enumerated
- Section 45.05 - Measurement and control of noise
- Section 45.06 - Applicability of Article
- Section 45.07 - Exceptions and Special Waivers
- Section 45.08 - Enforcement and Penalties
- Section 45.09 - Penalties; violations deemed nuisances
- Section 45.10 - Conflicts
- Section 45.11 - Severability

Item No. 5 cont'd

Complete copies of the existing and proposed Noise Ordinance are available in the Town Clerk's Office in the Town Hall, where the same may be examined during regular business hours.

TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 16, 1998

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

DATED: March 16, 1998

RICHARD M. MOLESKI
Town Clerk



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

AFFIDAVIT - NEXT PAGE

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

WHEREAS, a Notice to Bidders was duly published for the receipt of bids for the furnishing of eight (8) 1998 police vehicles for the Police Department, which bids were duly received and opened at a public bid opening called for that purpose, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 16, 1998**

WHEREAS, said bid was referred to the Police Department for analysis and tabulation,
NOW, THEREFORE, BE IT

RESOLVED that the contract for the furnishing of eight (8) 1998 police vehicles be awarded to Basil Ford, Inc. 1540 Walden Ave., Cheektowaga, NY 14225; said vendor being lowest bidder meeting the requirements of the specifications, and BE IT FURTHER

RESOLVED that funds are available in Account #0100-3120-2303 for this purpose.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 6b Motion by Councilmember Jankowiak, Seconded by Supervisor Gabryszak

WHEREAS, it is the declared policy of this Town that all resident-generators of solid waste must separate reusable materials from other garbage or nonrecyclable refuse and rubbish before collection and disposal by the Town, and

WHEREAS, garden and yard waste are reusable materials which, if left for collection and disposal, must be separated from other garbage or non-recyclable refuse and rubbish, and

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 16, 1998**

WHEREAS, a notice, dated November 17, 1997, was published, requesting proposals for the award of a contract for the recycling of yard waste collected by the Town, and

WHEREAS, 3 proposals were duly received, reviewed and considered by the Sanitation/Recycling Committee, and

WHEREAS, Concord Engineering, P.C., whose business includes composting products and services, was the lowest responsible bidder complying with specifications, NOW, THEREFORE, BE IT

RESOLVED that Concord Engineering, P.C. be and it hereby is awarded the contract, covering 1998 through 2002, for the acceptance and recycling of yard waste generated and collected by the Town of Cheektowaga upon its bid of \$5.85 per cubic yard of yard waste, and BE IT FURTHER

RESOLVED that the Supervisor, on behalf of this Town Board and the Town of Cheektowaga, be and he hereby is authorized and directed to execute a contract conforming to the specifications for same, and BE IT FURTHER

RESOLVED that the aforesaid contract shall take effect and be effective upon the acceptance by the New York State Department of Environmental Conservation (NYS DEC) of Concord Engineering, P.C., sites where the Town's yard waste will be composted and/or beneficially used or applied.

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

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

WHEREAS, by resolution dated March 2, 1998, this Town Board appointed Gerald Sprada to the position of Motor Equipment Operator (B) in the Sanitation Department, and

WHEREAS, the resolution was incorrect when indicating this position was temporary, NOW, THEREFORE, BE IT

RESOLVED that the resolution of March 2, 1998 be and hereby is amended as follows: Gerald Sprada be and hereby is appointed to the *permanent* position of Motor Equipment Operator (B) in the Sanitation Department, effective immediately.

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

Item No. 7b Motion by Unanimous, Seconded by Unanimous

WHEREAS, by resolution dated March 2, 1998, this Town Board created two (2) part-time positions of Deputy Town Attorney (with prosecutorial duties), and

WHEREAS, the Erie County Department of Personnel has advised the Town that one of these positions must be created "pending jurisdictional classification by the New York State Civil Service Department, NOW, THEREFORE, BE IT

Item No. 7b cont'd

RESOLVED that the third "RESOLVED" clause of the aforementioned resolution be and hereby is amended to state that one (1) part-time position of Deputy Town Attorney (with prosecutorial duties) and one part-time position of Deputy Town Attorney - PJC (with prosecutorial duties) are created, and BE IT FURTHER

RESOLVED that the fourth "RESOLVED" clause of such resolution be and hereby is amended to appoint James M. Vallone to the part-time position of Deputy Town Attorney (with

**TOWN OF CHEEKTOWAGA
MEETING NO. 6
March 16, 1998**

prosecutorial duties) and to appoint Jeffrey L. Whiting to the part-time position of Deputy Town Attorney - PJC (with prosecutorial duties).

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

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

WHEREAS, the Town Board has previously adopted guidelines governing the Town's Housing Rehabilitation Loan Program, and

WHEREAS, current rehabilitation guidelines do not currently provide for the substantial rehabilitation or replacement of existing unsafe, uninhabitable owner-occupied housing structures, and

WHEREAS, in order to continue to provide for the effective administration and implementation of said Program, and to assure the achievement of program goals, the Community Development Director has recommended the adoption of the attached amendment to said Guidelines which includes provision for substantial rehabilitation or replacement of existing unsafe, uninhabitable owner-occupied housing units with comparable housing units on the same site, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby adopts the attached amendment to the Housing Rehabilitation Loan Program Guidelines, said amendment to be effective immediately.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the Town of Cheektowaga has supported the Meals on Wheels Program for over nineteen years, and

WHEREAS, we are presently serving 272 elderly residents daily with two home-delivered meals, NOW, THEREFORE, BE IT

RESOLVED that the Town of Cheektowaga will present a grant of \$25,000.00 and an additional \$3,000.00 to expand Meals on Wheels into the Village of Sloan for the year 1998 to ensure the continuity of this program in our Town.

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

Item No. 10a Motion by Councilmember Johnson, Seconded by Councilmember Swiatek

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

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

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

WHEREAS, an application was submitted by Donald Staubitz to rezone 3160 Union Road, Don's Auto Body, from M1-Light Manufacturing to MS-Motor Service, and

WHEREAS, since the request was made to allow for construction of an 11,208 square foot addition at the rear of the site, and

WHEREAS, Donald Staubitz, in a letter dated February 26, 1998, has outlined the proposed uses of the addition, and

WHEREAS, the applicant, in the same letter, has agreed to correct any existing plumbing violations found on the site, and

WHEREAS, the Planning Board, at their meeting of February 25, 1998, has recommended approval of the rezoning and site plan, and

WHEREAS, the Advisory Committee, at its meeting held on February 11, 1998 rendered the determined shown on the attached memo dated February 12, 1998, and

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

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 10b Issue Negative Declaration regarding 3458 Union Road
This item was withdrawn.

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

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

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

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

WHEREAS, an application was submitted by the Pyramid Company of Buffalo to expand the Walden Galleria, and

WHEREAS, the expansion involves adding approximately 450,000 gross square feet of store area, a two-level parking deck and a level to the existing parking ramp, and

WHEREAS, through revisions to the site plan and a change in tenant requirements the expansion was reduced to 417,000± gross square feet, and

WHEREAS, the main addition would be located at the north end of the mall and consist of a 150,000± square foot anchor(s), 136,000± square foot Sears and additional general mall store area, and

WHEREAS, an 80,000 square foot anchor, previously approved by the Town, would be constructed on the west side of the mall adjacent to the west parking deck, and

WHEREAS, additional parking is required by the Zoning Law and as a result the applicant would construct a two level parking deck in the parking area between the north addition and the post office, an additional level to the existing ramp and construct a remote parking lot east of the post office, and

WHEREAS, an effort to improve traffic movements and safety for motorists, the Pyramid Company of Buffalo will connect the post office with the ring road to allow traffic to access the traffic signal and allow for the closing of the west post office driveway, and

WHEREAS, the Pyramid Company of Buffalo, in order to improve pedestrian access and safety, will construct sidewalks on the south side of Galleria Drive from the existing walks at the proposed remote lot to the west traffic signal, then continue the sidewalk on the north side of Galleria Drive from the west traffic signal to the Target store property to the west, and

WHEREAS, sidewalks and pavement markings will be installed from Walden Avenue and the Walden Galleria entrance to the mall entrance, and

WHEREAS, a conservation easement will be established along the periphery of the Galleria Drive detention basin and provide plantings to enhance the aesthetics including the beautifying of the northeast corner of Walden Avenue and Galleria Drive, and

WHEREAS, the applicant will also establish berms and/or plantings along the north line of Nokomis Park to provide screening and a softening of the view of the mall by residents, and

WHEREAS, the plans dated January, 1998 reflect most of the aforementioned improvements and the Pyramid Company of Buffalo letter, dated February 20, 1998 and revised March 12, 1998, further confirms that all the improvements will be installed, and

WHEREAS, the applicant will work with the Town to accelerate planned New York State Department of Transportation ("NYSDOT") improvements of Union Road from George Urban Boulevard to Como Park Boulevard (PIN 5131.23), and
Item No. 10c cont'd

WHEREAS, the applicant is committed to performing a traffic study of Galleria Drive on or before the two year anniversary of the opening of the expansion, and

WHEREAS, any improvement along Galleria Drive in the area of the mall that may be required, as indicated in the aforementioned traffic study, to mitigate increased traffic will be designed, furnished and installed by the applicant, at the applicant's expense, prior to the third anniversary of the expansion opening, and

WHEREAS, if the mitigative measures include road widening and right-of-way acquisition, the applicant will provide same at the applicant's expense, and

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WHEREAS, the Advisory Committee, at its meeting held on February 25, 1998 rendered the determined shown on the attached memo dated February 27, 1998, and

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

RESOLVED that this Town Board, determines that the project will not have a significant effect on the environment based on the revisions made to the site plan and additional improvements and/or work to be performed over a period of time, and BE IT FURTHER

RESOLVED that this Town board, finds the site plan acceptable and therefore issues a "Negative Declaration" for the purposes of SEQRA.

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

NAYES: 0

ABSENT: 0

**SEE NEXT PAGE(S) for ATTACHMENT

Item No. 11 Motion by Councilmember Johnson, Seconded by Supervisor Gabryszak

WHEREAS, the Town Engineer has requested the owner of property located on Bison Parkway to grant the Town an easement over its property for drainage purposes, and

WHEREAS, Room for Rent has executed the requested drainage easement, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby accepts the aforementioned drainage easement from Room for Rent, and BE IT FURTHER

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

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

Item No. 12 Motion by Councilmember Mazur, Seconded by Councilmember Jankowiak

WHEREAS, the Town of Cheektowaga has received notification of an unsafe, abandoned (accessory) structure at 2600 William Street, Cheektowaga, New York, SBL# 113.56-1-1.111) that is unsecured, open to unauthorized entry and a danger to the safety of others, and according to the Assessor's Office is owned by Bernard DiPizio and Laurice Boehmer, c/o DiPizio Construction Company, Inc., 100 Stradtman Street, Buffalo, NY 14206-2665, and

WHEREAS, these conditions require that the Town of Cheektowaga Housing and Neighborhood Preservation Office take immediate steps to safeguard and secure the north side overhead door opening and secure and safeguard the west side service door opening at this vacant structure to protect the health and safety of others, NOW, THEREFORE, BE IT

RESOLVED that all openings in this structure be boarded over and secured and all costs incurred be assessed against the property hereinbefore described.

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

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

WHEREAS, the proposed construction of a McDonald's Restaurant at #6360 Transit Road requires the extension of the water main owned and operated by the Erie County Water Authority on the west side of Transit Road within the highway right-of-way, and

WHEREAS, following the review of the project proposal, the Board of Fire Commissioners of Hy-View Fire District No. 8 have requested the installation of one (1) hydrant in conjunction with the water line extension as outlined in the enclosed letter from the Hy-View Fire District Secretary dated March 4, 1998, NOW, THEREFORE, BE IT

RESOLVED that the Erie County Water Authority is hereby requested to authorize installation of one (1) new hydrant on the west side of Transit Road, north of the proposed restaurant driveway entrance at Station 127+15 +/-, and BE IT FURTHER

RESOLVED that the Town of Cheektowaga shall be responsible for the payment of annual hydrant rental charges to the Erie County Water Authority for the subject hydrant, with said charges being recovered by Town billing to the respective fire district.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the Town of Cheektowaga owns land located between the east side of Sonwil Drive and the westerly terminus of Rehm Road in the Town of Cheektowaga, and

WHEREAS, the Town previously granted a 60 foot wide easement over this property to Bella Vista Group, Inc. for the installation of utilities for the proposed Parwood Subdivision, and

WHEREAS, a water line is proposed to be extended from Sonwil Drive to Rehm Road to service the Parwood Subdivision, and

WHEREAS, the Town may be interested in further extending the aforesaid water line easterly down Rehm Road and, according to the Erie County Water Authority ("ECWA"), the only way to ensure that the Town has access to this water line is to make the proposed Bella Vista Group water line a public water line, and

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WHEREAS, in order to make this a public water line, the ECWA requires that the Town dedicate the area in between Sonwil Drive and Rehm Road as a public right-of-way, and

WHEREAS, after this area becomes a dedicated public right-of-way, Bella Vista Group has agreed to release and discharge the easement previously granted by the Town, NOW, THEREFORE, BE IT

RESOLVED that this area becomes a dedicated public right-of-way, Bella Vista Group has agreed to release and discharge the easement previously granted by the Town, NOW, THEREFORE, BE IT

RESOLVED that this Town Board hereby dedicates the land described on the attached Schedule A as a public right-of-way, and BE IT FURTHER

RESOLVED that the Town Attorney be and hereby is directed to file a certified copy of this resolution and the release and discharge of easement in the Erie County Clerk's Office.

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

**SEE NEXT PAGE(S) for ATTACHMENT

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

WHEREAS, the State of New York provides financial aid for resource recovery equipment, source separation equipment, or both, for the implementation of small-scale, low-technology approaches to resource recovery; and

WHEREAS, the Town of Cheektowaga herein called the MUNICIPALITY, has examined and duly considered the applicable laws of the State of New York and the MUNICIPALITY deems it to be in the public interest and benefit to file an application under these laws to assist the Town with the purchase of a horizontal feed yard waste reduction machine (Project No. 9-MSWSS-022-E); and

WHEREAS, it is necessary that a Contract by and between THE PEOPLE OF THE STATE OF NEW YORK, herein called the STATE, and the MUNICIPALITY be executed for such STATE Aid;

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NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Cheektowaga

1. That the filing of an application in the form required by the State of New York in conformity with the applicable laws of the State of New York including all understanding and assurances contained in said application is hereby authorized;

2. That the Supervisor is directed and authorized as the official representative of the MUNICIPALITY to act in connection with the application and to provide such additional information as may be required and to sign the resulting contract if said application is approved by the STATE;

3. That the MUNICIPALITY agrees that it will fund its portion of the cost of said Solid Waste Management Project from budget line item number 5304-1910-9399;

4. That five (5) Certified Copies of this Resolution be prepared and sent to the NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION, ALBANY, NEW YORK 12233-4010, together with a complete application;

5. That this resolution shall take effect immediately.

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

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

WHEREAS, the Town of Cheektowaga herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work (purchase of recycling bins), as described in the State Contract, herein called the "Project" is desirable, in the public interest, and is required in order to study and/or implement the local project or program; and

WHEREAS, under Chapter 53, Section 1, of the Laws of 1997 relating to the Local Assistance Budget, the Legislature has authorized financial assistance to localities for services and expenses related to local projects, programs and studies by means of a written agreement; and

WHEREAS, the Municipality has examined and duly considered Chapter 55, Section 1, of the Laws of 1997 relating to the Local Assistance Budget and deems it to be in the public interest and benefit, under this law, to enter into a contract therewith:

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Cheektowaga

1. That the Supervisor is directed and authorized as the official representative to act in connection with any contracts between the Municipality and the State, and to provide such additional information as may be required in connection with the above referenced State Local Assistance Contract wherein \$7,500.00 will be made available to the Town.

Item No. 15b cont'd

2. That one (1) certified copy of this Resolution be prepared and sent to the New York State Department of Environmental Conservation, Albany, New York together with the State Contract.

3. That this Resolution take effect immediately.

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

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

WHEREAS, the Town Board has previously contracted with Nussbaumer & Clarke, Inc. for engineering services for drainage improvements in Cedargrove Heights identified as Stage II, Phase VIII, and

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WHEREAS, additional engineering services are required in relation to drainage improvements in Cedargrove Heights identified as the Community Drive Storm Sewer, Phase I, said project being a component of the previously identified project, and

WHEREAS, Nussbaumer & Clarke, Inc. has proposed to provide the additional required engineering services under an amendment to the aforementioned contract, dated March 18, 1996, for a fee not to exceed \$9,600., and

WHEREAS, the Town Engineer and Community Development Director have recommended that the Town Board accept the proposal submitted by Nussbaumer & Clarke, Inc., NOW, THEREFORE, BE IT

RESOLVED that the contract between the Town of Cheektowaga and Nussbaumer & Clarke, Inc., dated March 18, 1996 be and hereby is amended to include additional engineering services for the Community Drive Storm Sewer Project, Phase I, as contained in Nussbaumer & Clarke's proposal, dated March 9, 1998 for a fee not to exceed \$9,600, funding for said services to be paid with Community Development Block Grant funds, and BE IT FURTHER

RESOLVED that the Supervisor be and hereby is authorized to execute an amendment to the March 18, 1996 agreement with Nussbaumer & Clarke, Inc.

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

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

WHEREAS, the Town administers a housing rehabilitation program for eligible Town homeowners to make necessary repairs and improvements to their homes, and

WHEREAS, the Town's Housing Rehabilitation Loan Program Policy Guidelines require Town Board approval of rehabilitation loans of more than \$25,000, and

WHEREAS, the Community Development office has requested the Town Board to consider authorizing a housing rehabilitation loan to the owner of the property located at 240 Strasmer Rd., Depew, NY for the substantial rehabilitation of said property, in an amount not to exceed \$75,000, NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes the Supervisor to execute a housing rehabilitation loan agreement with the owner of the property located at 240 Strasmer Rd., Depew, NY, for a housing rehabilitation loan not to exceed \$75,000.00.

Item No. 15d cont'd

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

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

WHEREAS, the Town of Cheektowaga has previously provided a Housing Rehabilitation loan to the owner of the property located at 102 Halstead Avenue, Sloan, New York, and

WHEREAS, the owner of said property has applied for a mortgage loan from American General Finance, Inc. for the purpose of refinancing existing mortgage debt and a home-improvement related personal loan at a lower interest rate, and

WHEREAS, American General Finance, Inc. has conditioned its approval of the owner's mortgage on the subordination of the Town's mortgage to that of American General Finance, Inc., and

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WHEREAS, the Community Development Director has reviewed the request and determined that the subordination would be consistent with the Town's Guidelines governing subordination of Town mortgages, and therefore has recommended its approval, NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized to execute a Subordination Agreement with American General Finance, Inc., 1881 Ridge Road, West Seneca, New York 14224 in relation to the Town's Housing Rehabilitation loan secured by a mortgage on the property located at 102 Halstead Avenue, Sloan, NY 14212.

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

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

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

<u>SENIOR SERVICES DEPARTMENT</u>	<u>EFFECTIVE</u>
Christine Bethin	Immediately
Juli Grisanti	"
<u>POLICE DEPARTMENT</u>	
Jill Szczesek	Immediately

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

Item No. 17 Motion by Councilmember Mazur, Seconded by Councilmember Jaworowicz

BE IT RESOLVED that the position of Account-Clerk Typist (Promotional) be and hereby is created in the Police Department, effective immediately.

Item No. 17 cont'd

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

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

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

<u>EFFECTIVE</u>	
<u>POLICE DEPARTMENT - Police Matron - \$10.42/hr. (Per Diem Basis)</u>	
Mary Buczkowski	XXXXXXXXXXXXXXXXXXXXXXXXXXXXX Immediately
Heather Larivey	XXXXXXXXXXXXXXXXXXXXXXXXXXXXX "
<u>SENIOR SERVICES - Van Driver - \$6.50 per hour (0100-7620-1639)</u>	

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Robert Weber	XXXXXXXXXXXXXXXXXXXXXXXXXX	Immediately
Alexander Gabryszak	XXXXXXXXXXXXXXXXXXXXXXXXXX	"

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

Item No. 19a Motion by Councilmember Rogowski, Seconded by Supervisor Gabryszak

WHEREAS, the North American Partnership for Responsible Hospitality has selected the Suburban Wellness Coalition as one of five National Pilot sites for the implementation of a resource panel pilot project, and

WHEREAS, the Pilot Project is designed to create an alliance of business associations, government agencies and community organizations dedicated to developing safe communities and healthy businesses through the promotion of responsible principles and practices related to the serving of alcohol, and

WHEREAS, in order to implement the resource pilot, a four-day training is scheduled April 5th through April 9th in San Diego, California, and

WHEREAS, to underwrite travel and training expenses, the North American Partnership is providing the coalition with scholarship funds covering approximately 75% of total costs, NOW, THEREFORE, BE IT

RESOLVED that Program Coordinators Lois Friedrich and Gabrielle Dotterweich be authorized to attend said training and be reimbursed for costs not covered by scholarship, with the total sum not to exceed \$550.00 (Grant Line Item 01-7321-4000),

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

Item No. 19b Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Police Executive Research Forum (PERF) is holding the 1998 Annual Meeting on April 29th - May 2nd, 1998, in San Antonio, TX, and

Item No. 19b cont'd

WHEREAS, Chief Chamberlin is requesting authorization to attend this meeting. Workshops and guest speakers will cover topics such current issues in Citizen Volunteer Programs, Organization Change/Organizational Learning, Policing Benchmarks: Best Practices, What Works to Keep Kids From Becoming Criminals, CARE: How Effective Is It, and Effective School Resource Programs to name a few. The Police Department will be responsible for the registration, lodging and travel not to exceed the amount of \$1,000.00, NOW, THEREFORE, BE IT

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

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

Item No. 19c Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, Chief Bruce Chamberlin holds a seat on the advisory board of the National Law Enforcement & Technology Center (NLETC). They will be holding a meeting on May 5-6, 1998 in Atlantic City, NJ., and

WHEREAS, Chief Chamberlin is requesting authorization to attend this meeting. This advisory board is comprised of about 20 people from police and correction agencies. The Board

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reviews various technology applications for policing and correction purposes, NOW, THEREFORE, BE IT

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

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

Item No. 19d Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the New York State Police Academy will host the annual "NYSP Sex Offense Seminar" during the week of May 18-22, 1998. This seminar will be held in Albany, NY at the NYSP Training Academy, and

WHEREAS, Chief Chamberlin is requesting authorization to send Det. Gary Martz to this training. This seminar is intended to assist police investigation personnel in dealing with sex offense investigative issues. The Police Department will be responsible for registration, lodging, meals and transportation amounting to approximately \$589.00. Det. Martz will be using a Town vehicle for travel to and from this training, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send Det. Martz to this training, and that the time he spends there be authorized as normal duty time. Expenses to be charged to line 0100-3120-4085.

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

Item No. 19e Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the Madison County Virginia Sheriff's Department is hosting their annual K-9 Training Seminar. The seminar will be held in Madison, Virginia March 23-26, 1998, and

Item No. 19e cont'd

WHEREAS, Chief Bruce Chamberlin is requesting authorization to send Officer Daniel Smith and "Breston" to this training seminar. Officer Smith and "Breston" have been requested to instruct a portion of this seminar. Officer Smith will be using the K-9 vehicle for transportation to and from this seminar. The Police Department will be responsible for the expense of gasoline and tolls, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send Officer Smith and "Breston" to this seminar and that the time he spends at this training be authorized as normal duty time. The expense will be charged to line 0100-3120-4085.

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

Item No. 19f Motion by Councilmember Mazur, Seconded by Supervisor Gabryszak

WHEREAS, the national Law Enforcement Explorer Conference is being held in College Park, MD from July 19-25, 1998, and

WHEREAS, Chief Chamberlin is requesting authorization to send Police Officers John Duskocz and Laure Ucasz to this conference. Both officers have an extremely hands on advisory approach with the unit and are a necessary part of the safety presentation to be done at the national

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level. The unit has been working the past two years on a Child Safety Program with the National Center for Missing/Exploited Children and will present as a national pilot program. The Police Department will be responsible for registration, lodging, meals and travel amounting to approximately \$838.00, NOW, THEREFORE, BE IT

RESOLVED that Chief Chamberlin is authorized to send these officers to this conference and that the time they spend there be authorized as normal duty time. Expenses to be charged to 0100-3120-4005 and 0100-3120-4085.

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

III. DEPARTMENTAL COMMUNICATIONS

Item No. 20a Minutes of Cheektowaga Traffic Safety Commission - February 17, 1998
Received and Filed.

Item No. 20b Minutes of Cheektowaga Planning Board Meeting - February 25, 1998
Received and Filed.

IV. GENERAL COMMUNICATIONS

Item No. 21 Request to be Granted Use of Town Property located behind 202 Medina Street
Copies were sent to: Dennis H. Gabryszak, Supervisor; Town Board Members; James Kirsits, Town Attorney.
Received and Filed.

V. SUSPENSION OF RULES

Motion by Councilmember Johnson, Seconded by Councilmember Mazur to suspend the rules to include the following item, and the voting was as follows:

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

Item No. 22 Motion by Councilmember Swiatek, Seconded by Councilmember Johnson

WHEREAS, Donald M. Staubitz has petitioned for the rezoning from M1-Light Manufacturing District to MS-Motor Services District of property owned by him and located at 3160 Union Road, Cheektowaga, New York, which property is more particularly 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 March, 1998 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

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March 16, 1998**

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

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

**SEE NEXT PAGE(S) for ATTACHMENT

AFFIDAVIT - NEXT PAGE

Item No. 23 Motion by Supervisor Gabryszak, Seconded by Councilmember Johnson to adjourn the meeting.
Time Adjourned: 8:10 P.M.

RICHARD M. MOLESKI
Town Clerk